



SIRD Briefing Paper No.IV

Supporting Inclusive Resource Development in East Africa



Global Affairs
Canada

Affaires mondiales
Canada



February 2020

EAC Gender Policy and the Extractives Sector: Where are the Gender Dimensions?

By Dr. Erick Komolo

The Secretariat

EALS House, Plot No. 310/19, PPF AGM Area, PPF Road off Njiro Road,
P.O. Box 6240, United Republic of Tanzania; Tel: (+255 27) 254 3226/7;
Cell (+255 786) 821010, (+255 786) 836545; (+254 721) 836545
Email: info@ealawsociety.org; ceo@ealawsociety.org;



Recommended Citation:

EALS, 2019, *EAC Gender Policy and the Extractives Sector: Where are the Gender Dimensions?* East Africa Law Society Secretariat Policy Brief, Arusha, Tanzania

* **Dr. Erick Komolo**, Ph.D. (HKU) is a Law Scholar, Consultant and the Founding Partner of Dr. Komolo & Partners Advocates (www.komoloadvocates.com) based out of Nairobi, Kenya. He's also the immediate past Research Fellow at Harvard Law School, Cambridge (ekomolo@komoloadvocates.com)

EAC Gender Policy and the Extractives Sector: Where are the Gender Dimensions?

Dr. Erick Komolo

“Policy Statement

Promotion of equitable participation of women and men, boys and girls in mining and extractive sectors at different levels of the value chain”

Policy Actions

Partner States shall:

- a) Develop and implement framework, structures and mechanisms that shall ensure equitable access, control and ownership at different levels of the value chain
- b) Establish measures to curb environmental degradation and occupational /health hazards in the mining and extractive sectors
- c) Develop and implement a sector specific gender strategy for mining and extractives; and
- d) Establish gender responsive infrastructure for mining and extractive industries.

EAC Secretariat Shall:

- a) Engender the regional mining and extractive industry legal and policy frameworks; and
- b) Establish a regional database on mining and the extractive industry for participation of men and women.”

EAC Gender Policy, 2018 ¹

Introduction

From the early 1990s, the mining and extractive industries sector has been growing in its relative importance to the GDP of several East African Community (EAC) member countries. However, the industry still lags in gender inclusion. In fact, across all the EAC member countries that have recently reported substantial mineral, oil and gas discoveries, meaningful participation by women in the sector, in particular, is discouragingly low.

The recently adopted EAC Gender Policy 2018, thus, constitutes a critical and timely intervention in an attempt to reverse this trend. Specifically, it identifies five priority areas where gender disparity in the region’s mining and extractives sector is glaring, and thus needing urgent policy intervention by governments and regional institutions.

First, EAC women remain primarily excluded in beneficiation. Second, in host mining communities (including indigenous communities) across the entire EAC region, women’s rights to land and property continue to be abused with impunity and disdain. Third, women continue to experience structural discrimination and exclusion in assuming leadership and critical decision-making roles attendant to the sector.² This means women’s voices are often missing where it matters most in setting short, medium, and long term agenda for East Africa’s extractives. Four, where they invariably exist, affirmative action policies are openly disregarded. Consequently, women generally receive fewer and lower-value contracts, and enjoy low employment quotas, if any. And **five**, women are often only peripherally involved in the mining and extractives’ value chain.

¹ Eac Secretariat, ‘Eac Gender Policy 2018’, (Arusha, Tanzania), 57

² Ibid.

Women and Beneficiation in EAC Extractives

Despite its growing prominence, most mining and extractives-dependent EAC member countries have hardly accorded **beneficiation** (*domestic refinement and value addition to increase economic returns*), and **beneficial ownership** (*public identification of natural persons that enjoy eventual de facto control and commercial interests/benefit from the mines and oil and gas fields*) legal and policy attention.

Several factors have been attributed to this policy lacuna, including skewed bilateral investment treaties, public sector corruption, negative colonial legacy pre-disposed to the export of raw materials, energy insecurity, and, of course, more traditional nuances regarding capacity constraints in EAC member countries and the global South generally.

