Barriers to Women’s full participation in Artisanal and Small-scale Mining Sector

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To:
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1.0 Executive Summary

This research paper seeks to outline and assess the social, economic, political and cultural barriers that women face thereby, hindering them from fully participating in Artisanal and Small-scale Gold Mining (ASGM) in Zimbabwe. The mining sector is male dominated and over the years has faced many challenges that range from gender discrimination due to gender blind laws, the high levels of violence, child labour, environmental degradation, safety issues and massive use of mercury. Zimbabwe like most societies, witnesses’ men and women performing different roles within the social and economic spheres though women have mostly done what are termed ‘light duties’ by the society such as cleaning, cooking and washing of gold using mercury for a fee. The sector has played an important role in contributing to the national economic agenda with over 500 000 artisanal and small-scale miners and over a million people indirectly benefiting from the sector.¹

The fall of the agricultural sector two decades ago led to a move by the majority into the mining sector as they were left with no option after most companies and farms were closed.² The agricultural sector comprised of 70% women labourers thus most of them resorted to joining the sector to fend for their children.³ Manoeuvring the male dominated sector has been difficult for women as women have less ownership over physical and financial assets⁴. Women have less decision-making authority and fewer educational and economic opportunities in mining compared to men⁵. Women comprise 11% of the people in ASGM, and women are generally poorly paid compared to men⁶. Gender inequality, health and safety of women in small-scale mining are still compromised, with only a few accessing their rights. The research was meant to look at the real challenges affecting women participation in mining and it focused on Bubi area in Matabeleland North Province. Women highlighted challenges that they face and these include, verbal abuse and labelling from male counterparts, being looked down upon by their male counterparts who believe they are of the weaker sex, husbands not allowing their wives to engage in mining activities.

The laws and policies have been put in place that promote gender equality in decision making and affirmative action measures like the Parliament quota systems and influential roles but more needs to be done to transform the representation into meaningful participation.⁷ Women highlighted the following as key challenges towards realising their full potential in the mining sector:

<table>
<thead>
<tr>
<th>Key areas</th>
<th>Challenges</th>
</tr>
</thead>
<tbody>
<tr>
<td>Violence Against Women</td>
<td>• Bullying from men</td>
</tr>
<tr>
<td></td>
<td>• Physical violence from machete gangs and male miners</td>
</tr>
<tr>
<td></td>
<td>• Intimidation from security forces</td>
</tr>
</tbody>
</table>

¹ International Institute for Sustainable Development (IGF) 2018 Women in Artisanal and Small-Scale Mining: Challenges and opportunities for greater participation
² D, Makaza (2019) Audit of Mthandazo Women Miners Association, ZELA
³ International Institute for Sustainable Development (IGF) 2018 Women in Artisanal and Small-Scale Mining: Challenges and opportunities for greater participation
⁴ The Pact Artisanal and Small-Scale mining scoping study report 2015
⁵ The Pact Artisanal and Small-Scale mining scoping study report 2015
⁶ The Pact Artisanal and Small-Scale mining scoping study report 2015
⁷ S17 Gender Balance in Constitution an s124 on 60 reserved seats in the National Assembly
| Lack of capital and access to credit facilities | Lack of awareness of financial opportunities for women  
| Woman to woman violence  
| Malicious damage to property from blasting  
| Property grabbing of land and livestock  
| • Lack of capital and access to credit facilities |  
| Lack of collateral security  
| Poor understanding of financial loan schemes from application stage  
| Most financial schemes are not decentralised  
| Lack of knowledge in mining as a business | Lack technical know-how of mining (underground mining)  
| Lack of access to research information to inform their activities  
| Poor business management skills  
| Social, environmental, cultural impacts | Jealousy and competition amongst women  
| Women cannot perform underground mining  
| Lack of safety nets to respond to VAW e.g. police, clinics  
| Increase of sex work hence high HIV/STI prevalence rate  
| Education and skills training for women  
| Decision making | Unrepresented in decision making structures related to mining  
| Women not supporting each other  
| Women not aware of the forums to engage to participate  
| Access to mining claims and equipment | EPOs have taken potential land for prospecting  
| Obtaining claims is still an expensive process for a new ASM  
| Process is still cumbersome and involving at the Ministry of Mines  
| Unfair tributary and sponsor agreements towards women  
| Lack of adequate resources to acquire equipment  
|  

The research team engaged a participatory qualitative methodology. The research methods used included conducting focus group discussions, key informant interviews, observation and literature review. Some of the study findings showed that there is gender disparity in ASGM in and violence has impacted negatively on the participation of women in ASGM. Cultural, social, legal, economic and political factors have also badly impacted the engagement of women in ASM. Generally, women’s indirect and direct role in the sector is not fully appreciated though there have been pockets of success where women have managed to break through and firmly establish themselves in the sector. Though, they still face different challenges from both their communities which are not supportive of women participating in ASM highlighting that mining is a man’s job. The following were recommendations to increase women participation.

**Recommendations to ZELA**

- Regular extension services targeting women and PWD would also help them understand technical aspects of and access to geological data
- Initiate a pilot of upscaling ASM from small scale targeting to move it up to medium scale by linking with investors under a win-win model with women, recognised by government and local authorities.
- Identifying male gender champions in mining communities to raise awareness on gender and change the community attitude towards women working in mines.
- further research is needed to understand the variation in how “formalization” policies have been interpreted in different regions of the country and by different groups of miners (women and men).
- Provide technical support to mining institutions and associations to do gender mainstreaming of their internal and external operations e.g. Women in Mining Associations-CSOTs-Federations of ASM-Mining Companies-Mining Boards-ZMDC-MMتز-Chamber of Mines-Ministry of Mines-RBZ-Financial Institutions-Fidelity Printers and Refiners etc.
- Conduct a study of the situation of care work in Zimbabwe. The study should quantify the value of care work and highlight mechanisms to reduce the burden on women.
- Advocate for affirmative action in Gender responsive budgeting e.g. 30% budget allocation to gender related programs
- More gender-sensitive workplace environments are essential to ensure women achieve their potential at work e.g. protective clothing and accommodations during pregnancy
- ZELA programming should focus most on the structural challenges that hinder women participation like violence against women, access and ownership of resources including credit facilities. ZELA should engage women miners at family level to ensure husbands also participate and are supportive. Challenge gender inequalities from home to the mine not mine alone. Acknowledge that changing attitudes is a process.
- ZELA should invite stakeholders in the financing sector so that they get to engage with women in mining communities to demystify the processes of applying for loans and credit facilities. The low hanging fruit is FPR. Partner with their gold Division and raise awareness on the Gold Fund, assist women to apply or better still assist to redesign the application forms to be simplified and in vernacular but still maintain the requisite standards.
- Profile women in mining who have broken the glass ceiling. Use their lived realities to encourage other women. This can be achieved by using various media platforms to profile
them. More innovative methods are sponsoring awards for women in mining at Big extractive sector conferences like Mine Entra.

- Standardise mentorship programs in Women in Mining Associations. Mentorship of young women who want to venture into mining.

2. Introduction

Previous studies on gender and mining have repeatedly shown that women are often marginalized in the artisanal and small-scale mining sector. The mining sector remains masculine due to various reasons including; cultural, social, economic barriers, violence, lack of access to finance and many other barriers. The Zimbabwe mining sector has immensely contributed to Zimbabwe’s economic resilience and agenda. The sector has increasing contributed to GDP from 12.6% in 2016 to 18% in 2019. The sector has positively contributed to employment, social development, development at local level and through bringing in the much-needed foreign exchange earnings. The recent announcement by the President of Zimbabwe for the country to become a 12 billion mining industry by 2023 does not spare the contribution of women towards the attainment of the target. The ASGM sector has been an important part of the mining sector’s national economic contribution. More than 50% of the country’s total gold output is being contributed by artisanal miners and this is not counting the gold lost to leakages. This over the years has made ASM surpass the amount of gold being distributed by the primary producers LSM. In addition, the sector is a significant employer as it is estimated to employ over 500 000 people directly.

Despite its centrality to economic growth and development, the mining sector has been historically gendered non-inclusive with women often only occupying non-mining roles in administration, washing and cooking. The mine- workplace has often not been reconfigured to make it suitable and attractive to women. In addition, the ‘pipeline’ supply of students with engineering and technical backgrounds is often skewed in favour of men as opposed to women. In ASGM, the result is that women are often relegated to indirect roles where they still participate directly in the mining. They are often relegated to mineral processing and this often means working with chemicals such as mercury and cyanide with deleterious effects.

Zimbabwe like most countries witnesses men and women performing different roles within social and economic spheres. In the diverse business and community settings, both women and men normally take up different responsibilities and have often unequal statuses.

It is against this background that ZELA sought to assess the barriers to women’s participation in the ASGM sector with a view to contributing to scholarship on gender and mining and contributing to the knowledge pool available to policy makers and practitioners working on formalizing ASGM and

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8 https://reliefweb.int/report/zimbabwe/women-dig-zimbabwes-male-dominated-small-scale-mining-sector
10 Ibid
pushing for gender parity in access to mineral resources. The research will also come up with models which are meant to encourage women’s participation in ASM and thereby increasing the number of women undertaking ASM activities.

3. Objectives of the study

• To identify and analyse the factors that are affecting women’s full participation is the artisanal and small-scale mining sector.

• To establish and analyse the existing legal policies and frameworks that support inclusive participation in ASM

• To recommend and contextualize models that would work and encourage women to fully participate in ASM.

4. METHODOLOGY

The research methods used included both primary and secondary data sources. The researchers made use of available secondary resources, including the information available on gender and mining by different institutions, NGO reports, Government records, and relevant laws, and policies, academic and professional reports. The study employed a qualitative research; data was gathered largely through the review of secondary sources of information complemented by primary data collection through direct consultation with a range of key actors connected directly and indirectly with the mining sector, as well as the broader governance structure and policymaking community that include parliamentarians, Artisanal and small scale miners, and actors within the mining supply chain including equipment fabricators, illegal gold buyers, women mining associations and Government departments.

The research was guided by the following key questions:

| 1. What are the key challenges faced by both women in mining and those who want to join the sector? |
| 2. How has violence in ASM affected the full participation of women? |
| 3. What do you think are the main barriers to women’s full participation? |
| 4. Comment on the women in mining association model? Do you think it is good model? If yes, why and if not why? |
| 5. What roles do marginalised groups especially women normally do in ASM? And why those roles? [youths, persons with disability, PLWHA, Elderly] |
| 6. Discuss the level of women participation along the mining value chain [illustrate the value chain stage by stage] |
| 7. Are there any laws or policies that support marginalised groups especially women’s full participation in mining? |
| 8. Are there any support services and institutional mechanisms promoting women in mining [Probe from Government, NGOs, Mining Companies, CSOTs & Other Institutions?] |
5. OVERVIEW OF WOMEN’S PARTICIPATION IN THE ASM VALUE CHAIN

Artisanal and small-scale mining (ASM) has grown significantly globally, with approximately 40.5 million people directly involved and an additional 150 million dependent on the sector for their livelihood. Though not often acknowledged, the role of women in ASM is significant, as they make up around 30 per cent of the total workforce, and up to 50 per cent in some regions. Undoubtedly, in many parts of the world including in Zimbabwe, ASM activities play a crucial role in poverty alleviation and rural development. History has time after time indicated that Africa is blessed with natural resources, yet it is considered one of the poorest continents on Earth. Grappling with growing unemployment and poverty, these African countries have realized that ASM, previously despised as a poverty-driven activity, can be a poverty-alleviating strategy with massive potential to be an employment-generating activity that should be supported and accorded its space alongside large-scale mining ventures.

