



**Supporting Inclusive Resource Development (SIRD)
East Africa
TRAINING PROGRAM
2019**



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Gender issues in policy, legislation, contracts, revenue management, transparency and accountability

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Agenda

- Gender mainstreaming
- International perspective
- National perspective

What is Gender Mainstreaming?

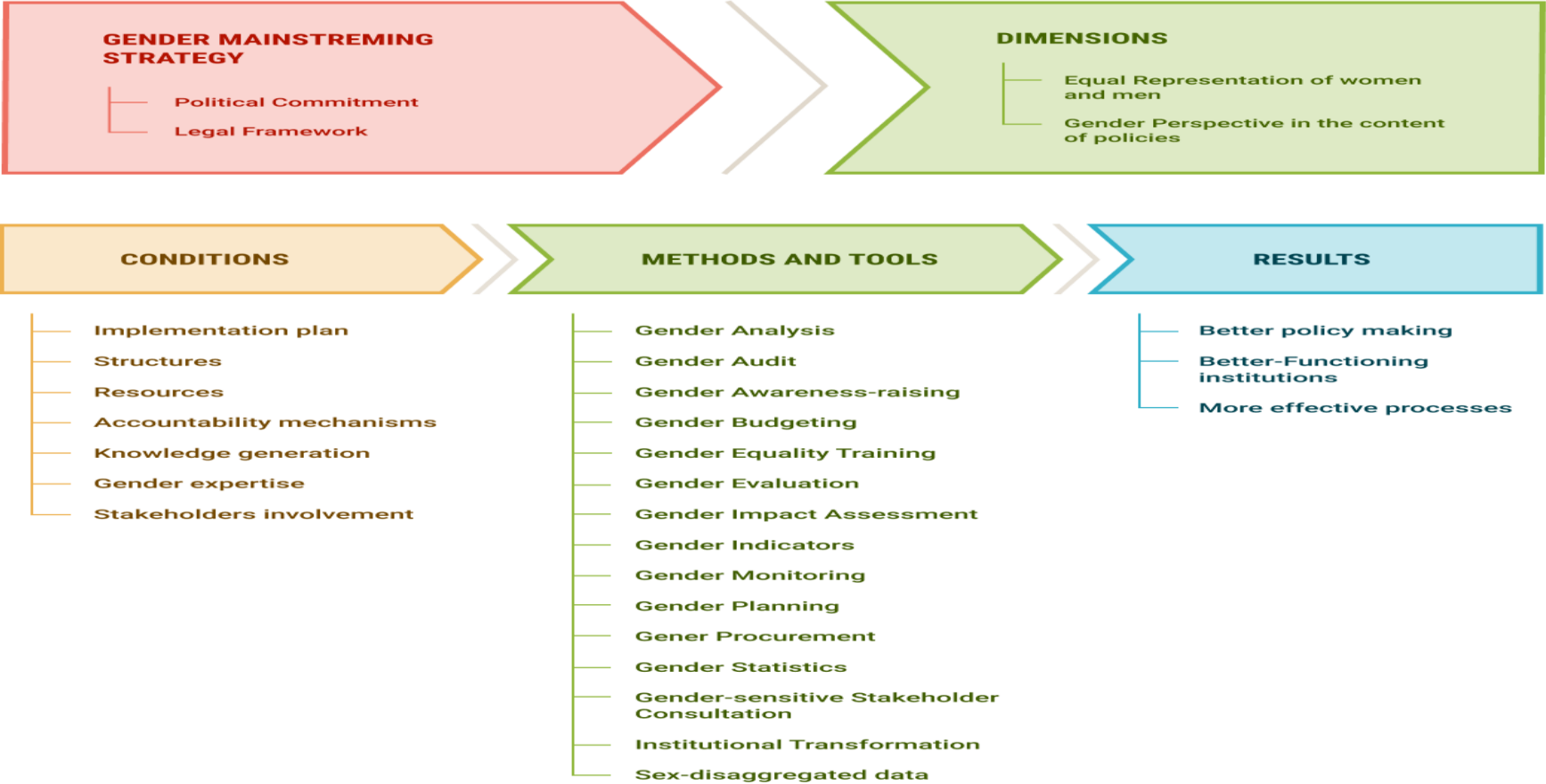
It refers to the consistent integration of gender concerns and needs into the design, implementation, monitoring and evaluation of policies, plans, programmes, projects and activities at all levels.

