



An in - depth research on Oil & Gas Extraction Industry in East Africa:

An African Feminist Perspective





An in - depth Research on Oil & Gas Extraction Industry in East Africa:

An African Feminist Perspective

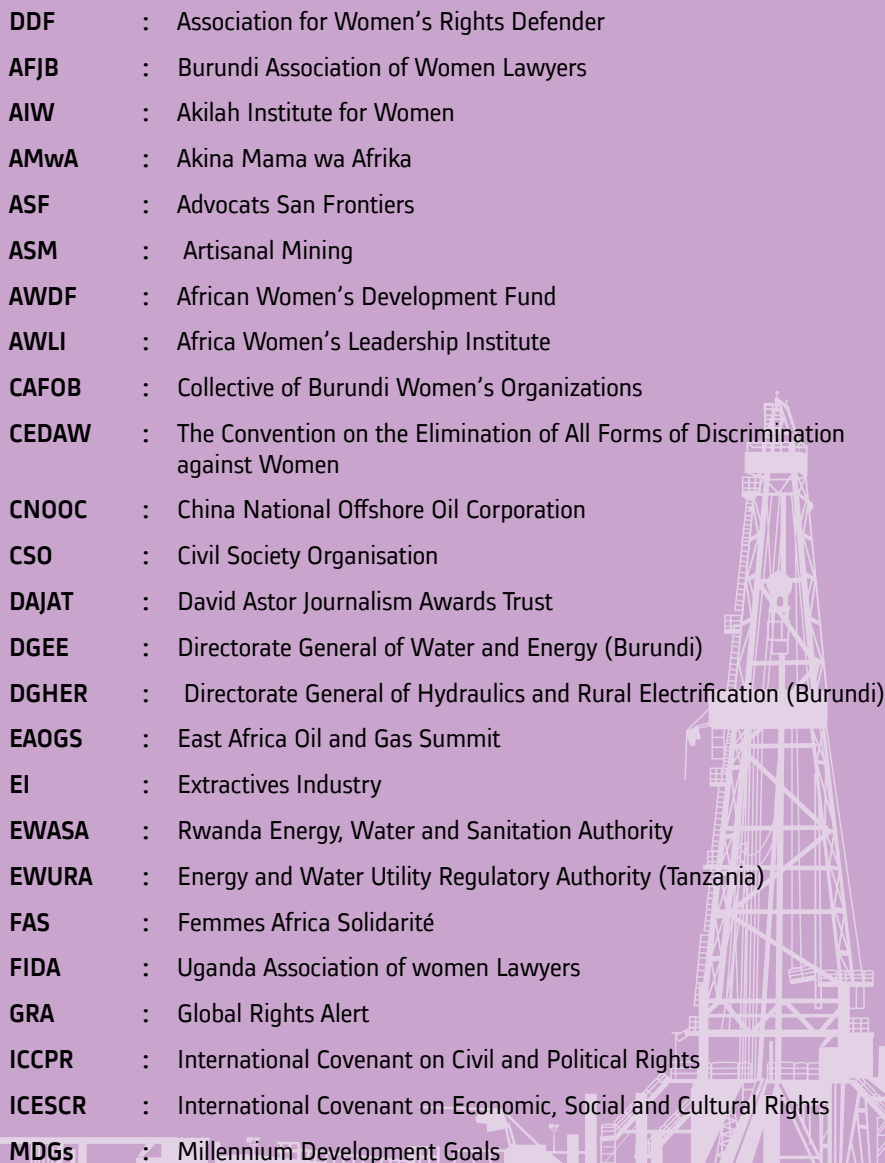
Consultant: Winfred Ngabiirwe - July 8, 2014,



CONTENTS

Acronyms	5
Executive Summary	7
1.0 Introduction	11
2.0 Background	13
3.0 Methodology and Scope of the Work	15
4.0 Findings of the Study	17
4.1 Women and the Extractives Industry	17
4.2 Gains & Challenges of Women's Participation in the Industry	19
4.2.1 Employment and Income	19
4.2.2 Women and Artisanal Mining (ASM)	22
4.2.3 Community Consultations	23
4.2.4 Education/Corporate Social Responsibility	25
4.3 Laws and Policies On the Sector	26
4.3.1 Existing Gaps in The Laws and Policies	33
4.3.2 Potential Areas for Women's Advocacy	34
5.0 Recommendations	37
5.1 Areas for women's leadership development	37
5.2 Strategic Partners and Allies	39
5.3 AMwA's Role	41

ACRONYMS



DDF	: Association for Women's Rights Defender
AFJB	: Burundi Association of Women Lawyers
AIW	: Akilah Institute for Women
AMwA	: Akina Mama wa Afrika
ASF	: Advocats San Frontiers
ASM	: Artisanal Mining
AWDF	: African Women's Development Fund
AWLI	: Africa Women's Leadership Institute
CAFOB	: Collective of Burundi Women's Organizations
CEDAW	: The Convention on the Elimination of All Forms of Discrimination against Women
CNOOC	: China National Offshore Oil Corporation
CSO	: Civil Society Organisation
DAJAT	: David Astor Journalism Awards Trust
DGEE	: Directorate General of Water and Energy (Burundi)
DGHER	: Directorate General of Hydraulics and Rural Electrification (Burundi)
EAOGS	: East Africa Oil and Gas Summit
EI	: Extractives Industry
EWASA	: Rwanda Energy, Water and Sanitation Authority
EWURA	: Energy and Water Utility Regulatory Authority (Tanzania)
FAS	: Femmes Africa Solidarité
FIDA	: Uganda Association of women Lawyers
GRA	: Global Rights Alert
ICCPR	: International Covenant on Civil and Political Rights
ICESCR	: International Covenant on Economic, Social and Cultural Rights
MDGs	: Millennium Development Goals