To clearly outline and support the previous statement, in 2016, Zimbabwe’s gold mining sector, consisting of both artisanal and small-scale mining (ASGM) and large-scale gold mining (LSGM), contributed 2.6% of gross domestic product (GDP), 18% of exports, 28% of mining output and 1% of government revenues (royalties only) and employed 7.1% of the labour force showing that ASGM significantly contributes to the growth and development of Zimbabwe’s economy. Fast forward to 2018 and 2019, mining could prove to be big business in Zimbabwe, with mineral exports responsible for 60% of the country’s export earnings as of October 2018, and the mining sector contributing around 16% of national GDP. The government has also outlined ambitious plans to quadruple the sector’s total value to $12 billion by 2023. Additionally, in 2019, artisanal miners accounted for 63 percent of gold deliveries to Fidelity, as they continue to eclipse output from large scale gold producers, although this was lower than 2018 due to power shortages, smuggling, poor policy environment and the spate of violence in the sector.

ASM is a significant source of income for tens of millions of people in developing countries. ASM refers to small group or individuals engaged in low-cost and labour-intensive excavation of minerals using minimal mechanization. ASM techniques are used in the production of precious minerals such as gold and diamonds, fertilizers used in agriculture, garnet used to filter water, and gravel and stone used for building bridges and paving rural roads. According to current estimates, at least 40 million people globally work directly in the ASM sector, and about 300 million people in more than 70

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15 Ibid.
16 PACT (2017). The contribution of artisanal and small-scale gold mining to Zimbabwe’s economic growth and development at https://www.pactworld.org/library/contribution-artisanal-and-small-scale-gold-mining-zimbabwe%E2%80%99s-economic-growth-and
17 JP Casey, “Mining in Zimbabwe: Time to use it or lose it” (2020) at https://www.mining-technology.com/features/mining-in-zimbabwe-time-to-use-it-or-lose-it/#:~:text=Mining%20could%20prove%20to%20be%20around%2016%25%20of%20national%20GDP.
countries depend indirectly on the sector. Women are estimated to represent 30–50% of the global ASM workforce but are often overlooked by donors and governments. In other countries such as Ghana, women account for as much as 90% of the gold mining labour force, and women represent most gemstone miners in Tanzania. While there is significant variation across countries, women tend to earn only one quarter of what men earn in the ASM sector. Despite earning less than their male counterparts, ASM still represents a critical source of income for women. In some countries, the relative economic opportunities in the ASM sector are comparatively more valuable for women than men. For example, while women in ASM in Uganda earn less than men, women can still earn 335% more at the mine site compared to non-mining activities, while men can only earn 65% more. However, in Zimbabwe the estimated contribution of minerals by women has never been ascertained yet critical to emphasize the contribution of women.

5.1 Socio-cultural aspects
Cultural and historical aspects have since neglected women’s participation in the mining rhetoric, evidence has shown that women have always been part of the mining workforce. Women have been primarily involved in the crashing, washing, panning, sieving, sorting, mercury-gold amalgamation, amalgam decomposition and in some instances actual mining. Women are also very active in the provision of other goods and services centred around mining communities such as vending, sales of artisanal equipment such as sieves, transporting dirt and ore, cleaning, laundry, entertainment and sex work just to mention a few. Additionally, discussions rarely adequately highlight women’s productive roles or specify the gendered impacts of the mining industry. There is an invisibility problem whereby women’s contributions to the sector are masked by the dominant reflection of men’s roles in discussions of mining thus erasing women’s participation.

Due to this invisibility problem, an in-depth knowledge is not well-established about the challenges that women in the ASM sector face and their potential to enable a positive livelihood development through mining. It is crucial in that when conducting research on women and while highlighting the key challenges women face in the various capacities in the sector, it is important to understand the environment in which they operate. The masculine image of ‘the miner’ created in early industrial days when mining was a dangerous, laborious, highly intense and risky operation continues to have a strong effect in excluding women from heavy mining duties and rhetoric and women’s participation outside the pits gets ignored and undocumented although they contribute to a significant part of the mining operation. A growing body of evidence reveals that women are differently and more negatively impacted by their engagement in ASM in their communities and this is usually a reflection of existing gender inequalities such as (division of labour and cultural norms that lower the status and authority of women relative to men). These are further compounded by the stratification and social, environmental and economic pressures that the industry can create.

20 USAID, Gender Issues, 2019, p.1
21 Ibid.
24 Lahiri-Dutt (2012)
The exclusion of women from the mining sector has also been influenced by the traditionally infused social constraints which have seen women banned from mining activities due to myths that the minerals will disappear or the discriminatory customary practices that prevent women from owning or inheriting land and mineral rights further increasing their vulnerability in the industry. Backward as this may sound, women from Shurugwi are still subjected to this myth by their traditional leaders. Women are still banned from conducting underground mining. Women are restricted to surface mining activities only. This has limited their full socio-economic benefits of mining.

It is for this reason that the Africa Mining Vision clearly articulates the need for a mining sector that is safe, healthy, gender and ethically inclusive, environmentally friendly and socially responsible. The AMV plan of action further calls for the harnessing of the potential of ASM to improve rural livelihoods, to stimulate entrepreneurship in a socially-responsible manner, to promote local and integrated national development as well as regional cooperation. Some of the identified key challenges that women in ASM (and will be touched on in greater detail in this paper) include:

- Critical inaccessibility of capital and financing for the mining operations from mainstream financial facilities
- Lack of appropriate machinery and technology such as the use of the very hazardous mercury for amalgamation of gold
- Lack of access to information on availability of mining claims
- Extreme difficulty in acquiring mining licences
- Lack of geological information on the output capacity of their mines due to a lack of finances for the employment of surveyors/geologists
- Lack of technical know-how of the sector due to unavailability of capacity building opportunities
- Lack of adequate laws to provide women with the necessary protection at all levels of the mining sector
- Lack of information on the market dynamics including tax incentives
- Labour-intensive unpaid care work in the home that takes up time that could have been otherwise utilised in productive mining activities
- Prevailing patriarchal ideologies that mining is a man’s job, thereby obstructing crucial information from trickling down to the women miners.

Summary of challenges that women in the ASM sector face

25 Rickard et al, 2017, p.16
26 Presentation of MSU research on gender and mining at the ZAMI 2020
28 Ibid.
The comprehensive report conducted by the United Nations Economic Commission for Africa (UNECA)’s African Centre for Gender in collaboration with the African Minerals Development Centre of UNECA\(^{29}\) indicated that it is important to note that the benefits and risks of mining in general (including artisanal and small-scale mining) are often broadly measured at the community level but often fail to distinguish the differential impact on men and women. This means that a gender bias exists in the distribution of risks and benefits in mining projects. As a result of gender-based inequalities in communities, men and women often do not have equal ownership or rights over resources. Women are also often not involved in decision-making or consulted during negotiations preceding project implementation and are overlooked in the payment of compensation and royalties. Furthermore, to add insult to injury, women are not prioritised in employment and training opportunities in mining. Thus, women lose critical livelihood and economic opportunities, access to land, face exclusion from resource management and are affected disproportionately by land degradation arising from mining operations. Zimbabwe has approximately 500,000 ASM operators, of which about 153,000 are women and children.\(^{30}\) Women constitute 11% of the ASM sector in Zimbabwe.\(^{31}\)

Persons with disabilities (PwD) like women, do not have equal access to health care, education, and employment opportunities, do not receive the disability-related services that they require, and experience exclusion from everyday life activities.\(^{32}\) Inaccessible environments create disability by creating barriers to participation and inclusion. However, it is important to note that, generalizations about ‘disability’ or ‘people with disabilities’ can mislead. Persons with disabilities have diverse personal factors with differences in age, gender, socio-economic status, sexuality, ethnicity, or cultural heritage. Each has his or her personal preferences and responses to disability. Women with disabilities experience multi dimensions of discrimination based on gender as well as disability. They have it hard in the ASM industry as they are rarely given chance to participate because they are women and because they are disabled. Disability is a development issue, because of its bi-directional link to poverty; it may increase the risk of poverty, and poverty may increase the risk of disability.\(^{33}\) Therefore, there is a desperate need to tackle problems which concern not only the ASM sector and its development agenda but also the gender and social inclusion of women and PwDs and focus on other key areas such as environmental, health and safety aspects of society and biodiversity in the ASM sector.

5.2 Decision making positions
The overall view is that women remain excluded or marginalised from the industry as they have limited access to mineral wealth in terms of ownership or equity participation.\(^{34}\) Researchers such as Colleen Lowe Morna are of the view that women are also marginalised in terms of governance and management of the industry as reflected by the tiny minority of women sitting on the boards of

\(^{29}\) ibid
\(^{30}\) PACT, 2017
\(^{31}\) PACT, 2017.
\(^{34}\) Lowe et al, 2018: 133
directors of mining companies and in senior management and supervisory positions.\(^\text{35}\) Globally, only 10% of senior management positions is mining companies is held by women and 1% hold top management positions.\(^\text{36}\) This marginalisation extends beyond the boardroom where women in actual mining face victimisation, dispossession of mining claims and gender-based violence. Globally, 5% percent to 10% of the mining workforce is female—the lowest of any major industry. In Zimbabwe 2% of the workforce consists of women and is mostly in administrative positions.\(^\text{37}\) A research conducted by Catalyst\(^\text{38}\) revealed the financial and social benefits to mining when women are at the realm of decision making. The research analysed board composition of mines on the global market and their profitability. Globally 5% of the board composition are women on a list of 500 mining companies. Findings noted that profit margins are higher for mining companies with women on the board, companies with female board representation also had higher return on sales, higher return on invested capital and higher return on equity.\(^\text{39}\) In gender balanced boards it was noted that a ‘critical mass’ of 30% or more women at board level or in senior management produces the best financial results.