In fact, with the exception of Tanzania that has signed-up to pilot the global Extractives Industry Transparency Initiative (EITI), none of the EAC member countries has taken any concrete domestic legal and policy steps to implement beneficiation and engender transparency in beneficial ownership. Globally, these dual policy interventions of beneficiation and transparency in beneficial ownership in the extractives have become increasingly accepted as essential to boosting economic returns for host communities including women and revenues for governments.

Importantly, as regards mainstreaming gender in EAC’s mining and extractives sector, it has been argued that the implementation of local beneficiation and transparency in beneficial ownership has the most significant potential.

This is because of the inherent higher economic returns that potentially accrue to host rural communities that are often inhabited by women-led households. Also, as a core part of the sector's labour force, women stand a chance of getting higher income from technically more advanced employment opportunities attendant to beneficiation.³

Finally, increased sector-specific government revenue from the extractives is often associated with improved public services, including public health, (water) infrastructure, and education services. These are collectively significant interventions, especially in societies such as those of EAC member countries where women traditionally provide the bulk of core household and agricultural labour.⁴

Such **gendered-interventions** are, however, currently severely limited in terms of their implementation because of opaque regulatory and policy stance on beneficiation and transparency in beneficial ownership. For example, despite embracing beneficiation policy since 2008 when it signed-up to the global Extractives Industry Transparency Initiative (EITI), Tanzania is yet to introduce sufficient legal and policy clarity on beneficiation and beneficial ownership.

For instance, Section 5 of Tanzania Extractive Industries (Transparency and Accountability) Act, 2015, which is the country's primary implementing legislation for extractives, outlines gender as a general requirement in the constitution of the National Extractives Committee, which supervises compliance with disclosure and transparency obligations by companies engaged in the country's extractives. Conversely, section 16 of the Act establishes discretion in the publication of local content/beneficiation and operators' ownership/beneficial ownership by shifting the obligation to the Minister upon prompting by the National Extractives Committee.

Arguments have been advanced that such wide and top-down discretion that the Tanzanian legislation creates impedes potential realization of gendered benefits of beneficiation and beneficial ownership in the country due to risks of political capture.⁵ There is also the broader concern of gender perspectives being subdued in the context where the primary obligation for reporting and accountability is taken away from the extractive companies themselves and their local host communities, with the government retaining conditional supervision duties like failure to renew licenses.

Additionally, the realization of gender mainstreaming in beneficiation and beneficial ownership processes faces an even bigger obstacle in Tanzania and across all other EAC member states because of the generally **restrictive company and business ownership laws**. Save for a few technology-based efficiency innovations, Kenya,

Uganda, Tanzania, Rwanda, Burundi and South Sudan all basically have a similar legal philosophy and framework when it comes to business initiation and registration. For example, the company laws, business registration laws, trust laws, and investment regimes are similar in terms of investor protection, while allowing no room for compulsory gender integration. There is, for instance, no requirement for public disclosure of directors of non-listed corporations and trustees.

The regimes also allow corporate entities or companies to own shares in other companies, including subsidiaries, thereby creating a new web in trying to establish actual beneficial owners. The Kenyan law, for example, also allows confidential nominees' accounts often managed by law firms and investment vehicles that hide the real owners from public scrutiny.⁶ This has traditionally proven a convenient way for politically-exposed persons like government ministers and other public officials to own shares in extractives.