Issues.

- ❖ What is the mainstream?
- ❖ What is being Mainstreamed?
- ❖ What does it mean to be part of the Mainstream?
- ❖ What is the target for Mainstreaming?
- ❖ What is the goal of Mainstreaming?
- ❖ How is gender Mainstreaming?



Gender Mainstreaming Dimensions



Gender issues in the Mining Sector

1. Socio-cultural factors
2. Women's disadvantaged position in access, ownership and participation in economic development
3. Inadequate institutional and human capacities to mainstream gender.
4. Lack of gender/sex disaggregated data to support planning of programmes and projects.
5. Lack of comprehensive policy and strategic framework on gender, mining and poverty eradication



Challenges to Gender Mainstreaming

1. Limited comprehension and understanding of the concept of gender and Gender Mainstreaming.
2. Inadequate financial and human resources and technical capacities across public ministries, departments and agencies for gender mainstreaming.
3. Inadequate sensitization on gender mainstreaming in existing mineral resources policies and legal frameworks
4. Limited comprehensive research and gender disaggregated data for policy decision-making and planning.
5. Limited or lack of women's involvement (being consulted) in negotiations on the use, sharing of benefits that accrue from Mineral resources
6. Lack of adequate gender-specific budgetary allocations targeting gender activities at sector levels and in the national and county budgets.
7. Limited structural linkages at various levels (community to parliament) and horizontally across sectors and line ministries to facilitate translation of commitments in to action Limited or lack of women's involvement (being consulted) in negotiations on the use, sharing of benefits that accrue from Mineral resources
8. Lack of adequate gender-specific budgetary allocations targeting gender activities at sector levels and in the national and county budgets.
9. Limited structural linkages at various levels (community to parliament) and horizontally across sectors and line ministries to facilitate translation of commitments in to action



International Perspective

- Good governance and sharing of wealth
- Tools used in Canada
- Canadian initiatives
- Private enterprise initiatives
- Agreements



Good Governance and Sharing of Wealth

- What is good governance?
- How does gender equality relate to good governance?



Canada: Governance for Sex and Gender Equality – Intersecting Identities



Gender Based Analysis Plus (GPA+)

- GPA+ helps to ensure that the development of policies, programs and legislation includes consideration of differential impacts on diverse groups of women and men
- For example, using GPA+ to assess large-scale procurement projects can help to ensure that equipment and products meet diverse needs



Gender Results Framework (GRF)

- Introduced in Canadian Budget 2018
- A whole-of-government tool used to:
 - track how Canada is currently performing
 - help define what is needed to achieve greater equality
 - determine how progress will be measured going forward
- Ensures gender is considered in relation to other intersecting identity facts



GRF: Six Key Areas

1. Equal opportunities and diversified paths in **education and skills development**
2. Equal and full participation in the **economy**
3. Gender equality in **leadership** roles and at all levels of decision-making
4. Eliminating **gender-based violence and harassment**, and promoting security of the person and access to justice
5. Reduced **poverty** and improved **health** outcomes
6. Promoting gender equality to build a more **peaceful, inclusive, rules-based and prosperous world**

Gender Budgeting Across OECD

Table 5.1. Gender information presented as part of the budget across OECD countries

OECD country	Gender objectives	Progress statement in relation to gender objectives	Information on total spending allocated to gender equality projects	Gender impact analysis of specific budget measures	Gender impact analysis of budget as a whole
Canada	●	●		●	●
Iceland				●	
Japan	●		●		
Korea	●	●	●	●	
Mexico	●	●	●	●	●
Portugal	●		●		
Spain	●	●	●	●	●
Sweden			●	●	

Note: Data shown only for the OECD countries which publish gender information alongside the budget.