### Table: The gender composition in the mining industry

<table>
<thead>
<tr>
<th>Institution</th>
<th>Male</th>
<th>Female</th>
<th>% of women</th>
</tr>
</thead>
<tbody>
<tr>
<td>Zimbabwe Stock Exchange Listed Companies Directors</td>
<td>403</td>
<td>72</td>
<td>18</td>
</tr>
<tr>
<td>Zimbabwe Consolidated Diamond Company Board</td>
<td>5</td>
<td>2</td>
<td>40</td>
</tr>
<tr>
<td>Zimbabwe Mining Development Company</td>
<td>6</td>
<td>1</td>
<td>16.6</td>
</tr>
<tr>
<td>Procurement Regulatory of Zimbabwe</td>
<td>4</td>
<td>4</td>
<td>50</td>
</tr>
<tr>
<td>Mineral Marketing Cooperation of Zimbabwe</td>
<td>4</td>
<td>3</td>
<td>75</td>
</tr>
<tr>
<td>Hwange Colliery</td>
<td>4</td>
<td>2</td>
<td>50</td>
</tr>
</tbody>
</table>

**Source:** Situational Analysis on women participation in decision making, Padare (2020)

### 5.3 Gender Division of Labour in Mining

The history of women as miners allows us to understand how State and employers’ policies contributed to masculinizing work and sites of labour by implementing protective laws. In fact, “this was a process that ran parallel to what has been labelled the de-labourization of women since the eighteenth century: the development by which women were increasingly excluded from more or less formal wage labour employment by State and employer regulations based on a male breadwinner ideology and the masculinization of workplaces and work processes.”\(^\text{40}\) However, as most ASMers in the world tends to operate in the informal economy, its contributions to local and national

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\(^{36}\) PWC, 2013

\(^{37}\) Ibid


\(^{39}\) Women in Mining UK, 2013

development are typically invisible to most decision makers, government and the general public. However, at household and community levels, ASM provides rural employment options and results in reduced rural-urban migration. Additionally, miners’ incomes are often reinvested in agriculture or used to stimulate other small businesses, while revenues from ASM and spin-off ventures often play an important role in helping local families meet their health and development needs.\(^{41}\) Zimbabwe is one of the numerous countries in Africa in which increasing numbers of people have turned to rudimentary gold extraction as a source of income in recent years. According to research, 26.4% of Zimbabwe’s population depended directly on ASM in 2008, making Zimbabwe the country with the fourth highest rate of dependence on ASM in Africa.\(^{42}\) This figure is expected to rise given the current meltdown of the Zimbabwe economy and global trends which have been indicated as follows:

![Number of ASM operators worldwide](image)

**Source:** Based on ILO, 1999; Seccatore et al, 2014; Artisanal and Small-scale mining knowledge sharing archive, 2017.

As noted in previous research and earlier on in this paper, men and women have different ‘typical’ roles in ASM which may occur at any/all stages along the ASM value chain. For example, in countries such as Tanzania, “it was observed that 2.5 times as many, women are engaged in indirect roles such as hauling and food and water provision than in direct mineral production. In most cases, men and women have different tasks along the mineral processing chain, with men being more present in the extraction phase and women in mineral processing and the delivery of auxiliary services.

The above below illustrates the fact that women often undertake a range of tasks within ASM mining operations, including digging, panning, processing, transporting, hauling, cooking and cleaning. Therefore, women’s engagement is often concentrated around lower paid and lower value activities. Thus, women’s roles tend to be less lucrative and profitable than other roles dominated by men who

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\(^{42}\) Maconachie and Hilson 2011; International Institute for Environment and Development 2013.
are owners, managers and sellers. Additionally, as an observance, the difference in roles in large part determined by cultural or traditional factors, functions and expectations.

**ASM value chain**: Adapted from Mutemeri and Samba, 2010

Note: Ovals show livelihoods activities associated with each phase of value chain, boxes identify cross-cutting issues along the value chain.

These differing roles are referred to as gender roles although specific roles and expectations vary around the world and even within countries. Examining gender and ASM means we are looking at what women and men are expected to do, or are limited from doing, the implications and so forth. However, it cannot be argued that based on gender roles, men and women often do not have equal ownership or rights over resources, they are often differentially involved in decision-making and women are often ineligible to make certain decisions for their own or their family’s lives. Based on their different roles and abilities to exert influence over their own roles, men and women may be differentially affected by the sector itself, or by reforms or programs in the sector. For instance, in a community where women are responsible for food preparation or water collection, an ASM activity that pollutes local water sources may mean that women, children and families are prone to food poisoning, getting ill and this forces the women to travel further and spend more of the day collecting...
water and leaving little time for other activities. This is referred to as the unpaid care work women perform daily. Unpaid care work consumes women time to engage in productive activities. Women spend an average of 49.7% hrs against men; 26.7 hrs per week on care work. 43

6. AN INSIGHT INTO THE CHALLENGES FACED BY WOMEN IN THE ASM SECTOR

6.1 Lack of Capital and Financial Inclusion

Women face several existing economic challenges in artisanal mining, and these contribute to their limited participation within the sector. Firstly, banks are often unwilling to lend to ‘risky’ ASM projects money and rarely consider mines as collateral. In fact, the difficulty in accessing finance is, however higher for women due to cultural barriers, lack of traditional collateral and their lower income levels. The mining business requires a lot of inputs such as machinery, operating licenses, permits, fees and taxes. Since women are amongst the most affected by poverty, an inference can be reasonably drawn that women cannot afford all these. Under the 2030 Agenda for Sustainable Development, SDG 5 speaks to achieving gender equality and empowering all women and girls. Access to formal financial services by women is instrumental in helping to achieve gender equality and women empowerment. The goal is to ensure that women and women-led businesses have access to and can use multiple financial services and tools to develop their financial freedom and allow them to contribute meaningfully to economic growth.

Zimbabwe launched the Financial Inclusion Strategy 2016-2020. The strategy is being coordinated and implemented by the Reserve Bank of Zimbabwe. The purpose of the strategy is to prioritise and address the needs of special target groups which are currently underserved. The strategy view is to engender social and economic development in Zimbabwe. The 2016 research conducted by the United Nations defined financial inclusion as having access to credit saving and payment services to everyone for all bankable people and firms and that inclusive finance does not require that everyone is eligible to use each of the services but they should be able to choose them if desired. The Zimbabwe Financial Inclusion Strategy 2016-2020 defines financial inclusion as the effective use of a wide range of quality, affordable and accessible financial services, provided in a fair and transparent manner through formal / regulated entities, by all Zimbabweans. 44 Therefore, financial inclusion is thus the provision of unlimited access to financial services such as deposits, loans, payment services, money transfer and insurance to people including the poor and low-income households.

A Fin scope MSME Survey and the 2014 Fin scope Consumer Survey revealed that 23% of Zimbabwe adult population was financially excluded, only 30% of Zimbabwe adult population made use of banking services as at 2014, only 14% of MSME owners were banked and 1% of adult population made use of capital market services. 45 Women occupy the informal sector most as MSME thus mostly do not

43 Zimbabwe-SADC Gender Protocol Barometer 2018
44 Zimbabwe Financial Inclusion Strategy 2016-2020 pg 2
45 Zimbabwe Financial Inclusion Strategy 2016-2020 pg. 3
have bank accounts. According to the UNDP\textsuperscript{46} report on Zimbabwe, control and access to strategic resources such as productive land remains low in favour of men. In addition to these disparities, inadequate entrepreneurial skills and business among women and girls and limited resources allocated to women’s empowerment projects also contribute to perpetuating disparities between men and women. There is generally low financial literacy in Zimbabwe despite having a highly educated population.\textsuperscript{47} In Sub-Saharan Africa 70% of consumers use e-money platforms.\textsuperscript{48}This refer to use of money in mobile phones or any technological device. Thus, few use commercial banking system. Most women have their saving and lending structures called SACCO or Rotating Credit and Savings Associations (ROCSA). These are cooperatives consisting of a group of women. The women contribute an agreed amount per person per agreed period [week, month]. The lumpsum received is allocated to each in turns per the period. This allows women to invest using their lumpsum. Some lending models women agree on what items to purchase after everyone has contributed. These schemes are common in rural communities. The financial inclusion strategy recognised these schemes and opportunities for financing and incorporated these schemes as eligible for loans. The SACCOS provide the following product offerings:

a) loans based on an intimate understanding of the business model and the Small and Medium Enterprises Development Corporation (SMEDCO) Infrastructural Development Bank of Zimbabwe (IDBZ) borrower, rather than collateral;

b) loans and funding suited to the specific needs of the borrower, and

c) capacity-building services and support to borrowers who are members in most cases.\textsuperscript{49}

At the time that the Women’s Bank opened in Zimbabwe, only 27 percent of women had access to formal banking products and accounting for only 10 percent of the total bank loans.\textsuperscript{50} The Bank opened under the theme, “Leaving No One Behind” and this resonated well with the global, regional and national development priorities which were attuned to the on-going global commitments towards sustainable development goals and the achievement of gender equality.

Sadly, according to research conducted\textsuperscript{51} “Sub-Saharan Africa loses around $95 billion a year due to gender inequality, jeopardizing the continent’s efforts for economic growth and development. The loss is equivalent to six percent of the country’s Gross Domestic Product (GDP) of which in 2014 alone, the losses peaked at $105 billion.” This report reveals that some of these losses include, (i) deeply rooted structural obstacles like unequal distribution of resources and political power (ii) social institutions that sustain inequality, which are holding back African women and the continent and (iii) failure to meet poverty reduction targets. Research has proven that economically empowered women tend to invest more in education and the health of their children and family and this builds a firm foundation for women’s equal participation in the labour market and various decision-making positions in the economy and politics. The women parliamentarians observed that experience from UNDP depicted that ‘giving women finance credits is not a silver bullet.’\textsuperscript{52} Finance credit can provide

\textsuperscript{46} UNDP, 2015
\textsuperscript{47} World Bank Consumer Protection and Financial Literacy Diagnostic REVIEW OF 2014
\textsuperscript{48} World Bank Global Financial Inclusion Consumer Protection Survey 2017
\textsuperscript{49} Zimbabwe Financial Inclusion Strategy 2016-2020
\textsuperscript{50} UN, 2018
\textsuperscript{51} UNDP Africa Human Development Report, 2016,
\textsuperscript{52} Parliament of Zimbabwe Report on the Women Development Fund, 2017
capital for investment, provide basic commodities for families, diversify income options. However, it can also lead to indebtedness and increased exclusion unless micro-finance programmes are well structured. To take women out of that survival mode into vibrant and viable businesses women need access to the whole spectrum of financial services to be productive.53

<table>
<thead>
<tr>
<th>ITEM</th>
<th>COST (US$)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Application for an Exclusive Prospective Order</td>
<td>10,000</td>
</tr>
<tr>
<td>(non-refundable)</td>
<td></td>
</tr>
<tr>
<td>Special mining lease</td>
<td>25,000</td>
</tr>
<tr>
<td>Special prospecting licence</td>
<td>3,750</td>
</tr>
<tr>
<td>Ordinary prospecting licence</td>
<td>1,000</td>
</tr>
<tr>
<td>Renewal fee for a mining special grant</td>
<td>5,000</td>
</tr>
<tr>
<td>Annual fee per five hectares</td>
<td>1,125</td>
</tr>
<tr>
<td>Annual fees for mining special grant</td>
<td>$50 per hectare per year</td>
</tr>
<tr>
<td>Permit to transport ore (valid for three months)</td>
<td>100</td>
</tr>
</tbody>
</table>

Table showing Mining Regulations for 2020: Source: The Mining (General) Amendment Regulations, 2020 in Statutory Instrument 95 of 202

Mining by its very nature is capital intensive. Women miners are aware of the capital-intensive nature of the business. Access to finance is a crucial factor for the establishment and success of mining businesses. The table shows that for one to start perusing a mining license they need to have usd1000-00 for a prospectus. This is beyond the means of many Zimbabweans especially the unemployed located in rural mining communities. There is a business case for increasing women’s access to finance as women are an untapped, profitable and a growing market but their ability to grow is hampered by access to finance and other resources. The Ministry of Women Affairs, Community Small and Medium Enterprises is managing loan facilities for women entrepreneurs. The following loans are available for women across Zimbabwe;

6.1.1. Women Development Fund

The Women Development Fund was launched in 2010. This is a revolving fund specifically allocated to women. It is coordinated and implemented by the Ministry of Women Affairs. It receives funds from the national treasury. Since 2010 it has been receiving between 200 000 to 300 000 dollars allocation.