Recommendations:

- a) *As an important first step, the EAC Secretariat should coordinate advocacy campaigns aimed at encouraging remaining EAC Member States to join the United Republic of Tanzania in signing-up and piloting/implementing extractives'-specific global transparency and accountability initiatives like the Extractives Industry Transparency Initiative (EITI).*
- b) *To address underlying gender biases in extractives ownerships and local value addition, the EAC Secretariat, regional professional bodies including the East Africa Law Society (EALS) and development partners should launch sustained targeted campaigns to lobby EAC governments for review extractives' contracts going forward whilst preserving the rule of law. For example, through strategic litigation at the East Africa Court of Justice, staggered implementation of **compulsory beneficiation** can be integrated in extractives' contracts as businesses invest in local capacity growth for holistic beneficiation long term. Such new generation contracts should have compulsory gender integration requirements.*

³ Biryabarema, m., 2019. The potential for beneficiation of industrial minerals in Rwanda. International Growth Centre, F-38422-RWA-1

⁴ FIDA., (n.d). Women's Land and Property Rights in Kenya, *Training Handbook*.

⁵ Poncian, J. and Kigodi, H.M., 2018. Transparency initiatives and Tanzania's extractive industry governance. *Development Studies Research*, 5(1), pp.106-121.

⁶ Companies Act 2015 Cap 486 Laws of Kenya

Women, Land and Property Rights in EAC Extractives

Globally, women are estimated to constitute about 30 percent or so of the labour force in mining and extractives sector.⁷ This figure is, however, even higher in small scale rural-based mines and extractives' fields such as those of East Africa, where women engage, for example, in labour intensive gold sieving and amalgamation processes, and dominate the entire low-return petty supply chain such as food, retail of supplies and the sex trade.

Despite women's physical presence in this space as described above, traditionally-oriented legal orders have effectively blocked them from ownership of the mines, mining rights, and land generally, which historically come with higher returns. In fact, in many cases in rural areas in the EAC, women end up operating only low grade and small scale unregistered or informal mines.

For example, pervasive cultural practices like wife inheritance in Kenya and Tanzania, and retrogressive judicial interventions in succession matters succeeded in commodifying the woman as less necessary in land ownership and property inheritance. Conversely, the man is perceived as guardian of family heritage and property, and will typically take de facto precedence in inheriting and managing family land and property.

Admittedly, several EAC member countries have taken a proactive policy and legislative steps to reverse discrimination of women in terms of land and property ownership. However, such regulatory developments have been blamed for introducing **formal equality** while paying lip service to **substantive equality**. Thus, while women now have equal rights to inheritance, land ownership, and protection of matrimonial property in countries such as Kenya, for instance, structural and historical impediments to enjoyment of these rights and participation remain in place across the entire EAC region.

Such **structural discrimination** of women (or substantive inequality) pervasive in EAC's legal orders that impede women's rights in mining and extractives are diverse and multi-faceted. First, all official government indicators in EAC member countries point to higher incidences of **female poverty** compared to men.⁸ In other words, despite formal equality, women are generally more likely not to have funds to buy mining rights or even own land in mining areas than men.

Second, women and the girl child usually register **low school enrolment and training rates**, which is often a practical prerequisite for acquiring knowledge in and of opportunities in the sector, including to owning a mining right and attendant operations. Formal education is also often necessary for technical training in knowledge-based

components of extractives' labour force.

As a consequence, women have been relegated to the unskilled labour segment of the extractives' labour force compared to the rest of the industry. And even in the unskilled segment in EAC, women are still substantially a minority. For instance, it is reported that as of 2013, women made up a total of 13.1% of the EAC's unskilled labour in the extractives industry with their male counterparts constituting the remaining 86.9%.⁹ In addition, in some EAC member countries like Rwanda, figures show that women in the extractive industry as of August 2015 only occupied 28.6% of the total workforce, below the global average of 30 percent.¹⁰

Third, women continue to face significant barriers **to participation in land and property ownership processes including ownership of title deeds and user licensing**. This has been attributed to burdensome household obligations, patriarchal institutional orientation of public bodies responsible for land management like Land Boards, and women-specific constraints in access to finance.

Put differently, the methods of acquiring land and mining rights are still embedded in a burdensome and time-consuming bureaucracy that unfairly requires women to be out of home for prolonged periods, systemic discrimination of women in access to capital and glaring skills gap that predispose women to provision of low-return unskilled labour in the extractives.