Source: (OECD, Forthcoming_[58])

Gender Budgets

- Gender budgets have been effective in exposing gaps between commitments and actual spending
- The *Canadian Gender Budgeting Act* was passed by Parliament in December 2018
- Commits the government to consider gender and diversity and report the impacts of all new budget measures



Private Enterprise Initiatives

- Responsible Mining Index
- Gender Equity in Mining Work (GEM Works)



Addressing Gender in Agreements

- Impact benefit agreements
- Collective benefit agreements
- Socio-economic agreements

White Rose Benefits Plan



White Rose Benefits Plan



The White Rose oil field is located about 350 kilometres east of St. John's. Commercial oil production from the White Rose field began in November 2005. (The Canadian Press)

White Rose Benefits Plan



The current field schematic for the wellhead platform option. (Husky Energy)

White Rose Benefits Plan

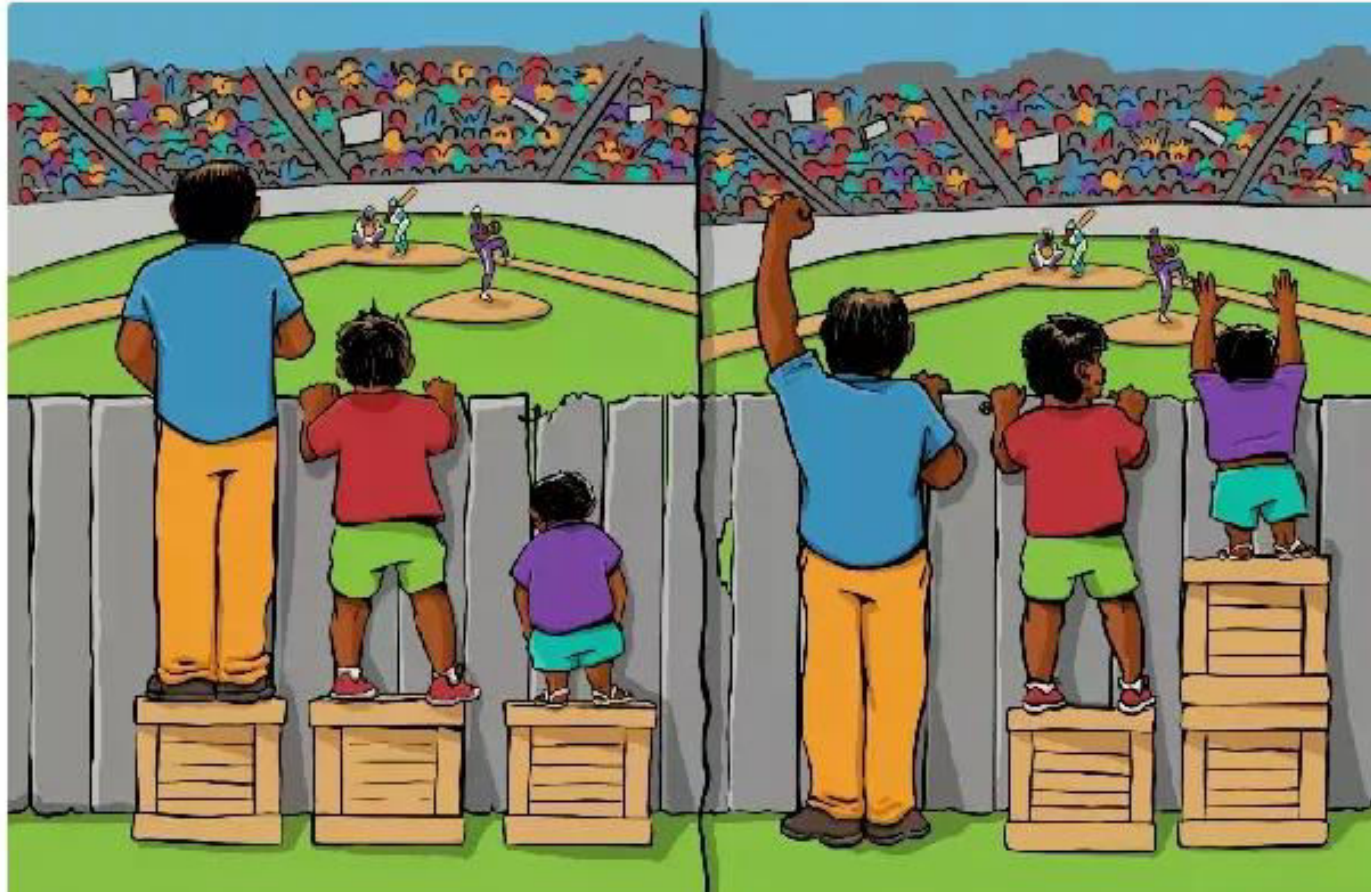
- Under Section 45 (4) of the *Canada-Newfoundland Atlantic Accord Implementation Act*, the Canada Newfoundland and Labrador Offshore Petroleum Board may require that:

45(4) any Canada-Newfoundland benefits plan **include provisions to ensure that disadvantaged individuals or groups have access to training and employment opportunities** and to enable such individuals or groups or corporations owned or cooperatives operated by them to **participate in the supply of goods and services** used in any proposed work or activity referred to in the benefits plan.

White Rose Benefits Plan

- Includes:
 - Diversity and Respectful Workplace Policy
 - Project Diversity Plan
- Contractors are required to act consistently with the Policy and the Plan
- Under the Diversity Plan, Husky and its major contractors must satisfy requirements to integrate diversity into the way they do business
- Sets diversity targets and requires internal monitoring to measure success in meeting targets
- Diversity Plan reports are provided to the Canada Newfoundland and Labrador Offshore Petroleum Board

Formal equality versus substantive equality



White Rose Benefits Plan

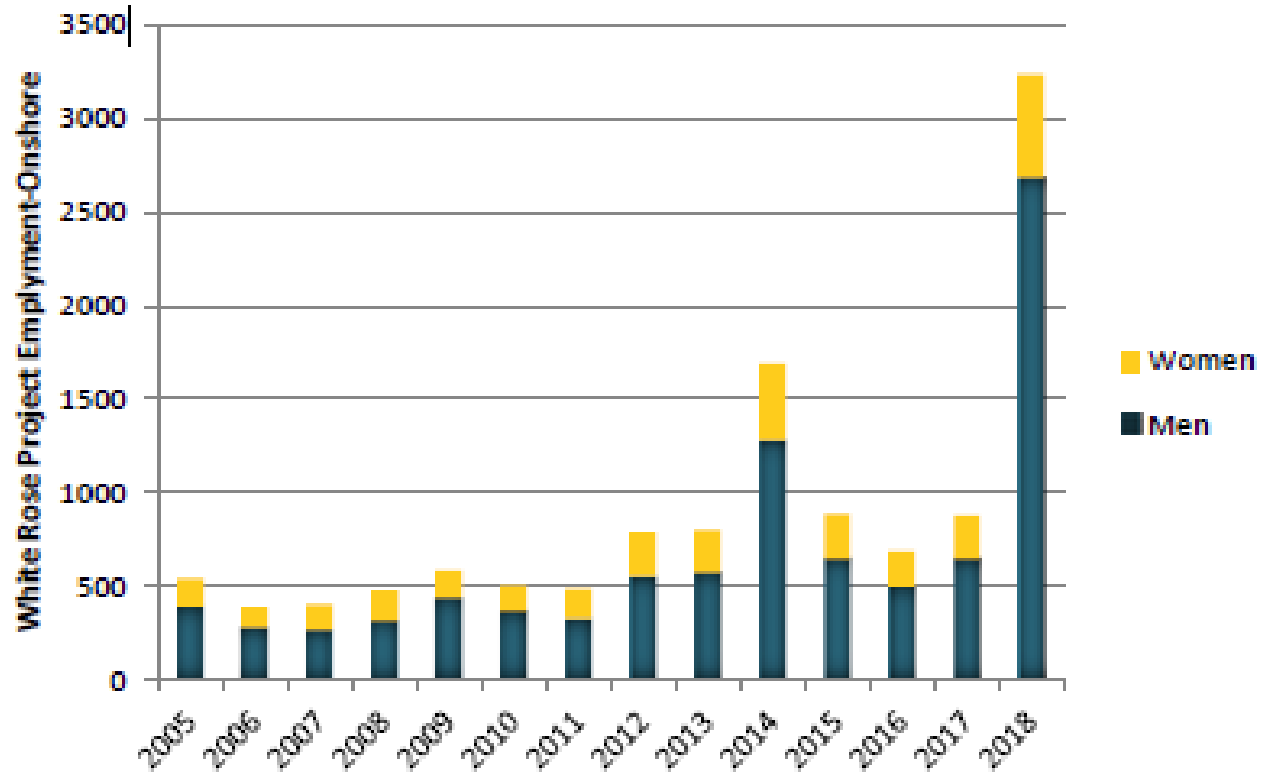


Figure 3-5 White Rose Project Employment, Onshore, 2005 to 2018

White Rose Benefits Plan

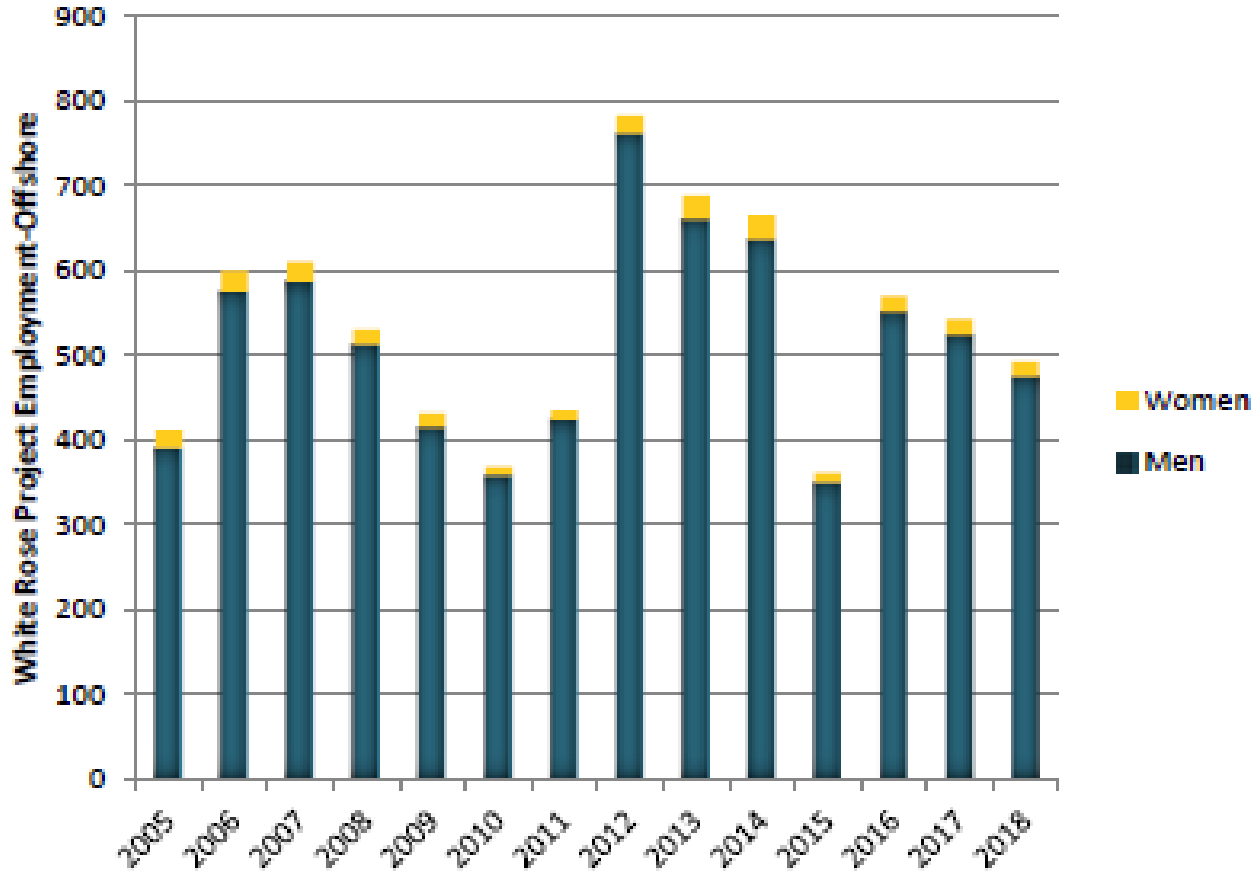


Figure 3-4 White Rose Project Employment, Offshore, 2005 to 2018

National Perspective

- ❑ Gender Issues in the Mining Sector.
- ❑ Challenges.
- ❑ Legal and Policy Framework
- ❑ What the Ministry is doing.
- ❑ Conclusion.



Legal and Policy Frameworks

- The Constitution of Kenya (Articles 27, 54-59, 69, 201)
- Mining Act, 2016
- Minerals Mining and Policy 2016 (Strategic Objective 12)
- Mining Regulations (CDA, Composition of Artisanal mining Committees).
- Draft Strategy for Artisanal and Small Scale Miners