In 2013, 245,000 was disbursed and 350,000 in 2014 and in 2017 600,000 was allocated. Although the Ministry receives less than 1% of the national budget, it has since 2010 disbursed funds worth 2 million dollars.

Status of the performance of the fund as at 2017

<table>
<thead>
<tr>
<th>Province</th>
<th>No of Projects</th>
<th>Year</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Midlands</td>
<td>46</td>
<td>2010</td>
<td>52,600</td>
</tr>
<tr>
<td></td>
<td>54</td>
<td>2012</td>
<td>100,600</td>
</tr>
<tr>
<td></td>
<td>56</td>
<td>2013</td>
<td>87,400</td>
</tr>
<tr>
<td></td>
<td>53</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Masvingo</td>
<td>42</td>
<td>2010</td>
<td>58,100</td>
</tr>
<tr>
<td></td>
<td>48</td>
<td>2012</td>
<td>110,700</td>
</tr>
<tr>
<td></td>
<td>51</td>
<td>2013</td>
<td>62,000</td>
</tr>
<tr>
<td></td>
<td>38</td>
<td>2014</td>
<td>39,447.09</td>
</tr>
<tr>
<td>Mat North</td>
<td>45</td>
<td>2010</td>
<td>56,890</td>
</tr>
<tr>
<td></td>
<td>31</td>
<td>2012</td>
<td>87,787</td>
</tr>
<tr>
<td></td>
<td>29</td>
<td>2013</td>
<td>51,500</td>
</tr>
<tr>
<td></td>
<td>45</td>
<td>2014</td>
<td>81,117</td>
</tr>
</tbody>
</table>

Source: Parliament Portfolio Committee Report on Women Development Fund, 2017

The table above shows that women are accessing the fund to a limited extent. The fund is still very little and thin on the ground. The amounts disbursed against the total allocated by treasury is very little. Parliament noted that the challenges been faced in accessing the fund are as follows:

I. **Fund shortages**: many women applied and qualified to get funding but could not get the loans

II. **Poor distribution of the available funds** e.g. A group of women engaging in a mining project was allocated USD12,000. However, at some point the project was no longer viable and they failed to repay the loan.

III. **Little and erratic provision and disbursement of the fund**. In 2016 the fund was allocated 300,000 but it was not released by Treasury. Similarly, in 2016, 600,000 allocations were not released. This creates a vicious cycle of fund shortages and women not accessing resources especially in rural areas.

IV. **Poor dissemination and awareness of the fund by the Ministry**. The use of public gatherings and reliance on ward coordinators to disseminate was rendered inadequate. Most women in rural and urban areas stated that they were not aware of the fund.

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54 Parliament Portfolio Committee on Women Affairs, Gender and Community Development on Women Development Fund Projects Report, 2017
55 Parliament Portfolio Committee Report, 2017
56 Parliament Portfolio Committee Report, 2017
57 Survey in Bulawayo, Matebelenad North, Mutare by Parliament Portfolio Committee, 2017
V. **Beneficiary selection criteria not transparent:** The process of selecting beneficiaries is not standardised and followed consistently for each application. The process starts at ward level then district to provincial and finally head office for approval. However, some applications bypass other steps and get approval from the head office. Some applications are allocated upon instruction from head office to provincial offices.

VI. **Decentralised vs centralisation:** The selection and allocation are structured in a decentralised system of staff with the Ministry. However, most applicants are referred to Harare for submission of their applications. Some must receive their funds in Harare as well. Ordinarily funds are received at the nearest post office, but some women reported not getting the communication due to communication challenges in rural areas. So they received their funds late. Parliament described the process as to 'opaque, centralised, dominated by Head Office, excludes both representatives of women at local level and ward coordinators.'

VII. **Projects fund non-viable:** Most projects funded fail to return the loans. Several reasons cause this, but it emanates from poor selection, poor record keeping, poor monitoring and evaluation techniques by the Ministry. The repayment rate of loans is very low. Some loans accrue the 10% interest per annum to the extent that it doubles the amount given. The duplum rule should be applied. The Ministry itself lacks capacity to monitor and evaluate the fund.

The women interviewed in Bubi during this study reiterated what is stated above. One woman testified that she applied for the WDF for usd5000 to purchase a compressor for her mining activities. They only received a call saying they had allocated her 2000 rtgs. This was during the era where the rate of the USD was equivalent to RTGS. She declined the offer as it was not viable for her business. She is still an ASM miner and not regulated. Her hopes were that if she obtained the compressor it would enhance her mining business and provide resources for her to register a claim. Other women stated that they applied but did not receive any feedback. The non-viability of funds allocated by the fund hinder women from participating and upgrading their levels of participation along the ASM value chain.

6.2.2. **Community Development Fund**

This is one of the funds that are resourced by treasury. The fund targets community-based entrepreneurship projects to empower poor women, men and youth.

6.2.3 **Small and Medium Enterprises Development Cooperation (SMEDCO)**

This fund is under the implementation and management of the Reserve Bank of Zimbabwe since 2014. The RBZ role is to strengthen the institutions corporate governance and risk management framework. The fund targets to promote small and medium enterprises to grow from micro to macro level.

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58 Women in Matobo District, Survey by Parliament, 2017
59 FGD Women Miners in Bubi District
6.2.4. Zimbabwe Women Microfinance Bank Limited
The ZWMB was launched in 2018 and RBZ disbursed 10million dollars. The Bank is targeting to provide loans to marginalised women especially rural women entrepreneurs. The Bank is focused but not limited to the following Economic empowerment sectors; Agriculture, Mining, Construction and Tourism. The Bank seeks to break the barriers to women economic empowerment by promoting their participation in male dominated sectors.

6.2.5. Gold Development Fund
The Gold Development Initiative Fund was launched in 2016 and is implemented and managed by Fidelity Printers and Refiners. The fund is primarily to support acquisition of plant and equipment to enhance gold production in Zimbabwe. The fund also seeks to boost small scale miners. An additional 20million was disbursed to the fund for women in mining. A loan is a viable for 3 years at a 10% interest rate per annum. As at Mine Entra 2019 since the formation of the fund ,130milion loans had been disbursed and only 11% of those loans were taken by women. The fund has a long list of requirements amongst which collateral security is critical. The collateral is in the form of a geological report. The requirements are structured in a way that targets corporate companies in mining. The application process and selection are centralised in Harare.

ASM population at the face of the required items is excluded especially women in ASM in rural communities. Women in Bubi expressed knowledge of the fund but were dismally disappointed by the outcomes of their applications. Women applied and travelled to Harare to submit their applications. The first response was that they need to conduct a geological survey and produce a report on their mining claims. The women allege that a geologist was sent to Bubi to conduct the surveys. The geologist who costed each miner usd500 conducted the surveys and produced reports. The second response was that the geological reports were rejected and collateral security in the form of immovable property was required.

'We do not understand up to now why our geological reports were rejected when the geologist who came was from their offices in Harare. We are mining gold here every day definitely that should suffice as collateral ...’Women FGD Bubi Women in Mining Association

The statement above reflects the low level of financial literacy amongst women. The low levels are a result of lack of awareness by Loan holders to the intended target groups for the loan. The requirement of a geological report is critical to obtain the fund. However, this report is conducted for free by a geologist from the nearest Ministry of Mines Office. A basic geological report is required that indicates the potential amongst of gold reserve on the claim. Due to the lack of this knowledge women in Bubi were duped of their hard-earned money to obtain geological reports that were later rejected.

Women are also not applying at a large scale for the gold development fund. A total of 6 applications have been received at FPR since 2018. The reason alluded to be that women are intimidated by the application process. The large volumes of requirements are cumbersome and involving for women. The RBZ continues to initiative funds that do not address the underlying challenges faced by women of literacy, collateral and transport to apply and follow up application. The GDF should design an application process suitable for women ASM.FPR should invest in raising awareness about the fund to women in mining associations across the country. Rural based women miners remain marginalised to access the fund.
The narrative for women lacks capital to start mining should change. Women were asked how they started mining and they stated that they inherited the business from a family member, they were sponsored, they raised resources from a previous formal job, or they raised capital from the husband’s income. What this proved was that women can start up the business but may need support with skills to enhance the business more than money. The over emphasise of the need for capital has automatically decapacitated more women from entering mining.

“We want to venture into mining as it is a lucrative business, but we do not have the capital to do so. So how do we start?” Woman non-miner currently a teacher

Bank access to grant and loan schemes by government and development partners needs to be gender-sensitive and address some of the challenge’s women face. Information and awareness on such schemes should be promoted through miners’ associations and local governments, particularly reaching out to female miners who often miss out on meetings or accessing notice boards due to their prohibitive domestic chores.

6.2 Threats to Health and Safety from the Environmental Impacts of ASM Activity
Female miners occupy an array of roles which are labour intensive, and which can cause chronic back pain. Additionally, gold amalgamation normally takes place in the home by women without protective clothing and this hastens the chances of mercury poisoning. The use of hazardous substances for mining puts the health of miners in general and their communities at risk to mercury, zinc vapour cyanide and other acids. This is a concern especially in gold mining, where mercury is frequently deployed and cyanide use is growing. Mercury can be inhaled, swallowed or absorbed through skin. Inhaling dust and fine particles from blasting and drilling processes can cause respiratory diseases such as silicosis or pneumoconiosis.60

Mercury is often used in ASGM as it provides a relatively cheap and fast technique to capture fine gold from the ore. However, amalgam burning can take place on site and in processing centres, but also in villages, for instance in the miners’ kitchens, houses or backyards putting their health and the health of their families and community at risk of mercury poisoning when no protective equipment is used.61

Mercury is a neurotoxin that can cause harm to people, especially pregnant women as it puts the development of the foetus at risk. Mercury poisoning affects the brain and the nervous, digestive and immune systems, as well as lungs, kidneys, skin and eyes.62 Furthermore, the symptoms of mercury poisoning include tremors, insomnia, memory loss, headaches, cognitive and motor dysfunction, respiratory failures, psychotic reactions, and eventually death in the case of severe poisoning. Therefore, women working in the ASM and using mercury are the most directly and seriously affected since they are exposed to both occupational mercury poisoning and methylmercury poisoning through the food chain (bioaccumulation of mercury in aquatic food chains which affects rivers, fish and crops).