MGLSD	: Ministry of Gender, Labor and Social Development (Uganda)
MININFRA	: Ministry of Infrastructure (Rwanda)
MOEP	: Ministry of Energy and Petroleum (Kenya)
MWEM	: Ministry of Water, Energy and Mining (Burundi)
NAFFAC	: National Fossil Fuels Advisory Committee (Kenya)
NEMA	: National Environmental Management Authority (Uganda)
NAPE	: National Association of Professional Environmentalists
NOCK	: National Oil Corporation of Kenya
PEPD	: Petroleum Exploration and Production Department (Kenya)
PIPEA	: Petroleum Institute of East Africa
PRSP	: Poverty Reduction Strategy Paper (Burundi)
REGIDESO	: Directorate for Production and Distribution of Water and Electricity (Burundi)
RURA	: Rwanda Utilities Regulatory Authority
RWPF	: Rwanda Women Parliamentary Forum
SHE	: Sustainable Health Enterprises
SPPWR	: Synergy of Partners for the Promotion of Women's Rights
TAWOMA	: Tanzanian Women Miners Association
TPDC	: Tanzania Petroleum Development Corporation
UHRC	: Uganda Human Rights Commission
UN women	: United Nations Entity for Gender equality and the empowerment of women
UNCTAD	: United Nations Conference on Trade and Development
UNIFEM	: United Nations Development Fund for Women
IPRCS	: Identification Placement and Review Committee
MEMD	: Ministry of Energy and Mineral Development



Executive Summary

The Extractives Industry (EI) impacts both positively and negatively on economic, social and environmental issues. Positively oil, gas and mining projects create jobs. New roads are also built and communities become electrified. Markets boom and force prices to rise steeply because of the increase in demand for goods and services. However, negatively, EI projects may also consume farming land, change livelihoods and limit access to water, food and firewood. Further, water sources become polluted, wildlife is displaced and biodiversity is lost.

On a gendered scale, EI impacts differently on men and women and evidence increasingly demonstrates that women are more vulnerable to the risks of the industry meager access to the benefits that accrue due to their limited involvement. Yet their participation will not only leverage their untapped potential in contributing to the growth of the industry, leading to poverty reduction and the fostering of positive conditions for sustainable development, but will also maximize their effective input into the development of the oil, gas and mining operations for the benefit of communities and countries as a whole.

Women are, however, often excluded from development processes through inhibited access to education and scarcity of water and food, which forces them to expend all their time and



energies on practical family needs. That way, women cannot work for their own development, let alone contribute to the strategic development of their families and communities.

Ensuring the active participation of women in development and community-decision making is good for them, their families and for business. The advent of EI should not only be seen in terms of ore bodies, oil and gas reservoirs; it should also be regarded as a new era of building amicable and developmental relationships amongst the communities in which the EI companies operate. Indeed, if communities, including women and men, are brought on board in terms of employment opportunities as well as in active participation in environmental and social community consultation, harmonious co-existence will be assured. That positive developmental approach on the part of the EI companies, where women's input, participation and approval is sought, will earn the companies social license and will also be the litmus test for the success of their employment, environmental, social, community consultation and gender related policies and activities.

The requisite participation, contribution and the benefits of women with regard to the extractives industry may be subsumed under four broad categories: employment and income, women and artisanal mining, community consultations and education/corporate social responsibility.


The report further explains the human rights laws pertaining to the extractives industry across the region. It is generally noted that effort should be made to make women's work visible. An active debate on the rights of women to work, to own land and participate in mining is also under way.

This will necessitate revising the laws governing women's work. Significant improvements of the quality of work itself are also catered for. Other strategic needs that will contribute to securing the uplift of women's leverages as well as enhance their contribution to community and national development include: capacity building and skills development, support for women's empowerment, provision of mentor-ship and conduct of lobbying and advocacy campaigns. All these, the report argues, must be achieved for women's practical and productive as well as strategic interests to be addressed.

This study recognizes a number of partners: both international and regional, who work in the extractives industry and have adopted a feminist approach to mining. The Media and Governments are also identified as key partners in all interventions.

Finally, the study focuses on how Akina Mama wa Afrika will position itself to build and strengthen alliances to promote transformational feminist leadership. It is noted that AMwA will utilize multiple strategies, including: expansion and strengthening of dialogue, conduct of collaborative research projects with entities, such as: the Law Reform Commission to review gender biased laws and policies. It will further liaise with the UN Women and other feminist organizations as well as ministries to link government and civil society in advocacy campaigns.



A tall, red and white oil drilling rig stands prominently in the foreground, its lattice structure reaching towards the sky. The rig is situated in a hilly, semi-arid landscape with sparse green vegetation and dry, brownish hills in the background. The sky is a clear, pale blue. A purple-bordered box on the right side of the image contains a quote.

“ There are increased exploration and exploitation activities in the great lakes region, where Uganda, Kenya, Tanzania, Rwanda and Burundi have intensified their exploration for oil, gas and minerals with substantial discoveries.”

1.0 Introduction

The management of natural resources in developing countries is an increasingly important driver of sustainable economic growth. In 2011, exports of oil and minerals from Africa, Asia and South America were worth over \$1.4 trillion. This is more than 10 times the value of official development assistance provided to these same regions. Current economic trends in East African countries attest to the importance of natural resources in national economies.

There are increased exploration and exploitation activities in the great lakes region, where Uganda, Kenya, Tanzania, Rwanda and Burundi have intensified their exploration for oil, gas and minerals with substantial discoveries. On the other hand, countries such as South Sudan, Mozambique, Liberia, DRC, South Africa, among others, have exploited their natural resources for years now, with varying benefits and challenges.