For example, data gathered by the Federation of Women Lawyers in Kenya (FIDA-K) revealed that women in Kenya head an estimated 32 per cent of households countrywide yet only 1 per cent of them own land on their own whilst 5 per cent jointly own land with their husbands.

Finally, **judicial inefficiency regarding land and property matters** in all EAC countries means women are more disadvantaged in accessing proper and just resolution to their land and property disputes. For example, it is not uncommon for a typical land and property dispute to take over a decade to resolve in Kenyan courts, with even more adverse cost implications on women.¹¹

Recommendations:

- a) *As a starting point, the EAC Secretariat should implement a deliberate law reform program on extractives and land matters generally aimed at compelling Member States to implement progressive extractives-related legislations that are already in place. For example, recent reforms to Kenya's Matrimonial Property Act recognise and enhance protection of women to property acquired in marriages including land rights. Such EAC-wide program will have the added advantage of generating database of progressive and women-friendly laws on land and property rights as a basis for reforms in the extractives.*

⁷ Macdonald, C., 2017. The Role of Gender in the Extractive Industries. Extractive Industries, p.442.

⁸ Ibid

⁹ Omolo, W. M., 2014. Gender, Value Chain and Women Participation in the Emerging Extractive Industry in Kenya p16

¹⁰ Buss, D., Rutherford, B.A., Hinton, J., Stewart, J.M., Lebert, J., Côté, G.E., Sebina-Zziwa, A., Kibombo, R. and Kisekka, F., 2017. Gender and artisanal and small-scale mining in central and east Africa: Barriers and benefits (No. GWP-2017-0 2).

¹¹ Musangi, P., 2017. Women land and property rights in Kenya. Responsible Land Governance: Towards an Evidence-Based Approach, pp.1-20.

- b) *As the extractives gain economic traction in the EAC, serious policy consideration should be given to establishing a few regional educational centres of excellence that will lead the way in providing training and developing requisite capacity building. Such educational centres could be hosted in existing tertiary institutions to leverage on institutional support and fast track actualisation, and should admit students on regional basis with clear-cut gender quotas.*
- c) *The EAC Secretariat and other regional bodies in the EAC should also develop a well coordinated advocacy plan that will compel EAC governments to leverage on existing administrative networks and alternative justice mechanisms like the Provincial Administration in extractives' areas to undertake sensitization and awareness campaigns for targeted women, and implement and monitor guaranteed employment quotas for women.*

Women and Leadership/Decision-Making in EAC Extractives

In recent times, women's participation in leadership and decision-making in virtually all EAC member countries have been hindered by diversionary, misleading, and overly-politicized debates. Data from all EAC member countries show significant improvement in women in leadership and policy positions, with Rwanda always sticking out for the high number of women in parliament and cabinet. This trend is also observed in Kenya post the 2010 new constitutional order, which introduced a formal compulsory requirement of minimum a third gender rule in the composition of public institutions.

The main shortcoming with this narrative of increased women involvement in leadership in the EAC is that it obscures lacuna in substantive women participation in leadership and decision-making, especially in the extractives. In particular, in mining and extractives sectors, women are still only marginally integrated and involved in top leadership and decision-making cadres. Reports show that men occupy nearly 100% of the director-level positions available, and 88.6% of management, alienating women to the less effective posts in terms of shaping policy direction of the sector.¹²

More specifically, women's leadership and decision-making in EAC's mining and extractives remain peripheral in that it mainly manifests in two forms. First, women are involved through **loose civil society-based membership associations or their coalitions**. For example, the Tanzania Women Miners Association (TAWOMA) is the most noticeable gendered platform, complete with regional organizational structures, through which Tanzanian women advocate and participate in

the sector's leadership.¹³ Thus far, TAWOMA has mainly focused on advocating for women involvement in mining and extractives, particularly in financial, technical, and marketing support for their enterprises in the sector. It has made arguably impressive progress in developing a partnership with Mining School (University of Dar es Salaam) on technical training of women miners. In Uganda, artisanal women miners in the western region have organized themselves into women-only enterprises to support one another, and through which they engage government agencies and decision-makers.