60 Armah et al, 2016.
61 Global Alliance on Health and Pollution (GAHP) 2014, Spiegel et al, in press
6.3 Socio-Economic and Cultural Barriers

The development of socio-cultural sustainability in the mining sector deserves an analytical inspection. The implications of mining have gone beyond the social impacts such as worker safety to questions of community stability, cultural integrity and indigenous rights. For so long in our culture, Zimbabwean women have been considered as primary caregivers who are responsible for childcare and other household duties. Men on the other hand were considered as the sole heads of household and as the financial breadwinners. Due to these factors, mining became an unfamiliar territory for women. In fact, until recently, some laws not only in Zimbabwe but in the African context forbade women from mining underground. Women were considered as sources of bad luck at the mining site. The cultural barriers discourage women from mining high value minerals and often restrict them to ‘gender appropriate work such as washing and other preparatory tasks. Those who work with their husbands often do so without any pay and even need their husband’s consent before becoming a permit holder’.

Physical violence and sexual abuse are prominent in mining communities and these are attributed to the absence of police and any other law enforcement agents. Alcoholism and drug abuse are prevalent within mining communities due to factors such as poverty and use of drugs as coping mechanisms and these create an ideal environment for violence to take place. Many women and girls who are not directly involved in mining are sucked into sex work and many become victims of abuse perpetrated by men who take advantage of them. This contributes to high incidences of HIV/AIDS and other sexually transmitted diseases as well as increases in gender-based violence. Reports by Gender Links have since highlighted the fact that as mining activities are rampant in parts of Mazowe District like Jumbo, Concession, Ceaser, Nzvimbo (Rosa mine), these are becoming hotspots and favourable hunting ground for sex workers. Therefore, artisanal miners are at the high risk of spreading HIV and STI’s because of low risk perception. Additionally, key drivers of the epidemic in the sector then include having multiple concurrent sexual partners and this includes sex work, incorrect and inconsistent use of condoms, unequal gender relations resulting in Gender-Based Violence (GBV) and child marriages.

Therefore, it is no myth that these various socio-economic barriers have impacted on women’s participation in the mining sector. Most women, particularly those involved in the ASM sector are poor, lack formal education and training in mining techniques. “A number of women have been duped by men who have convinced women that the rock they have extracted is just an ordinary rock, yet it will be a gold bearing rock. Additionally, the so-called waste rock is clandestinely traded during the night.” Others have even lost their claims and due to limited knowledge, they do not know who to approach or what to do. These issues have created walls for women in the industry and have made it practically impossible for them to make anything tangible in mining.

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65 Byford, 2002; Perks 2011.
67 Svova, 2013.
Addressing those barriers requires behavioural change, which in turn requires time, commitment and collaboration between various parties. Most importantly, raising awareness and building knowledge through education can make a difference in societal behaviour and cognitive capacity. Education and skills training initiatives for women are recognized as one of the key enablers of women’s economic empowerment. An in-depth knowledge broadens women’s horizon, building their confidence and capacity to freely make their mining claim, share ideas and perspectives, and stand for their own rights. Most women in ASM are illiterate (or have little literacy) and are hence prone to exploitation and discrimination. There are two ways of achieving the knowledge base necessary for women to succeed in ASM: education through formal schooling and education through short or longer-term courses or skills training.

6.4 Legal and Institutional Challenges
At policy level, the existing discrimination against women often puts them at a lower order in policy decisions that affect them. Women’s capacity to benefit from ASM may be constrained by both de jure and de facto inequity in access to and control over land and property rights. The lack of access and control over land constrains women from accessing various other determinants of mining business success such as finance. The extent of these constraints is indeed to the level of laws, that formally restrict women from accessing loans by requiring consent from a spouse or father. Additionally, many widowed female miners may see an opportunity to acquire mineral rights after the death of their husbands; however, this does not give them an automatic access to mineral concessions. Although women and men generally possess the same rights with respect to owning property, women’s inheritance rights, those of widows are unequal to men’s in terms of “ownership,

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acquisition, management, administration, enjoyment and disposition of property. Often, customary laws and cultural beliefs dictate that sons or other male relatives inherit the properties and possessions of the deceased man.

<table>
<thead>
<tr>
<th>Legislation/Policy</th>
<th>Description</th>
<th>Level</th>
</tr>
</thead>
<tbody>
<tr>
<td>United Nations Environment Programme (UNEP) Guidelines</td>
<td>Applies to all aspects of mining activities including exploitation, mine operation, mine site rehabilitation and small-scale mining. Zimbabwe is a signatory to Rio Declaration on Environment and Development, hence its ASM activities are bound by this pact to carry out mandatory Environmental Impact Assessments (EIAs). This has since been domesticated into Zimbabwe’s national environmental policy.</td>
<td>International</td>
</tr>
<tr>
<td>Africa Mining Vision (2009)</td>
<td>A policy framework that was created by the African Union in 2009 to ensure that Africa utilizes its mineral resources strategically for broad-based, inclusive development.</td>
<td>Regional</td>
</tr>
<tr>
<td>Zimbabwe Agenda for Sustainable Socio-Economic Transformation (ZIMASSET) 2013-2018</td>
<td>Identifies ASM’s as playing a key role in the growth of the economy. Under ZIMASSET, the target has been to establish 500 syndicates comprising of 2500 registered small-scale miners particularly for the gold sector.</td>
<td>National</td>
</tr>
<tr>
<td>Mines and Minerals Act (1996) and the Gold Trade Act</td>
<td>Governs the gold sector. Of grave concern to ASMs is the non-recognition of its members in the Mines and Minerals Act. The principal Act was first crafted in 1961 and was last reviewed in 1996. In 2016, a bill was placed before Parliament to re-align the law to best international practices and to address contemporary challenges affecting the mining sector.</td>
<td>National</td>
</tr>
<tr>
<td>Environmental Management Act (2002)</td>
<td>Act provides for the sustainable management of natural resources and protection of the environment, the</td>
<td>National</td>
</tr>
</tbody>
</table>

69 UN CEDAW, 2013, p.11
<table>
<thead>
<tr>
<th>Law Title</th>
<th>Description</th>
<th>Jurisdiction</th>
</tr>
</thead>
<tbody>
<tr>
<td>2014 Environmental Management (Control of Alluvial Mining) Regulations (EMR 2014)</td>
<td>In the context of alluvial mining, EMR (2014) defines an artisanal miner as a miner who carries out mining activities using approved tools and employs up to 50 people; these include government-registered groups or syndicates or cooperatives. Artisanal miners engaged in alluvial mining are not permitted to use mechanised equipment or motor-powered equipment (excavators, dredges, James Tables, generators, and earth-moving equipment such as front-end loaders and bulldozers)</td>
<td>National</td>
</tr>
<tr>
<td>Rural District Councils Act (Chapter 29:13)</td>
<td>Empowers the local council to impose a land development levy on any rural landowners including miners that fall within the council’s council jurisdiction.</td>
<td>Local</td>
</tr>
<tr>
<td>The Explosives Act (Chapter 10:08)</td>
<td>Regulates the importation, transportation and use of explosives generally used in the mining industry</td>
<td>National</td>
</tr>
<tr>
<td>Water Act (Chapter 20:24)</td>
<td>Deals with the use and control of water bodies and the requirements for a water permit needed in mining projects</td>
<td>National</td>
</tr>
</tbody>
</table>

All the national laws mentioned above do not provide for gender parity in mining decision making bodies including in negotiating mining contracts, affirmative action provisions to promote women in mining and gender sensitive provisions that create a conducive environment for both men and women in ASM.

Zimbabwe is a party to a wide range of regional and international human rights instruments and frameworks that promote gender equality and non-discrimination such as the Universal Declaration of Human Rights (1948), the two international covenants flowing from it on civil, political and economic, social and cultural rights (ICCPR and ICESCR), the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW), Maputo Protocol to the African Charter on Women’s Rights, SADC Protocol on Gender and Development and the African Mining Vision. The ethos of the human rights provisions within these instruments are enshrined within the Zimbabwe Constitution but still need to be domesticated within statutory laws inclusive of the Mines and Minerals Act enacted in 1961 during the colonial era- a Mines and Minerals Amendment Bill is underway.
The principal Act governing the mining industry was first crafted in 1961 and amendments to the law were last affected in 1996. Consequently, there have been several issues that have arisen in the mining sector that need to be addressed through policy reforms. For example, subsection 1 (e) of section 6 of the Bill highlights that the Minister shall endeavour to ensure there is gender parity in the nomination of the six non-government officials. The same rule is not being applied to government officials. This matter needs to be addressed in line with section 17 (b)(ii) of the Constitution which calls on the State to ensure “women constitute at least half the membership of all Commissions and other elective and appointed governmental bodies established by or under this Constitution or any Act of Parliament.”

Legal frameworks and programs emerging across governments to formalize the ASM sector, since its potential to become more environmentally and socially responsible is increasingly recognized. However, progress is slow and limited by both a lack of resources and by government strategies that do not always match the miners’ needs, priorities and capacities. Many national policies fail because they do not consider the variety of ASM characteristics, and thus the specific needs of varied mining sites, or because they are too restrictive consisting of too many or overly complicated administrative steps or requirements among other things such as incorporation of women in policy-making and their capabilities in accessing and affording mines. Our policies and laws in Zimbabwe prevent women in the ASM and small-scale mining sector from obtaining prospecting licenses and mining licenses as they are too expensive.