While the exploitation of natural resources is expected to transform the national economies from poverty to development, in most of African countries this has largely remained a dream as the majority of citizens in countries rich in natural resources have remained poor, with limited access to basic infrastructures and services. Women, in particular, constitute the poorest and most marginalized group. The oil industry can provide opportunities for a better life for the people, including: provision of increased employment opportunities, ready access to revenues and expanded investment in the local communities. Women-led businesses can also flourish in the extractives supply chain.

The upstream oil industry is the key to the economic advancement of the continent of Africa. According to the 2012 BP Statistical Energy Survey, Africa had proved oil reserves of 132.438 billion barrels at the end of 2011, equivalent to 41.2 years of current production and 8.01 % of the world's reserves. Africa produced an average of 8804.4 thousand barrels of crude oil per day in 2011, 10.44% of that of the world and a change of -12.7 % compared to that of 2010. Five countries dominate Africa's upstream oil production. Together, they account for 85% of the continent's oil production and are, in order of decreasing output: Nigeria, Libya, Algeria, Egypt and Angola. Other oil producing countries are Gabon, Congo, Cameroon, Tunisia, Equatorial Guinea, the Democratic Republic of the Congo and Cote d'Ivoire, with a small portion being discovered in East

Africa. Exploration is taking place in a number of other countries that aim at becoming first-time producers; these include: Chad, Ghana, Sudan, Namibia, South Africa, Uganda and Madagascar, while Mozambique and Tanzania are potential gas producers.

The discovery of oil resources in the East African region has been greeted with great optimism, because it promises a geometrical improvement in the development of the countries, this is due to the enormous financial resources that accrue from this industry. It presents an opportunity to earn much-needed foreign exchange to finance the development of physical and social infrastructure, namely: better and cheaper transportation, improved health care systems and better education and employment creation. It also helps to reduce the import bill of petroleum products.

With the 3rd East Africa Oil and Gas Summit (EAOGS) scheduled for October 2014, it is hoped that this will once again provide a platform for East African ministries and the National Oil companies to engage with international and local investors to examine the vast opportunities available across East Africa.

The international community also shares in the optimism generated by the discovery and exploration of oil in developing nations; a World Development Report of the United Nations Conference on Trade and Development (UNCTAD) (2007:95) notes that extraction activities, which include gas and oil, have a positive effect on development because they create jobs, encourage business initiatives and expansion and provide vital infrastructure for remote communities, such as: roads, electricity and better education and health facilities.

It is certain that the discovery of oil and gas in some countries has been a blessing, mostly in developed countries; but at the same time, the discovery of oil, especially in developing countries, has been a curse rather than a blessing. Norway represents the countries that accrued their development from the discovery of mineral resources. Research shows that Norway was the poorest country in the Scandinavia at the end of the 1960s but had by the end of the 1990s become the wealthiest country due to the discovery of oil in its borders. Accessed literature further shows that men dominate the oil industry whereas women are relegated to the background. The argument put forward is that women do not usually have the technical know-how to work in the oil and gas industry, thus, the pauperization of the women folk by the seemingly harsh and male dominated economic sphere, coupled with the maximization of profits by the corporate world, without due consideration for the basic and welfare needs of the masses, especially women. This has further reduced the ability and capacity of the womenfolk to vie for equal opportunities to wealth creation and attainment of decent living standards.

2.0 Background

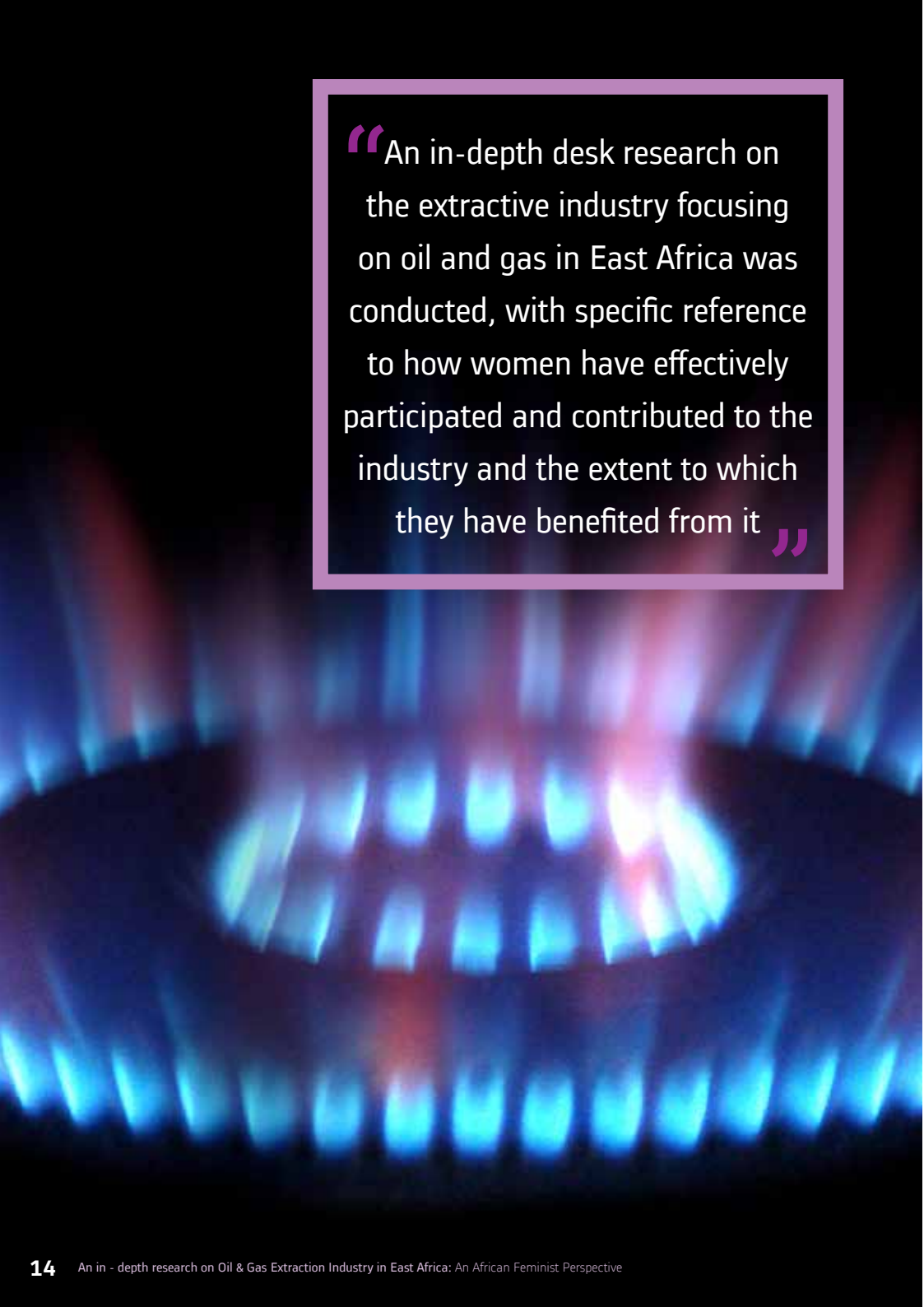
Akina Mama wa Afrika (AMwA) is a regional Pan- African women's organization based in Kampala, Uganda. AMwA's main areas of focus are: women's leadership development through the Africa Women's Leadership Institute (AWLI), knowledge generation through research) & dissemination, as well as coalition and movement building across Africa.