- Draft Gender Mainstreaming Strategy and Action Plan for the Mining Sector in Kenya.
- Gender Responsive Budget, 2014 guidelines for Kenya by the NGEC.



Constitution of Kenya Article 201

The following principles shall guide all aspects of public finance in the Republic —

- (a) there shall be openness and accountability, including public participation in financial matters;
- (b) the public finance system shall promote an equitable society, and in particular —
 - (i) the burden of taxation shall be shared fairly;
 - (ii) revenue raised nationally shall be shared equitably among national and county governments; and
 - (iii) expenditure shall promote the equitable development of the country, including by making special provision for marginalized groups and areas;

Mining Act 2016

- Provides for Establishment of Artisanal Mining Committees
- and Community Development Agreement Committees

Minerals and Mining Policy

- 3.12 Gender, Youth and Inclusiveness in Mining Strategy 12: Develop and implement frameworks, structures and mechanisms that ensure equitable participation, ownership and decision-making value chains by women, youth and disadvantaged groups The government will implement a community liaison framework that ensures that women, youth, persons living with disabilities, marginalized groups and communities are involved in decision making and programmes in mining.
- Through the implementation of its regulatory frameworks and programmes, it will ensure that they have equitable access to ownership, technology, capital, local content and value addition opportunities, employment, training, knowledge and decision making value chains

Gender Mainstreaming Strategy for the Mining Sector