Women in ASM regularly face exclusion when key issues are discussed in associations, local governments and other platforms. As in many other sectors, women are often excluded when ASM operators are engaged in negotiations over land access and mineral rights. This is attributed to the customary deprivation of women’s rights over land access and women’s involvement in the low-paying activities that position them poorly for participation. Women’s exclusion may be strongly linked to historic gender discrimination because of traditional beliefs and practices, which in turn have contributed to their lower status in almost all aspects of social and economic life. Strong cultural norms in many cases have influenced legal approaches to gender issues resulting in subtle and, at times, open legal discriminations against women. Thus, legal and cultural discriminations, domestic and childcare responsibilities, and lack of education have relegated women to passive participation, with low confidence and self-esteem to openly air their concerns and ideas in front of men. This lower status has crucially meant that women have no power or influence to force their active participation in key decision-making processes. As a result, women’s views, needs, ideas and potential to contribute to solutions are overlooked. A women in Bubi explained how her tributary agreement negotiations for an extension were problematic. The major reason was that amongst all who had tributary agreements on this white man’s land she was the only female. She kept getting the run around from the farm owner to get the paperwork signed. So, to date she is mining illegally as her tributary agreement has expired. She expressed that she felt, ‘powerless, bullied and weak in the position she is in.”}

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70 See table above on costs of mining
71 Huggins et al. 2017
72 IISD, 2016.
73 FGD Bubi Women miners 5-10 years
<table>
<thead>
<tr>
<th>ISSUE</th>
<th>GENDER ANALYSIS OF THE MINES AND MINERALS AMENDMENT BILL</th>
</tr>
</thead>
<tbody>
<tr>
<td>Women’s Participation in Extractives Governance</td>
<td>The legal and policy provisions do not promote women’s participation in extractives governance. For example, the composition of the Mining Affairs Board as currently constituted reveals that it is highly technical with very limited representation of the communal people especially women. This means that the views and opinions of this section of the population are not catered for at this level and this is inconsistent with the spirit and purport of sections 17, 56 and 80 of the Constitution of Zimbabwe.</td>
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| Unclear and undefined provisions                                      | i. The legal and policy frameworks and provisions acknowledge clarity and gender inclusivity.  
ii. There is lack of transparency and accountability in the allocation, use and management of mining rights and revenue and these unclear provisions impact on women who are already burdened with lack of technical knowhow and education of how the sector works. On revenue collection, the Mines and Minerals Act gets direction from the Income Tax Act. As it is currently framed, the latter already inadequately provides for the taxing of companies ‘income’ which approach does not assist the mining sector in terms of projecting value of its resources, its capacity to secure a fair share of its wealth through coherent, progressive fiscal policy models and its ability to reinvest those resources to produce sustainable long-term benefits.  
iii. The payable royalties it provides for as well as the taxing regime for surface taxes and corporate tax are relatively low in comparison to international standards. Women are mostly involved in surface mining and they are the most affected by this regime. |
| Lack of community involvement in Environmental and Social Impact Assessments as well as total absence of provisions providing for Gender Impact Assessments | Mining projects in Zimbabwe have caused untold suffering to mining communities as they are marred by massive displacements, limited compensation, and loss of livelihoods, food insecurity and catastrophic environmental degradation. Before mining starts, policy makers must think through and justify why mineral resource extraction is the right decision to make, how will that impact communities, men, women, boys and girls. The anticipated benefits to be accrued from mining should far outweigh the possible liabilities to be incurred to justify mining.  
Furthermore, the Bill is unclear on relocation and compensation frameworks governing communities displaced by mining ventures are harmful to the society and impact on the different genders in different ways. Forced displacements severely affect many of the  |
communities that largely depend on agriculture for livelihood. Section 73 (1) (b) of the Constitution clearly makes provision on environmental and socio-economic rights of citizens in natural resource governance which provisions need to be respected.

Although an Environmental Impact Assessment (EIA) is expected to cover the anticipated impact on every aspect of the environment namely physical, economic, social, cultural and gender environment, there is need in the Bill to have several impact assessments specific to each area. For example, provisions should provide for more participation by local communities in these assessments on introduction of extractive industry operations in a community since any wanton destruction of (i) the physical environment and or (ii) social and cultural rubric may result in increased disproportionate risks faced by women especially young adolescent girls in the locality namely sexual harassment, gender-based violence, HIV, child marriages, sexual reproductive and maternal health.

No legal or policy provisions reflecting the interconnectedness flowing from mining activities provided for within the Mines and Minerals Act, Environmental Management Act, Communal Lands Act, Companies Act, Labour Act

The major crisis affecting Zimbabwe’s mining sector particularly for women is legislation. Of note is the fact that the Mines and Minerals Act (1961) and Communal Lands Act (1982), both with a colonial legacy stand out as the major sources of conflict in Zimbabwe’s extractive sector as they do not recognise women as part and parcel of the mining value chain and this has adversely affected women. There is need to revise the provisions in the various Acts to harmonise them with the Constitution, international and regional law and to also gender mainstream them.

We must ensure that the various Acts are gender sensitive and inclusive through including those issues that affect women in the sector. Legislation should distinctly address women’s issues so that the law addresses the needs of women. Further on, there is need to simplify and translate relevant provisions that regulate mining so that even lay people can understand them.

To promote environmental protection and management in the ASM sector as well by women participating in it, legislation should address all the major risks in the sector including the risks associated with women in the ASM sector but in a clear and simple way.
While legal provisions in various jurisdictions differ, common traits observed include lack of clarity on gender, inconsistency and lack of enforcement. In many cases (such as Ghana and Zimbabwe), gender equality was incorporated in laws for equal access to mining titles; in practice, however, women are denied access rights to land, licences and other government provisions. This occurs for several reasons, including effects of customary laws, lack of information about these rights and provisions, and lack of capacity and resources to access those rights and provisions. Policies and legislations need to have clearly stipulated and user-friendly provisions for women in terms of equal access to land and licences.

There needs to be consistency across the relevant government agencies charged with regulations and enforcement of policies and legislations. Given women’s institutional and cultural barriers on the one hand and their potential as driving forces for sustainable livelihoods on the other, regulatory bodies need to provide legal incentives to enhance women’s access to land and licences. Preferential treatments could take the form of quotas reserved for women on licence and land rights. In addition, governments should provide women with legal protection against such issues as unlawful discrimination and exploitation. Women lack knowledge and skills in mining law, and thus enter in subservient contracts and partnerships with male miners. As many stakeholders in ASM are pushing the sector to become formalized, extreme care must be taken not to further marginalize women who cannot access the offices or forms that are required. Regulations need to ensure women’s access to formalization is facilitated, protected and monitored.

The Africa Mining Vision (AMV) makes several important commitments to promote transparency and accountability in the management of mineral revenues, by asking AU member states to mainstream the Extractive Industries Transparency Initiative (EITI) and the Kimberly Process Certification Scheme, the Equator Principles and African Peer Review Mechanism (APRM). In the AMV Action Plan and derivative policy instruments such as the African Mineral Governance Framework (AMGF), there are requirements on the disaggregated reporting of revenues earned from mineral activities, auditing export volumes, contract transparency, the disclosure of beneficial ownership, and building the capacity of revenue authorities to tackle transfer pricing by extractive companies and illicit financial flows from the mineral sector.

The AMV further call for community participation in mineral revenue management, equitable revenue allocations to mining communities, building communities’ capacity to negotiate benefit agreements, and the provision of non-fiscal benefits (employment and social infrastructure). It additionally supports regional actions to implement the UN Guiding Principles on Business and Human Rights. However, the AMV does not contain explicit guidelines for public access to information on mineral revenues and contracts and disclosure of information on other areas such as geological surveys and mineral licensing processes. This suggests that the onus of civic participation and accountability is placed on AU member states, which may not have the appropriate laws and institutions to comply with such requirements.

Additionally, the core AMV document makes a high-level commitment to inclusivity by promoting gender justice and women’s rights, notably through the integration of gender equity in mining policies, laws and regulations, and the development of regional and continental gender charters for the

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74 Hilson, 2002 in World Bank (2018)
75 IISD, 2016.
extractive sector. While this is laudable, the AMV Action Plan does not contain detailed policy actions to promote women’s empowerment and gender justice throughout the nine clusters of the AMV. A good illustration is the use of local content and beneficiation policies to support women’s participation in the mineral sector by identifying the stages of the value chain where they can provide the greatest social and economic value. Furthermore, given the disproportionate role of state institutions and political elites in determining the process of national implementation through the Country Mining Visions, gender justice and women’s rights issues have been inadequately addressed.76

The analysis presented here shows that the AMV makes some headway in reflecting global norms for the governance of mineral sectors. However, there are specific gaps that should be addressed; such as the need for detailed policy actions to promote gender justice and women’s rights throughout its clusters, protecting civic space and the participation of non-state actors in its national implementation, and responding to environmental sustainability issues and climate change. It is also crucial to examine the AMV’s derivative policy instruments and the actual experiences with its national implementation, which will reveal its potential impact on Africa’s socio-economic development.

6.5 Violence Against Women in the ASM mining sector

There are several incidences that threaten the health and safety daily of a woman in the artisanal and small-scale mining (ASM) sector. These vary from intimidation, discrimination, name calling, sexualised talk, display of body parts and the exchange of sexual favours for promotion. Over the years, the sector has been taken over by chaos, violence and other forms of conflict which have been festering in the ASM sector. The non-regulation of ASM in Zimbabwe, paired with the high-value nature of the gold trade, makes the sector a prime target of illicit actors. As a result, protection economies – defined here as the use of violence, corruption and/or politics to secure illicit flows and incomes play an important role in shaping flows and activity in the sector77. While agents from the security sector are the most visible actors enforcing protection economies, it is thought that influence extends far beyond the mine sites, with politically and economically powerful individuals exercising ultimate control.

Reports of machete wielding terror gangs (popularly referred to as MaShurugwi or Mabhemba) using violence to gain access and control of gold deposits and ASM operations have been rampant in the past two years[2018-2020] in Zimbabwe. Researchers and mining sector analysts have attributed the rise in violence to the dangerous cocktail of unemployment, social exclusion, poverty, corruption and gold smuggling. The presence of these gangs in mining areas went largely unnoticed until recently, when a spate of violence in the latter half of 2019 made them impossible to ignore. One particular reported incident was the brutal attack attributed to the MaShurugwi involved an 80 year old woman and her 16 year old relative, both of whom were gang-raped and murdered while three other family

members, including minors were seriously injured.  

Women in the sector bear the brunt of the violence targeting the mines, due to cultural beliefs of women’s weakness; they’re seen as soft targets for looting and are seen as a constant target for sexual abuse, whether direct, structural, or cultural. Some women are even forced to shut down their operations in addition to being robbed.

However, it is important to highlight the fact that women interact with the mining sector in a multitude of ways, including as owners, regulators and suppliers. It is also important to note that these domains are not mutually exclusive in that a woman can belong to more than one at the same time. Furthermore, women’s experiences within these domains are not homogenous, with factors like income, indigeneity, disability and others intersecting with gender to shape women’s experiences. Women’s experiences within the ASM sector are gendered in that women’s work is typically carried out in parallel with domestic responsibilities, seen to be women’s responsibilities and under a gendered order that concentrates women in the lower value activities within ASM.

SGBV appears to be one means through which norms of women’s roles in ASM are maintained. SGBV can act as a means of reinforcing power dynamics by those in positions of greater relative power, which can include mining bosses, other miners, security forces around mine sites, local officials, traditional leaders and even family members. However, in most researches conducted on this topic, the role of sex in and around ASM sites appears contested although research indicates the fact that there are incidences of women trading sexual favours to receive help from men for work related purposes.