- For the strategic period of 2011-2016, AMwA focuses on three main thematic areas: **women in politics & decision making, women's sexual & reproductive health rights and women's economic justice**, with a focus on land grabbing and its effects on women's land rights and the extractive industry, gas and oil.

Against this background, AMwA seeks to carry out an in- depth study on women's full participation in the oil and gas sector in East Africa from an African feminist perspective. The research will inform AMwA's leadership training programme on: women's economic justice, specifically focusing on the gas and oil sector. It will further highlight the advocacy areas that AWLI participants will focus on in their respective organizations/ communities. Ensuring women's participation in the sector promotes their quest for economic justice and their rights.

A survey of literature on the study conducted on the gas and oil sector and women's full participation in the sector reveals that most studies conducted are for academic purposes; notably missing is the African feminist perspective. The academic studies do not provide the rigorous analysis required to adequately inform advocacy strategies for women's full engagement in the sector that promotes women's economic justice and rights.

AMwA therefore commissioned this study to carry out an investigation into the gas and oil sector with a feminist lens which will inform AMwA's African Women's Leadership Training programme, focusing on women's economic justice: with special reference to oil and gas in East Africa.



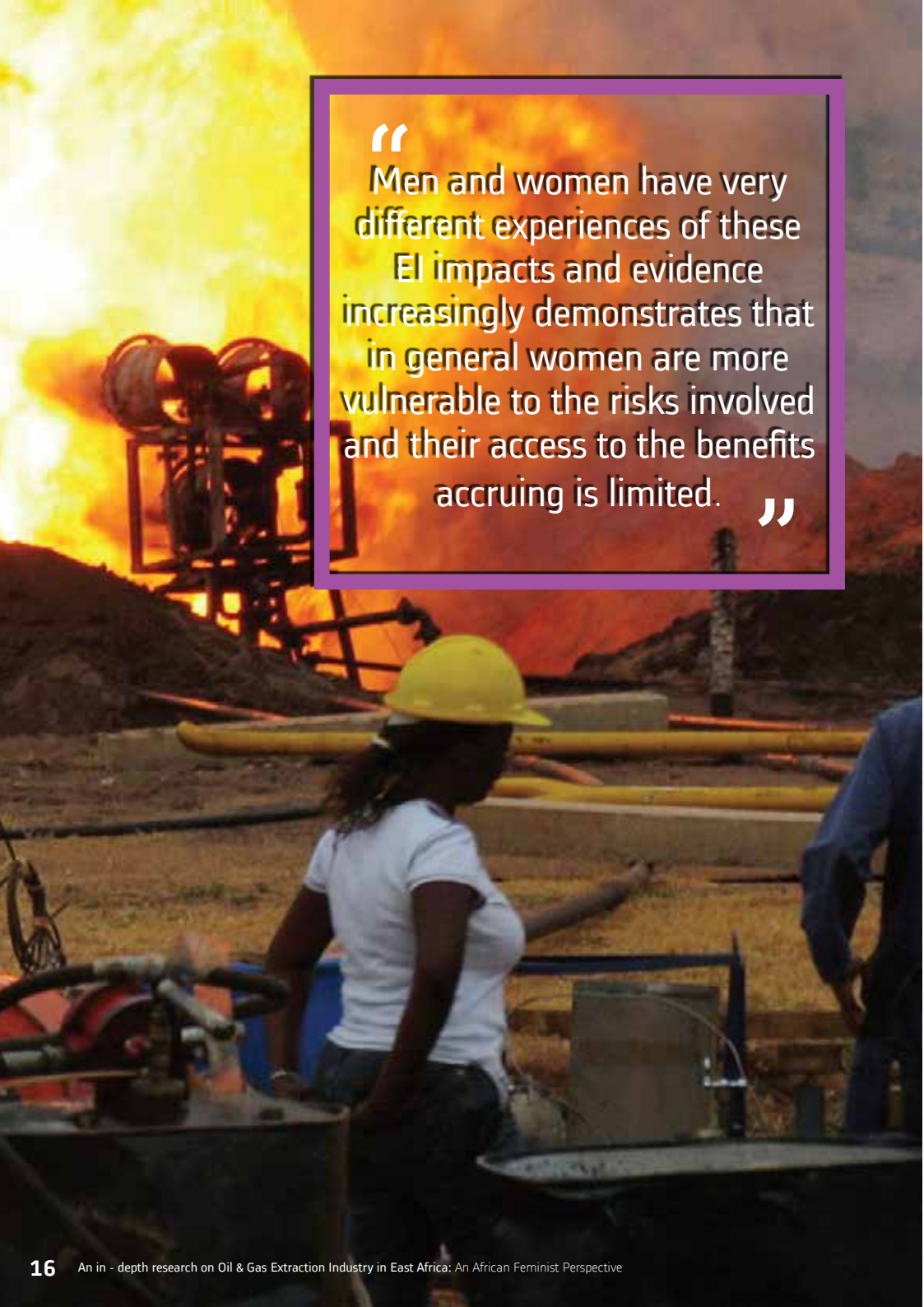
“An in-depth desk research on the extractive industry focusing on oil and gas in East Africa was conducted, with specific reference to how women have effectively participated and contributed to the industry and the extent to which they have benefited from it ”