Provisions include:

1. The Vision of the Strategy is *“A vibrant and sustainable mining sector where men and women benefit equally”*.
2. The guiding mission for the strategy is *“to advance, promote and facilitate the achievement of gender equality and empowerment of women in the mining sector in Kenya by integrating gender perspectives into policies, laws and programmes”*
3. *Strategic objectives:*
 - Enhance capacity-building and knowledge management in respect of access to and use of the Mineral resources.
 - Enhance gender responsiveness in environmental conservation, Health safety, Mineral resource management and poverty reduction programmes.
 - Strengthen policy analysis and gender-responsive research, data management and monitoring and evaluation systems.
 - Promote partnerships, linkages and sharing of best practices on gender mainstreaming in the management and use of the environment and Mineral resources nationally, regionally and internationally.
 - Establish and adapt financial mechanisms for gender mainstreaming programmes and innovations in the use and protection of the Mineral resources and environment respectively.

Guidelines for GRB for Kenya

What is GRB?

- The Council of Europe (2005) defined ‘Gender Responsive Budgeting’ (GRB) as: *a gender-based assessment of budgets, incorporating a gender perspective at all levels of the budgetary process and restructuring revenues and expenditures in order to promote gender equality.*
- GRB approaches are therefore designed to enhance the responsiveness and accountability of government budgets and policies to commitments aimed at reducing gender inequalities.

Africa Mining Vision

Vision.