Over the past four decades, most countries around the world including Zimbabwe have signed or ratified international rights agreements that make specific reference to violence against women – for example the Declaration of Violence Against Women, 1979 Convention on the Elimination of All Forms of Discrimination against Women, Maputo Protocol and SADC Gender Protocol. The ILO introduced a new Convention Convention 190 on Violence and Harassment in the workplace n 2019. Zimbabwe has not signed and ratified this Convention. This Convention is important as it broadens the definition of workplace to extend to informal sectors like ASM sites. The Convention also defines Gender Based Violence in the workplace and sexual harassment. This means acts of violence committed at mining sites are recognised as violence in the workplace. The machete gang violence is therefore violence in the workplace. Prevention and protection services should be provided to miners in their workplaces. Ratification of the Convention is an opportunity to end violence and harassment against women in ASM. The perennial challenge of international legal provisions is the lack of effective enforcement mechanisms and/or reliance on member states’ goodwill – means that these instruments have varied degrees of impact. However, some of these measures constitute soft law instruments which, whilst helping to shape legal norms and national laws, are not legally binding themselves. The UN Global Compact and the UN Guiding Principles on Business and Human Rights (UNGPs), of which multiple

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78 Women’s Media Centre, “Zimbabwe’s women miners left vulnerable to machete-wielding gangs” at https://womensmediacenter.com/women-under-siege/zimbabwes-women-miners-left-vulnerable-to-machete-wielding-gangs


mining companies are signatories, are examples of such measures.\textsuperscript{81} This makes it particularly difficult to curb violence, particularly violence against women in mining communities.

The mining industry is often portrayed as being inherently violent and the mining zones as particularly hostile environments for women. The mining culture has been presented as being ‘hyper-masculine’, producing masculinities akin to those that emerge through initiation rituals into gangs and countercultures of marginalised youth.\textsuperscript{82} The hypermasculine sub-cultures associated with ASM sites have been found to pride themselves on delinquent behaviour and rejecting the norms and regulations of society, including scandalising existing sexual norms and these could encourage more violence against women, particularly sexual violence.

An interesting example of violence against women was explained in Bubi. The Amakorokoza in Bubi are mining anywhere and everywhere if gold is blasted inside people homes, they forcefully enter and start mining. Women explained this as violence that leaves families homeless and powerless.\textsuperscript{83} The force can be physical in nature as well. The challenge is law enforcement against this has been weak and communities have lost faith in any form of justice against gang violence of this nature.

\textbf{7. Lessons from the Region}

In most countries, women do not enjoy the same opportunities around access to, control over, and benefits from artisanal mining in their communities. In other countries such as Mongolia Tanzania and Uganda government has taken a move in making sure there is full participation of women in both the artisanal and small-scale mining and large-scale mining sector.

Development interventions focused on the legalization of the ASM sector that do not explicitly promote women’s economic empowerment can have the unintended consequence of further excluding women from the economic benefits of ASM (Buss et al., forthcoming). At a national level, even when existing laws treat women and men equally, these laws are often still enforced and interpreted using existing societal norms—a reality that can often exacerbate inequalities between men and women.\textsuperscript{84} Mongolia’s starting point was drafting gender equal laws which were necessary and crucial towards guaranteeing gender equality and equity, but themselves were not sufficient. Companies were encouraged to also consider revising recruitment or hiring strategies with the objective of raising the share of female employment across all professional categories in the mining sector. The development case for greater involvement of women in minerals and related sectors is straightforward. Women constitute half of society and therefore should share equally the benefits from mining and not bear a greater burden than men from the risks of mining.\textsuperscript{85} Institutional reforms at the industry level ensured that women were fully able to participate in the mining sector. An example of how this has been successfully done by one of the world’s largest ASM associations in Mongolia was to encourage the presence of women not just as workers but also as owners in the mining and related sector. Introduce decrees that promote affirmative action in the mining sector

\textsuperscript{81} Ibid.
\textsuperscript{82} Ibid.
\textsuperscript{83} FGD women non miners in Bubi Women Miners Association
\textsuperscript{85} Strongman, J. (2008) Gender mainstreaming in the mining sector and mining communities. Another argument is that while men tend to use their income on the gratification of their immediate consumption needs, women tend to save more of their money or spend it on their dependents, health, education, etc
where female under representation is particularly acute and create opportunities for work for women in the mining and related growth industries through appropriate technical and vocational skills programs, technical and scientific education and small business training.

Mongolia is a signatory to core international human rights instruments and treaties relating to women, including the Convention on the Elimination of all forms of Discrimination Against Women (CEDAW) and has a relatively strong legislative framework including the Family Law, a Law on Social Welfare, Law on Domestic Violence and a Labour Code that aim to prevent any discrimination or violation of human rights, including women’s rights. Signing of all these international instruments helped Mongolia to position itself in terms of supporting women and Zimbabwe can also borrow some of these instruments for an effective gendered ASM sector.

Australia is also one of the countries were first steps towards supporting women were taken. The first (and crucial step) taken in Australia and Canada for instance, is that the mining industry in conjunction with academia and the government has undertaken audits and surveys of what factors affect female participation in the mining sector, and how to retain and attract female staff. What these surveys from developed countries show that despite the presence of gender equal laws, the mining sector workforce is overwhelmingly dominated by males and that the work culture and gender unfriendly policies followed by firms are important reasons why the sector was both unable to attract and to retain women workers.

The Tanzanian government have supported women led association which get funding to push for women’s participation and access to resources, a good example is that of the Tanzania Women Miners Association (TAWOMA) which has managed to transform the Tanzanian mining sector and how women are accommodated through engaging with key mining actors.

7.1 Formulating best practices
The ASM sector eclipsed gold output from large-scale miners in 2017 and 2018, a trend which is likely to continue judging by last year’s results. Latest gold delivery data from Fidelity Printers and Refiners (FPR) show that, in 2019, ASM accounted for 63 percent (17 478,74kg) of total gold deliveries (27 650,26kg) to FPR showing that there is greater need to invest in this sector. The African Mining Vision (AMV) was adopted in 2009 at the African Union Summit and shows the commitment of African countries to exploit natural resources sustainably. The fact that this initiative is defined by African nations themselves gives it country specificity. Making ASM one of its main workstreams, the AMV recognizes the contribution of ASM to local economic development. A consistent policy regime is a prerequisite for a sustainable ASM sector which contributes to poverty alleviation and rural development and is integrated into the formal economy. There should be harmonisation of government departments and other stakeholders’ institutions into the ASM sector policy administration and implement. In Zimbabwe, this is particularly important where a multiplicity of agencies separately seek to collect fees from and regulate ASM activities which may be detrimental to women who may not be able to afford the initial fees.

86 [https://openknowledge.worldbank.org/bitstream/handle/10986/16499/775110WP0Box3700scale0miningOsctor.pdf?sequence=1&isAllowed=y](https://openknowledge.worldbank.org/bitstream/handle/10986/16499/775110WP0Box3700scale0miningOsector.pdf?sequence=1&isAllowed=y)
Furthermore, ASM appropriate technological interventions can enhance the economic sustainability of such ventures without compromising on their environmental sustainability. Filling this technological gap plus teaching women on the technical know-how maybe one way of transforming artisanal mining into vibrant small-scale mining ventures. A supportive ASM regime should encourage and incentivise legalisation or formalisation of ASM. To this end, government of Zimbabwe should develop objective, consistent, transparent and non-discriminatory regulatory mechanism, which offers easy access to mining titles and legal production and protection for women. In terms of dealing with environmental and health safety, in Zimbabwe, the cost of environmental compliance, administered via the Environmental Management Agency (EMA) is beyond the reach of many ASM workers who are already burdened with a plethora of other licensing fees from several other agencies/government departments.

Various strategies have been engaged to enhance women participation in mining. Some of these strategies unlike the credit facilities availed to women, have increased women participation.

7.1.1 The Women in Mining Association Model

The Ministry of Women Affairs launched the Broad-Based Women Economic Empowerment Framework in 2012. The framework focused on 4 thematic areas to enhance women economic participation namely Agriculture, Mining, Tourism and Construction. In mining the Ministry introduced Women in Mining Associations (WIMA). These WIMA were initially located at Provincial level and gradually have district-based associations. There is a WIMA in every province in Zimbabwe. These WIMA are gradually decentralising to district level. The structure of the WIMAS is that they have an executive committee who are mainly the women who have broken the glass ceiling in mining by owning their own claims and conducting a viable mining business. The idea of WIMAs is for women to learn from each other, encourage each other and where possible provide direct assistance to each other to conduct mining activities. There are noticeable and vibrant WIMAS that have implemented mechanisms to enhance women participation in mining. A good example is Mthandazo Women miner’ association in Gwanda. The association through the leadership of Mrs Ndlovu was able to use Mrs Ndlovu claim to provide guidance in mining for women. Women members could conduct mining activities at her claim and obtain some source of income. Through the Association donors have come in and assisted with mining equipment, skills and knowledge. Some credits required collateral security in which women did not have property registered in their names, Mrs Ndlovu would provide such security using her immovable property. Some women miners at Mrs Ndlovu claim now own claims. The concept of women uplifting each other is very critical for the women in mining association model to be effective.

In Bubi women lamented the lack of women role models in mining supporting other ASM women miners. An example was the Bubi Small Scale Miners Association. The Association was largely male dominated to the extent that women were not realising opportunities for growth. Due to that women members formed the Bubi Women Miners Association. Like the Mthandazo women, the chairperson Jane is also supporting women miners with opportunities to engage in mining. One challenge that was pertinent was that mining is a business so women need to conceptualise that and not expect free services always. So women should be open to sponsorship agreements were the owner of the claim and the woman agree on a percentage that is realised from the ore obtained by the women. The women miners stated that been part of the association had opened opportunities for them to gain more knowledge and skills in Mining. Amongst the FGD with women miners, they highlighted having
attended the school of mines and taught basic mining and blasting skills and attending workshops on environmental health and safety in mining and other topics. The women appreciated the miner to miner transfer of knowledge as others who had started earlier helped new miners venture into mining. The other opportunity was access to credit facilities, although most women lamented that the credit schemes availed to women were not adequately addressing their needs, they appreciated the knowledge that they exist and the attempt to acquire the loans. Being a member of the association has seen women register claims as they leverage on existing networks by seasoned miners to manoeuvre through the registration process.

7.1.2 LSM partnership with ASM

Shurungwi Development Trust consists of ASMers. Women ASMers are also part of the Trust. The Trust approached Falcon Mine to use their underutilised claims. Through discussions with Shurugwi Local authorities, Falcon Mine and Shurugwi Development Trust entered into an agreement to use their claims. Allocation of the claims was prioritised to women miners. However, it is the Trust that entered into the agreement with Falcon Mine. This has given women an opportunity to practise mining and eventually grow to own claims.