3.0 Methodology and Scope of Study

3.1 Scope of the work

This was an in-depth desk study, undertaken between June-July 2014. Literature on oil, gas and mining in the five East African Countries, namely: Kenya, Uganda, Tanzania, Burundi & Rwanda, which comprise the East African Region was reviewed. Considering that the oil and gas sector in the East Africa Community is new with hardly any studies yet, literature from the greater African region was considered.

The following were considerations for the study. An in-depth desk research on the extractive industry, focusing on oil and gas in East Africa was conducted, with specific reference to how women have effectively participated and contributed to the industry and the extent to which they have benefited from it; laws and policies on the sector were examined, with the purpose of highlighting the gaps that exist and potential areas for women's advocacy to ensure that the sector benefits women and other marginalized groups. In addition, areas for women's leadership development were identified geared to enabling women from CSOs, private sector and the public to rally a collective voice to promote movement building. The study also identified strategic partners and allies who would be important to engage for building the women's movement. Finally, recommendations are drawn out on how AMWA can position herself for greater contribution to the women's movement, given its niche in the African Women's Leadership Institute.

A woman wearing a white t-shirt and a yellow hard hat is seen from the side, working at an industrial site. In the background, there is a large, intense fire or explosion, with bright orange and yellow flames rising into the air. Industrial equipment, including pipes and valves, is visible in the foreground and middle ground. The scene is set in a dry, dusty environment.

“ Men and women have very different experiences of these EI impacts and evidence increasingly demonstrates that in general women are more vulnerable to the risks involved and their access to the benefits accruing is limited. ”

4.0 Findings of the Study

4.1 Women and the extractives industry

EI impacts may be positive or negative, spanning economic, social and environmental issues. Oil, gas and mining projects may create jobs, but may also consume farming land for their use¹, changing livelihoods and limiting access to water, food and firewood². Water sources may become polluted, but new roads may be built and communities may become electrified. Markets may boom, but prices may rise steeply. Given male and female relationships to each other, to the economy, to the land and to their communities, men and women have very different experiences of these EI impacts and evidence increasingly demonstrates that in general women are more vulnerable to the risks involved and their access to the benefits accruing is limited.³

Where stakeholders work on the simple assumption that men and women are equally and similarly impacted by EI and when key variations and differences of experience are overlooked, the implications of EI invariably isolate and overburden women, with repercussions for families and communities⁴.

The involvement of women stakeholders will not only leverage their untapped potential in contributing to the growth of the industry, leading to poverty reduction and fostering positive conditions for sustainable development, but will maximize their effective input into the development of the oil, gas and mining operations, for the benefit of the communities and countries as a whole.⁵ Women are often the linchpins of their communities, playing key roles in ensuring the health, nutrition, education and security of those around them.⁶ Investing in women and assuring their participation in development is not only key to their own development, but also to the socio-economic development of their families and communities.⁷

1 Saturday monitor, April 13th, 2013 Pg.10 'Nsima's efforts to transform and protect her community'.

2 'Oil activities affecting fish stock', Daily Monitor- March 21st 2014, 'Bunyoro "using dance and drama to relay oil grievances"', Daily Monitor, 12th March 2012

3 The World Bank, Engendering Development Through Gender Equality in Rights, Resources and Voice (New York: Oxford University Press, 2001) 9.

4 Ibid

5 Ibid

6 Women's unseen Contribution to the Extractives Industries: Their Unpaid Labor (file:///C:/Users/Personal/Documents/5.%20Paper%20Four.pdf)

7

There is a clear development case for investing in women and ensuring their access to resources.

Where women have better access to education, they are more likely to delay marriage and childbirth, reduce their risk of contracting or spreading HIV/AIDS and earn more money.⁸ Where women have access to employment opportunities, they tend to spend a significant portion of the income on their families' health and wellbeing.⁹ When in control of financial resources, women are more likely to devote resources to food and children's health care and education.¹⁰

Men have the greatest opportunity to access the benefits, such as, employment and emoluments, while women and the families they care for are more vulnerable to the risks created by EI, in the form of harmful social and environmental impacts. Men's and women's different experiences of EI significantly impact their respective abilities to participate in gainful activities and contribute to development. Yet, when women are disadvantaged or excluded from development – by being denied access to resources, to education, to water and food – it indirectly jeopardizes those around them. Without access to education, to health care and to financial resources, women cannot assure their own development, nor can they contribute to the development of their families and communities.¹¹ Ensuring that women are active participants in development and in community-decision making is good for them, for families and for business – EI operations depend not only on the characteristics of the ore bodies and oil and gas reservoirs that are being developed, but also on the relationship with the communities in which the companies operate. Indeed, if communities, including women and men, are brought on board in terms of employment opportunities as well as in active participation in environmental and social community consultation, harmonious co-existence will be assured. That positive developmental approach on the part of the EI companies, where women's input, participation and approval is sought, will earn the companies social license and will also be the litmus test for the success of their employment, environmental, social, community consultation and gender related policies and activities¹².