Second, women tend to be involved through **a politicized token board or administrative appointments**, especially of already established mining/extractives insiders and politicians. For example, Uganda's Petroleum (Exploration, Development and Production) Act, 2013, decrees the appointment of at least three (3) female board members. Also, Rwanda's National Energy Policy and Strategy directs gender consideration and integration in energy sector governance and use, although it emphasizes mostly energy-access components.¹⁴ And as is apparent above, the founding of TAWOMA in Tanzania points to the active engagement of a female mining insider who has leveraged on her insider networks to advance the cause and grow her portfolio.

While these two examples may be applauded, they fail to address underlying issues that historically impede the participation of more women in leadership and decision-making in the extractives, especially those women at the grassroots who provide the bulk of female labour for the sector. For instance, in Kakamega, a predominantly artisanal gold mining county in Kenya is characterised by systemic cultural beliefs that limit ownership of land by women. It is widely believed that women taking part in mining of gold in the area bring bad luck and death; beliefs that have no basis, and are only entrenched to ensure that widows lose rights to their husband's land¹⁵.

The two platforms highlighted above through which women are currently involved in the industry often lack a direct link with the daily experiences of women miners or industry workers. Thus, while they may be an advocate for standard gender-based agenda like affirmative action, they often lack lived experiences that would lead to substantive incremental change in the lives of female mine workers. Besides, the two platforms for engagement also do not necessarily represent the most critical areas where gender mainstreaming in the extractives promises the greatest return or impact. For instance, while statutory boards are essential in setting overall policy direction for the sector, localized platforms like land control boards and mine licensing boards are practically more influential in implementing and safeguarding gendered interventions in the sector long term.

¹² Ibid

¹³ Weldegiorgis, F.S., and Buxton, A., 2017. Informing dialogue on artisanal and small-scale mining in Tanzania. *International Institute for Environment and Development: London, UK.*

¹⁴ National Energy Policy and National Energy Strategy 2008-2012

¹⁵ Okonda, R., 2018. "Gold Barred: In Rural Kenya, Women Banned from Mining Their Own Land". Women's Advancement Deeply. <https://www.newsdeeply.com/womensadvancement/articles/2018/04/18/gold-barred-in-rural-kenya-women-banned-from-mining-their-own-land>

Recommendations:

- a) *The Secretariat and regional professional bodies like EALS and their national partner organisations should invest in advocating for the governments to proactively guarantee participation in Land Control Boards and Mineral Licensing Board in extractives' regions. For example, compulsory women representation in local land control boards in the affected regions will go a long way in integrating gender perspectives in local policy discourse. In cases of new mines/oil fields, a gradual implementation of gendered joint-venture legal requirements might be deployed to harness women's role in the beneficiation/beneficial ownership.*
- b) *Drawing from lessons learned from Tanzania's case study, EAC secretariat should work with EAC governments, national civil society groups and development partners to facilitate formation of national women in extractives associations or bodies that will serve to sustain gendered advocacy in the sector at national level.*
- c) *Local and regional civil society groups should be empowered to implement capacity building of grassroots women in the extractives industry, for example, through lessons sharing and cultural exchanges and general public awareness campaigns. Interventions such as sessions with other women facing similar challenges will bring synergy and help advocate for greater inclusion of women in the sector.*
- d) *To address underlying gender biases in extractives ownerships, the EAC Secretariat, regional professional bodies including the East Africa Law Society (EALS) and development partners should launch sustained targeted campaigns to lobby EAC governments for review of company and business ownership laws. For example, compulsory gender quotas in company shareholdings for both listed and non-listed extractives'-based businesses would be an important start for gendered-experimentation.*

Women and Affirmative Action (Contracts and Employment) in EAC Extractives

The extractives sector in EAC, including oil and gas, is currently one of those few high-income industries in the region. In Kenya, Tanzania, Uganda, and South Sudan, on average, industry workers in the extractives, including exploration activities, earn significantly above annual national average wage. However, women represent fewer than five (5) percent of workers currently actively employed in extractives in all the countries despite constituting over 50 percent of the population in all the countries.¹⁶ This

¹⁶ Weldegiorgis, F., Lawson, L. and Verbrugge, H., 2018. Women in Artisanal and Small-Scale Mining: Challenges and opportunities for greater participation. Winnipeg: International Institute for Sustainable Development.

amounts to the gross under-representation of women in employment in the region's extractives.