7.1.3 Mining Syndicates

The Mines and Minerals Act provides the opportunity for a group of people to apply for claim and start mining there. Such a group of people is referred to as a syndicate. WLSA project conducted in Zhombe-Kwekwe Districts sought to develop a conducive environment for women in mining. One of the key findings of the WLSA baseline study was that the process of registering a claim is cumbersome, involving and costly for women to understand and follow to the latter. Most women would give up at pegging stage. WLSA intervened by bringing the Gweru and Kwekwe stakeholders in mining registration to women miners to explain the requirements and registration process to women. The stakeholders were DA office, EMA, Mining Commissioner, Gold department and Ministry of Land. It is at this meeting that the issue of creating syndicates was identified as a potential opportunity for women to engage in formal mining. WLSA identified that women already had income, savings and lending groups (ISALs) amongst them. This is when women contribute a certain amount per month and agree to rotate the lump sum amongst each other or invest in a project. WLSA assisted the women to invest their ISALS money in obtaining claims. At the end of project 6 syndicates with 5 women each had registered claims. Women have the economic resource to save money. They need to be capacitated on viable investment opportunities so they can realise their full potential.

7.1.4 ZIMBAQUE Mine

ZIMBAQUE mine is the first African Mine where the workforce is entirely women. The mine is in Karoi, Zimbabwe. It was founded to empower women in a male dominated industry. The mineral mined are gemstones. The mine has a workforce of 25 women. The founders deliberately employed women with the notion that women build communities and build families. The women work from management to sourcing the gemstones, cutting and polishing them. The mine has increased their skills to understand value addition of minerals. Women miners stated that ‘we are now doing jobs that
we were previously discouraged to do as women. Women attested to the reduction of the financial burden placed upon them by care work and sourcing an income.

8. Recommendations

Reducing gender inequality in ASM because women are active most in the artisanal mining sector is the first step to increase their participation. To meet national and international development objectives, women need to have the same stake in the artisanal mining sector as men. Women should have the same opportunities as men to be involved at any level of the sector if they so desire. Creating opportunities for equitable access to all factors of production should be the central issue. From the emerging experience with implementing artisanal mining programs and projects through gender lenses, best practices can include (i) developing specific gender assessment tools that work towards understanding how to support women in the artisanal mining sector to create a common understanding of the differentiated gender roles of women and men. This requires assessments of the mining situation that look at the entire value chain around the commodity.

Furthermore, from ministerial level all the way to ASM, the status of women at all levels of the artisanal mining sector can be improved by ensuring that gender issues are considered in legal and policy design through gender mainstreaming. This could be manifested through supporting awareness-raising activities around women’s property rights, access to finance and credit, access to local savings and loan schemes and involvement in land-use decisions. Additionally, fostering women’s

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88 [www.bbcnews.com/zimbabwewomenminers](http://www.bbcnews.com/zimbabwewomenminers)
participation and empowerment in various segments of the artisanal mining value chain requires advocacy and engagement by women and men at the local, national and regional platforms.

There is also the need to create an enabling environment for ASGM through bold changes to laws, policies and how institutions implement these laws and policies. These include creation of property rights that are suitable for ASGM, and deregulation of gold mining in a manner that decriminalises gold possession, improves market access and ensures that Government and communities’ benefit from ASGM. There is also the need to promote development of formal financial institutions particularly located in rural areas such as micro-finance to foster a saving culture among the ASGMs as well as implementation of interventions aimed at supporting the Government of Zimbabwe’s implementation of the Minamata Convention.

**Legal frameworks need to consider:**

- Laws and Policies must be aligned to the Constitution of Zimbabwe to ensure that aspects of gender discrimination and exploitation of women are addressed. s17,s56
- Ensuring women can own claims, be in possession of a licence and obtain bank loans without the need for a male signatory or hefty collateral
- Introduce affirmative action provisions like quota system for women claims in all mining communities
- Environmental, safety and labour standards by level and scale of ASM activities
- Inclusion and active participation of ASM associations and communities in consultation processes
- Criteria for defining and categorising different types of ASM activities, allowing for even the most ‘dig and wash’ operations to obtain a licence and be eligible for support
- Streamlined and accessible licensing processes. This includes decentralising the process so that local government offices can process and award licences.
- Providing different categories of licences with differentiated requirements so that it is easy for the most impoverished ASM operator including women to obtain and meet the criteria for a licence.
- Encourage female miners to form cooperatives and associations with the potential to aid successful capacity building and ultimately encourage formalization and more responsible mining practices

### 8.1 Recommendations to ZELA

- Regular extension services targeting women and PWD would also help them understand technical aspects of and access to geological data
- initiate a pilot of up scaling ASM from small scale targeting to move it up to medium scale by linking with investors under a win-win mode with women, recognised by government and local authorities.
- Identifying male gender champions in mining communities to raise awareness on gender and change the community attitude towards women working in mines.
- further research is needed to understand the variation in how “formalization” policies have been interpreted in different regions of the country and by different groups of miners (women and men).
- Provide technical support to mining institutions and associations to do gender mainstreaming of their internal and external operations e.g. Women in Mining Associations-CSOTs-
Federations of ASM-Mining Companies-Mining Boards-ZMDC-MM CZ-Chamber of Mines-Ministry of Mines-RBZ-Financial Institutions-Fidelity Printers and Refiners etc.

- Advocate for affirmative action in Gender responsive budgeting e.g. 30% budget allocation to gender related programs
- More gender-sensitive workplace environments are essential to ensure women achieve their potential at work e.g. protective clothing and accommodations during pregnancy
- ZELA programming should focus most on the structural challenges that hinder women participation like violence against women, access and ownership of resources including credit facilities. ZELA should engage women miners at family level to ensure husbands also participate and are supportive. Challenge gender inequalities from home to the mine not mine alone. Acknowledge that changing attitudes is a process.
- ZELA should bring stakeholders in financing to the women in mining communities to demystify the processes of applying for loans and credit facilities. The low hanging fruit is FPR. Partner with their gold Division and raise awareness on the Gold Fund, assist women to apply or better still assist to redesign the application forms to be simplified and in vernacular but still maintain the requisite standards.
- Profile women in mining who have broken the glass ceiling. Use their lived realities to encourage other women. This can be achieved by using various media platforms to profile them. More innovative methods are sponsoring awards for women in mining at Big extractive sector conferences like Mine Entra.
- Standardise mentorship programs in Women in Mining Associations. Mentorship of young women who want to venture into mining.
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Annexures

List of Key Informant Interviews

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<td>MWACSMED</td>
<td>Mr Ndlomo</td>
<td>PDO Matebeleland North</td>
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<td>Parliament Portfolio Committee Mines</td>
<td>Hon Mukaratigwa</td>
<td>Member of Parliament</td>
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<td>Ministry of Mines</td>
<td>Mr Mhazo</td>
<td>ASM officer</td>
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<td>Zimbabwe Mining Federation</td>
<td>Mr Nyenje</td>
<td>Chairperson</td>
<td>M</td>
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<td>Bubi Local District Council</td>
<td>Mr Ndlovu</td>
<td>CEO</td>
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<td>Local Government</td>
<td>Mr Gumbochuma</td>
<td>DA</td>
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<td><strong>Research Institutions</strong></td>
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<td>MSU</td>
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<td>Institute of Mining Research</td>
<td>Dr.L.Mambo</td>
<td>Chairperson</td>
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List of FGDs (zela to insert registers)
Research tools

Questionnaire

Section A – Questions for all stakeholders
How does your current role or previous role(s) interface with artisanal and small scale miners?
Is mining an important sector to Zimbabwe’s national development agenda?
What measures have you put in place to unlock Zimbabwe’s mining sector potential?
Are you aware of the challenges being faced by women within the ASM sector?
What do you think is the main causes to these problems?
How has violence in ASM affected the full participation of women?
Would you say there is a high risk of women abuse in Zimbabwe’s ASM sector?
If yes, what specific forms of abuses take place in Zimbabwe?
Do these also happen in the supply chains of the small scale mines?
What do you think are the main barriers to women’s full participation?
In your view, do Zimbabwean laws support full participation of women in ASM?
If not, which laws and policies need to be addressed?
In your view, do artisanal and small-scale miners abide to national laws and policies in protecting the environment?
Comment on the women in mining association model? do you think it is good model? if yes why and if no why?
What other strategies /models would you propose that have the potential to increase women’s participation in mining?

Section B – Specific Questions for Government
In your role, do you regulate artisanal and small mines?
What measures has Government put in place to ensure there is full participation of marginalised groups especially women and what has been the response?
Are there any cases of women abuse that have been reported to any of your government departments? What measures have been put in place to address the increase in VAW in the mining sector? [probe on machete gangs]
Is there an appetite to formalize and implement laws and policies that support women by Government?[probe on regularisation of ASM]
What are the potential challenges to this?
What opportunities can be harnessed to achieve this?
What support services and institutional mechanisms are there for marginalised groups and women to increase their participation in mining? (probe on equipment, loan facilities, educational trainings, Health facilities, protection services?)

Section C – Large scale mines/ small scale mines
What challenges do you face in working with the ASM communities?
What measures are large scale mines/ASM communities putting in place to support marginalised groups especially women in mining or those who want to join the sector?
What are the participation levels of women against men in your mine? Gender composition of Board and Management?
What role have you played to address the increase of violence in the mining sector especially against women and youths?
Are there any women led associations that you know? If any what kind of support services and institutional mechanisms are you providing them?
Comment on the operations of Women in Mining? What would you suggest needs to be done to improve the women in mining model? (probe on strategies)
From your experience working with artisanal miners what do you think are the major challenges affecting the participation of women?
Does your organisation have any capacity to help women fully participate in ASM?

Section C – Civil society, Mining Communities and Academia
How are civil society and communities holding these artisanal and small scale miners to account on human rights abuses/women abuse?
What do you think should be done to address challenges that are being faced by women, PLWDs and the elderly in ASM?
Do you think it is a good idea for Zimbabwe to adopt and implement international best practices on responsible mineral supply chains into some of its mining policies?
Comment on the women in mining association model in Zimbabwe? What in your opinion needs to be improved to increase women participation in the sector?
Are there any case studies of countries you know that have adopted policies that support women and it has positive changes?[increase participation of women]
FGD GUIDE

Section A

1. What roles do women normally do in ASM? And why those roles?
2. Are women interested in artisanal and small-scale mining?
3. Do women acquire any managerial posts in ASM? If not why?
4. What are the major challenges that women face in ASM?
5. Is government supportive of women’s participation in ASM?
6. How has the conflicts in ASM affected women in joining the sector?
7. Would you recommend other women to engage in ASM activities?
8. What are some of the assets women in mining acquired?
9. Are there any policies that support women’s full participation in mining?
10. Are there any organisations supporting women in mining through education, equipment and finance?
11. Do you ever experience claim disputes in your area and how have they been resolved?
12. In a claim dispute who suffers more between man and women? Why?
13. What laws do you think should be put in place to for women to fully participate?
14. What do you think about the formalization of the ASM sector in Zimbabwe?
15. What hinders women from fully engaging in mining activities?