8

9

10

11 Ibid

12 Ibid

4.2 Gains and challenges of women's participation in the extractives industry

4.2.1 Employment and Income

EI has led to the creation of jobs, both directly in oil, gas and mining operations, as well as indirectly in various support and spin-off functions related to the industry. At the community level, both the direct and indirect EI-related emoluments and amenities are perceived as a key driver of local development. The maze of activities generated by EI may, to some extent, lead to the empowerment of women, if disaggregated by gender.

In many communities in East Africa, formal EI jobs have gone primarily to men.¹³The argument justifying this gendered lopsidedness in the job market is based on three claims: first, that in low- and middle-income countries, women commonly enter the labour force by taking jobs in low-wage ranks; second, that export-oriented works are for men; and, third, the fear that holding these jobs can empower women socially and politically. As a result, petroleum wealth in low- and middle-income countries tends to shut down an important route toward women empowerment¹⁴.

Worldwide, it is extremely rare to find any EI companies with a percentage higher than 10% of female employment; many are at less than 5%.¹⁵ In some countries the justification is that men have better access to education and therefore possess more requisite skills; further, that mining jobs may require a certain level of physical strength which women lack. Then there is the usual discrediting of women on the basis of their reproductive roles, ostensibly because pregnancies keep women out of work for long periods, or, if they continue working they face the risks of exposure to chemicals. In Uganda, for example, the local women of Kaiso Tonya, Hoima District have taken up petty jobs/ sub contractions to cook, raise flags at the construction sites to direct traffic.¹⁶ This discrimination is based on a combination of stereotypes within the EI companies and within communities (often among both men and women) that EI work is “men’s” work.¹⁷ In some cases EI companies base their hiring discrimination on ‘cultural sensitivity,’ concerned that hiring

13 In many developing countries, oil wealth tends to keep women out of the formal labor force and, consequently, reduce their political influence (Ross 2008).

14 Does Oil Wealth Hurt Women? A Reply to Caraway, Charrad, Kang and Norris Michael L. Ross, University of California, Los Angeles

15 ibid

16 As told to the researcher by Beatrice Rukanyanga, an activist in Hoima District.

17 ibid

women for better-paid skilled jobs would be against local culture and would cause a backlash against women by male workers¹⁸ and male community leaders. The situation is often even more severe for the most vulnerable in the community, which generally includes women in female headed households, for whom EI development can cause the loss of traditional livelihoods and increased exclusion from decision-making.¹⁹

In recent years though, many EI companies are making concerted efforts to hire more women.²⁰ On a smaller scale, some women have taken up bigger jobs in the industry, for example, in Hoima District; women have taken up the role of drivers. **Proscovia Nabbanja** was the first woman technical staff to be employed by the Petroleum Exploration and Production Department (PEPD), where she now serves as Senior Geologist. Her main task is to deploy staff at the oil wells to monitor the oil companies' compliance with the approved work plans. **Pauline Irene Batebe** is part of the government team working round the clock to ensure that Uganda's oil refinery is constructed. Her role as a Petroleum Refining Officer includes ensuring that equipment brought into the country to assemble the refinery and pipelines is of the right quality and standards²¹.

Women employees in the sector constitute 9.4% of the total labor unit. The Minister of Energy and Mineral Development and the Minister of Finance are both women. These oversee the development of the oil sector right from legislation, to infrastructural development. The first chairperson and country manager of Anadarko Petroleum Kenya



Company is Gurjeet Phull a Kenyan woman of Indian origin. Gurjeet runs one of the world's largest independent oil and natural gas exploration and production companies whose headquarters are in Texas. Under her tenure, the company produced 2.79 billion barrels last year.²²

18 Jennifer Hinton et al. "Women and Artisanal Mining: Gender Roles and the Road Ahead." *The Socio-Economic Impacts of Artisanal and small-scale Mining in Developing Countries*, Ed. G. Hilson (Netherlands: A.A. Balkema, Swets Publishers, 2003) 15. 10 Gender Dimensions of the Extractives industries

19 ibid

20 New Vision; October 28th 2013 'women urged to seek oil jobs'

21 Daily Monitor, May 3rd, 2013, 'Tullow grooms women for oil jobs'

22 <http://www.businessdailyafrica.com/The-woman-who-is-leading-the-local-oil-and-gas-industry/-/1248928/2315908/-/3yhebj/-/index.html>

The compelling arguments for hiring women are that women typically take better care of equipment, are safer and spend income 'better.' Hiring women can improve company efficiency, as well as increase family incomes and opportunities to access health, nutrition and education.

The bias in favour of men in recruitment in EI is not limited to unskilled and skilled working positions, it also pervades supervisory and managerial recruitment.

In the past, many EI operations were enclaves in which supplies and services were imported by EI exclusively from suppliers outside the local area. But as companies and governments now recognize the importance of improving the benefits for local communities, companies are increasingly using local suppliers. For instance, through Traid Links, the rural women in Hoima District are supplying their produce to the oil camps.

Mining has had a significant multiplier effect generally, in the range of 2-4 and in oil and gas, estimates indicate that for every job created directly by an EI operator, there are 1 to 4 indirect jobs created. These indirect jobs are often in women-heavy industries, such as catering, laundry, clothing and uniform supply and repair, agricultural produce, financial services and clerical support. Where women have access to these jobs, this can lead to increased expenditure on health, education and nutrition. Alice Kazimura, a local woman in Buliisa, has catered for several events organized by the local government/ oil companies and civil society in the district.