“Transparent, equitable and optimal exploitation of mineral resources to underpin broad-based sustainable growth and socio-economic development”

Shared vision envisages:

A sustainable and well-governed mining sector that effectively garners and deploys resource rents and that is safe, healthy, gender & ethnically inclusive, environmentally friendly, socially responsible and appreciated by surrounding communities;

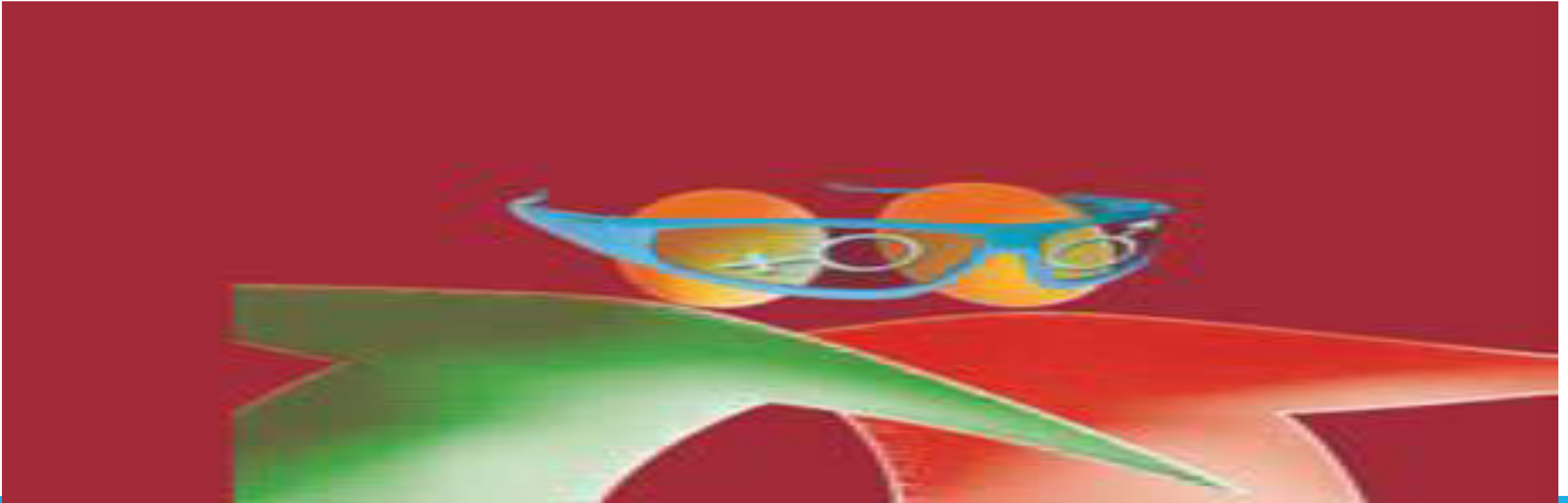
A mining sector that harnesses the potential of artisanal and small-scale mining to stimulate local/national entrepreneurship, improve livelihoods and advance integrated rural social and economic development.

Programmes by the State Department For Mining

- Sensitization of stakeholders on the importance of Mainstreaming Gender in to their activities.
- Sensitization on available Government programmes on Gender Equality and Empowerment of Women.
- Mobilization of women and Youth to form groups
- Linking Women and Youth groups to Financiers and Development Partners.
- Sensitization on mining laws and regulations as well as healthy mining practices.
- Technical capacity building for the Miners.

Conclusion

Gender lenses to be used as a guide in all mining decisions and processes.



Additional International Resources

Gender Based Analysis Plus: <https://cfc-swc.gc.ca/gba-acs/index-en.html>

Canadian Gender Budgeting Act: <https://laws-lois.justice.gc.ca/eng/acts/C-17.2/page-1.html>

Gender Results Framework: <https://www.budget.gc.ca/2018/docs/plan/chap-05-en.html>

White Rose Diversity Plan:

<http://huskyenergy.force.com/WREP/servlet/servlet.FileDownload?file=00PG0000009JcUXMA0>

White Rose Diversity Plan Report, 2018:

https://huskyenergy.com/downloads/areasofoperations/eastcoast/2018_White_Rose_Diversity_Plan_Report.pdf

OECD Toolkit for Mainstreaming and Implementing Gender Equality:

<http://www.oecd.org/gender/governance/toolkit/>

END

THANK YOU