Several factors have been attributed to this. First, the sector tends to require advanced technical skills, especially at the initial underground exploration phase (most EAC countries are still at the exploration phase). Women have traditionally recorded low enrolment rates in exploration-related courses at universities and technical institutions' levels across the EAC region.

Second, most multinationals and foreign companies currently involved in exploration and exploitation work tend to come with foreign workers, thereby limiting prospects for engaging domestic labor from early stages. This traditionally affects women most as they have historically been excluded in the sector globally.

Third, communal mobilization and advocacy in remote host communities tend to put pressure on multinationals and corporations to award contracts to locals who end up only taking up low-skilled support operations. Due to patriarchal power structures in such remote host communities across the East African region, such opportunities end up going to men.

Four, public sector corruption means there is a tendency to have pervasive undue influence and nepotism in the recruitment processes of companies licensed to undertake exploration and exploitation. This ultimately compromises the ability of governments to negotiate for the domestication of additional employment opportunities, thus affecting prospects for affirmative action for women.

Recommendations:

- a) *As already successfully experimented in Kenya with the AGPO Program (<https://agpo.go.ke/>) which preserves 30 percent of public procurement opportunities to enterprises specifically owned by youth, women and persons living with disabilities, the EAC Secretariat and other regional institutions should address themselves to affirmative action in the extractives. For example, through strategic litigation at the East Africa Court of Justice (EACJ), the East Africa Law Society (EALS) and other regional advocacy groups can use existing treaty commitments to highlight gender biases in the region's extractives and compel governments to implement procurement quotas.*
- b) *Through regional lobbying, EAC governments should be mobilised to work with host communities in extractives' areas to negotiate firm gendered fixed term whilst gradually conditioning renewal on attainment of gender inclusion objectives.*

- c) *EAC Secretariat should also work with governments and development partners to develop a medium term roadmap for engagement of local host communities in extractives as part of plan to reverse patriarchy, nepotism and corruption endemic in the sector at the moment.*

Women and Supply Chain in EAC Extractives

Women have traditionally been involved in the extractives and mining supply chain. For example, in gold mining in the Caribbean and continental South America, women have been known to be suppliers of food, retail mining equipment like sieves, mercury for amalgamation and other additives, and also engage in illicit sex trade.¹⁷

However, the supply chain system has often been exploitative for female workers. For example, their entire engagement in the supply chain usually is associated with **small scale and less profitable retail work**, which also faces stiff competition and contrabands. This trend is largely replicated in East Africa.

Second, female sex workers are often **exploited and exposed to abusive sexual practices** with risks of disease and HIV/AIDS infections due to social and economic power imbalance in favor of their male clients. Finally, women also face **challenges in high value and technical supply chain involving high technology and heavy-duty equipment**, which of themselves require higher technical skills.

Recommendations:

- a) *As a starting, EAC governments should coordinate and escalate their campaigns against contrabands in the extractives as part of ongoing policing efforts against counterfeit and illicit trade.*
- b) *Using existing models such as Women Enterprise Fund in Kenya (<https://www.wef.co.ke/>) and similar gendered financial products, EAC Secretariat should lobby governments in the region to proactively innovate on financial products that eliminate barriers for women to access capital and target women-led enterprises in the extractives.*
- c) *In partnership with local civil society groups, the private sector and development partners, EAC governments should also immediately map out extractives supply chain with a view to creating meaningful quotas for women-led businesses in the value chain.*