4.2.2 Women and artisanal mining (ASM)

While women are often excluded from more formalized large scale mining employment, many work extensively along with children and other family members in artisanal and small-scale mining in communities where it takes place²³.

Small scale mining also provides employment and is a source of livelihood for many Tanzanians.²⁴ The Government of Tanzania has set aside a number of locations for small-scale mining, including: Kilindi district (Tanga region), Kilosa and Mvomero districts (Morogoro region), Maganzo, Kishapu and Ibadakuli (Shinyanga region), Merelani (Manyara region), Mpwapwa (Dodoma region), Nyarugusu and Rwamgasa (Mwanza region) and Manyoni (Singida region) (JMT, 2008a). However, protection of the rights of small-scale miners and maintenance of the gazetted small-scale mining areas remain a challenge once lucrative deposits are discovered.²⁵ Artisanal mining is also popular in rich Karamoja in Uganda. Rwanda has 1,500 unskilled artisans who are already operating in the establishments.²⁶ ASM can, however, be a demanding, dangerous and often only marginally profitable sector for women and job opportunities in ASM, even more than those in larger scale mining, increase women's burden of working both outside and inside the home. Small-scale miners are strictly paid on the basis of delivery of product, therefore, women may work all day, but earn little cash income and still be responsible for additional work and responsibilities at home.

Providers for the family; EI often means the conversion of land use from old uses to new ones – either for extraction itself, or for support infrastructure (roads, ports, housing, clinics and offices). This may mean the loss of subsistence agriculture and farmlands and cutting off access to resources, such as: water and food²⁷. In many countries, men are traditionally the land title-holders, so men are more likely to be the ones compensated for loss of land²⁸, even if it is women who work the land and are equally – if not more so – impacted on by the loss, in terms of access to fresh water, vegetable gardens, gathering firewood, accessing food and curtailment of ceremonial uses. Worse still, women may not see much or any of the compensation money. That further reduces their resiliency to these changes and their ability to provide for dependent family members. When EI changes

23 Gender Dimensions of the extractives industries, Pg.23

24 http://www.sidint.net/docs/extractive_resource_industry.pdf

25 ibid

26 RWANDA SKILLS SURVEY 2012- Rwanda Development Board

27 'Residents vacate refinery land Daily Monitor' 19th 2014, Pg.14

28 'Bunyoro land pay-offs worry women', Daily Monitor 31st May, 2012

or pollutes the local environment, women often have had to go the extra mile to gather water and find food. In trying to secure these basic needs, however, women and girls often have less time for other activities – such as, schooling or pursuit of other strategic needs.²⁹

“In Kenya women are the first victims of environmental degradation, because they are the ones who walk for hours looking for water, who fetch firewood, who provide food for their families.”³⁰

For example, a consortium of Kenyan mining firms and Tiomin, a Canadian mining giant, received the go-ahead to begin mining titanium mineral sands on the East Coast of Kenya. This project involves the relocation of approximately 1 500 families.³¹ Similarly, in Kabale - Buseruka subcounty Hoima district, 7119 families were affected by the proposed construction of the oil refinery. The affected women are often left with the charge to find alternative sources of food and shelter pending compensation and resettlement.

4.2.3 Community consultations

EI companies and governments are increasingly working together with communities to ensure that they have a social license to operate and to ensure that communities benefit directly from extraction, through royalties and corporate investment in the communities. Often, community opinions and priorities are expressed through consultative processes, which provide communities with the opportunity to express concerns and opinions about local EI operations and related activities, as well as to express their priorities on how EI royalties and corporate social investments should be spent. Where this consultation is participatory and open to all community stakeholders, the process generates productive discussion- and decision-making pertaining to EI.

Inclusion of women in these consultations is essential to obtaining a valid social license to operate and to ensuring that the use of mining revenue reflects the views and priorities of all community groups and not just the community leadership, who are invariably men. Unless the views of all groups are obtained, priorities may not meet the needs of the poorest and most vulnerable in the community. All too often, however, women are excluded from these consultations. This has meant that key priorities and concerns have been overlooked, such that

29 Gender Dimensions of the extractives industries

30 WangariMaathai, The 2004 Nobel Peace Prize Laureate

31 Extractive Industries, Natural Resources Management and Sustainable Development: a Review. Gilbert O. Obati1 and George Owuor

“Community consultations are also essential to decisions on how to allocate EI royalties and community development funds.”



the agreed ‘social license’ reflects the needs of only a part of the community.³²

Community consultations are also essential to decisions on how to allocate EI royalties and community development funds. When women are included, programs tend to be more focused on the community’s immediate development needs, including: health, education, capacity building and nutrition; as well as on medium-long term infrastructure projects.³³ Investment in women and ensuring their input into consultative processes, is a requisite for both effective and efficient investment and development outcomes, as well as for building reputable capital.³⁴ The Uganda Women Parliamentarians’ Association, in consultation with the women of Buseruka (also affected by the proposed construction of the refinery in the region) presented a motion on the floor of parliament demanding the revision of RAP processing ³⁵ and a 40% representation on the board of the Petroleum

32 Gender Dimensions of the extractives industries

33 ibid

34 ibid

35 The New Vision, September 30th 2013 ‘Review oil land pay’; Daily Monitor, ‘Women being ignored in oil compensations’.

Authority.³⁶ The tabling of the motion saw the MEMD- Uganda take into consideration principles, such as, 'spousal consent' in the compulsory acquisition processes.³⁷

4.2.4 Education/Corporate Social Responsibility;

The Petroleum Institute of East Africa (PIEA) in Kenya was formed in 1999 and has until recently been the main professional body for the oil industry in the region. PIEA includes the School of Petroleum Studies under its banner. Uganda and Tanzania also have most recently established institutes³⁸ with the objective of training personnel in petroleum-related skills. The participation of girls in these advancements has been minimal but more initiatives have been taken, including the visiting of schools, girls' only schools inclusive and guiding students on the various career opportunities available in the mining and petroleum industries.