Additional Recommendations and Implementation Strategy

- a) To overcome absence of data on the actual number of women in EAC's extractives, their structural engagement in the industry and existing legal and policy tools, the EALS should commission further national empirical studies. The resultant scientific database will provide an important starting point for mainstreaming the EAC Gender Policy in national frameworks.
- b) To build strategic alliances in gender mainstreaming in EAC extractives industry, the EAC Gender Department ought to map out and undertake a needs-assessment study to ascertain the capacity of national civil society groups working in the sector in all Member States. This should be followed by the Department building important training tools to build capacity of engaged civil society groups and helping them build critical alliances for knowledge sharing and to sustain grassroots campaigns.
- c) To reinforce regional advocacy, the EAC Gender Department should work closely with EALS and other regional professional bodies working on regional integration to initiate strategic litigation on gender mainstreaming in the industry. Such a strategy will serve the dual purpose of keeping the EAC Gender Policy 2018 commitments in extractives on the spotlight and highlighting country-specific weaknesses.
- d) To remain responsive to unique national political situations of Member States, the EAC Gender Department should also proactively engage the governments on the Gender Policy 2018 and its implementation, especially using existing governance structures. For example, existing governance structures like District Councils (Rwanda), Provincial Administration (Uganda, Tanzania) and Devolved Units/ Provincial Administration (Kenya) so that they act as frontiers for gender mainstreaming in the extractives, especially in volatile regions where local knowledge and networks is indispensable.
- e) To build on its existing strengths, the East Africa Law Society (EALS) should invest in building collaborations with the EAC Gender Department and other regional professional groups working on integration to train and sensitise key stakeholders on the Gender Policy 2018. This should include sector-based national civil servants, journalists and officials of national/local gender-based groups/associations. This strategy will help sustain national-specific conversations on gender and extractives in the Member States, and mobilise broader national policy engagement that is critical for medium to long term implementation.

¹⁷ Ibid

Selected References

- 1) Biryabarema, m., 2019. The potential for beneficiation of industrial minerals in Rwanda. *International Growth Centre*, F-38422-RWA-1
- 2) Buss, D., Rutherford, B.A., Hinton, J., Stewart, J.M., Lebert, J., Côté, G.E., Sebina-Zziwa, A., Kibombo, R., and Kisekka, F., 2017. *Gender and artisanal and small-scale mining in central and east Africa: Barriers and benefits* (No. GWP-2017-0 2).
- 3) Companies Act 2015, Kenya
- 4) East African Community Gender Policy 2018
- 5) Federation of Women Lawyers-Kenya Women's Land and Property Rights in Kenya. *Training Handbook*.
- 6) Macdonald, C., 2017. The Role of Gender in the Extractive Industries *Extractive Industries*, p.442.
- 7) Musangi, P., 2017. Women land and property rights in Kenya *Responsible Land Governance: Towards an Evidence-Based Approach*, pp.1-20.
- 8) Omolo, W. M., 2014. Gender, Value Chain and Women Participation in the Emerging Extractive Industry in Kenya p.16
- 9) Poncian, J., and Kigodi, H.M., 2018. Transparency initiatives and Tanzania's extractive industry governance *Development Studies Research*, 5(1), pp.106-121.
- 10) The Republic of Rwanda, Ministry of Infrastructure., *National Energy Policy and National Energy Strategy 2008-2012*
- 11) Tanzanian Extractive Industries (Transparency and Accountability) Act, 2015
- 12) Tanzania Extractive Industries Transparency Initiative-Beneficial Ownership Implementation Status
- 13) Weldegiorgis, F.S., and Buxton, A., 2017. Informing dialogue on artisanal and small-scale mining in Tanzania *International Institute for Environment and Development: London, UK*.
- 14) Weldegiorgis, F., Lawson, L., and Verbrugge, H., 2018. Women in Artisanal and Small-Scale Mining: Challenges and opportunities for greater participation. Winnipeg: International Institute for Sustainable Development.