The Tullow scholarships in Uganda and Kenya have had a number of girls taken on to do post graduate courses. The Tullow Group Scholarship Scheme aims to build the capacity in areas where Tullow's host countries experience significant skills gaps, especially, but not exclusively, around these countries' oil and gas industries. These include Engineering and technology, Environment and Geo sciences, Oil and Gas Economics, Business Journalism, Logistics and Supply Chain, Law and legal courses; other (oil and gas related) applied sciences apart from medicine. In the 2012/2013 cohort of beneficiaries, eight out of twenty scholarship recipients in Uganda were female. Tullow has entered into a two year partnership with the David Astor Journalism Awards Trust (DAJAT), a London-based charity that works to promote, strengthen and support independent journalism in Africa.³⁹ Tullow's support will contribute to the long-term career development of the journalists selected to receive an award through DAJAT and to build a regional network to promote independent journalism across the continent.⁴⁰ Patience Akumu from Uganda was one of the 2013 award recipients. The Chinese government has also offered about 40 government scholarships for young Ugandan talents and 404 slots of training courses for Ugandan government officials in various sectors.⁴¹

A skills survey indicated that there are no training institutions – universities or IPRCS- in Rwanda and Burundi that offer mining training programs for professionals and

36 12th July 2012 'Women want equity in oil board'

37 As told to the researcher by Winfred Ngabiirwe; the Executive Director GRA

38 Petroleum Institute Of Tanzania (Pit) Ltd and the Kigumba Petroleum Institute

39 <http://www.tulloil.com/index.asp?pageid=363&casestudyid=91>

40 ibid

41 <http://www.newvision.co.ug/news/641794-china-offers-40-scholarships-for-ugandan-students.html>

technicians, namely; mine engineers, geologists, metallurgists, geophysicists and geochemists that are demanded in the labor market in the country.⁴²

4.3 Laws and policies on the sector

Uganda is signatory to various international and regional protocols, affirming commitment to the protection of women's rights and working for gender equality. It ratified the Protocol to the African Charter on the Rights of Women in Africa in 2011. It is also signatory to the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW) and the Beijing Platform of Action and committed itself to attaining the third MDG of promoting gender equality and empowering women. These commitments to gender equality are enshrined in Uganda's national laws. Uganda's constitution explicitly recognizes the necessity for women to be "accorded full and equal dignity of the person with men" and makes it incumbent on the state to ensure that women have equal rights and opportunities in political, economic and social activities. The threat posed by strong patriarchal social structures and traditions is addressed in the constitutional prohibition of any "laws, cultures, customs or traditions which are against the dignity, welfare or interest of women or which undermine their status". Moreover, Uganda's constitution goes further to include an affirmative action clause: "Women shall have the right to affirmative action for the purpose of redressing the imbalances created by history, tradition or custom."⁴³ This clause provides Ugandan women with an opportunity that does not exist within the legal systems of many other countries – developing or developed. Uganda ratified CEDAW in 1985, the International Covenant on Civil and Political Rights (ICCPR) in 1995 and the International Covenant on Economic, Social and Cultural Rights (ICESCR) in 1987. The constitution, in its social and economic national objectives states that the State shall recognise the significant role that women play in society and under article 33 provides specifically for the rights of women- full and equal dignity and treatment with men.

The 2013 Petroleum Exploration, Development and Production Act includes only two instances of gender sensitivity. The first appears in the context of local content provisions for the training of Ugandans; the Act requires licensees to submit annual training and recruitment programs for all stages of petroleum activities that **"take into account gender, equity, persons with disabilities and host communities"**. The second instance involves participation on the Board of

42 RWANDA SKILLS SURVEY 2012- Rwanda Development Board
43 Government of Uganda (1995). Constitution of the Republic of Uganda. Available at http://www.parliament.go.ug/new/images/stories/constitution/Constitution_of_Uganda_1995.pdf

the Petroleum Authority, of which at least three members must be women. Apart from these, there have been some attempts, from within government, to address gender issues in the oil and gas sector, notably, on the part of the MGLSD itself.⁴⁴

On the other hand, Kenya ratified CEDAW in March 1984, but not its optional protocol, which provides for a complaints mechanism that allows individual women, or groups of women, to submit claims of violations of rights protected under the Convention to the Committee. Kenya also ratified ICCPR, but not its optional protocols which provide for a complaints mechanism and for the abolition of the death penalty; and the ICESCR but not its optional protocol on complaints procedures.

The Kenya Constitution of 2010 provides that “the Bill of Rights is an integral part of Kenya’s democratic state and is the framework for social, economic and cultural policies”⁴⁵. It further states, under article 27 (3), that women and men have the right to equal treatment, including the right to equal opportunities in political, economic, cultural and social spheres; and, under article 56, the State shall put in place affirmative action programmes designed to ensure that minorities and marginalised groups are provided with special opportunities for access to employment. Despite the constitutional provisions, gender equity and equality is still lacking in Kenya, with women still subjugated to

consistent human rights abuses, with recent examples being Kenya’s latest matrimonial and matrimonial property laws.

The legal framework for oil and gas in Kenya is currently the Petroleum (Exploration and Production) Act (1986). However, a draft Energy Policy and draft Energy Bill have been prepared and will replace the existing framework in due course. The Ministry of Energy and Petroleum (MOEP) oversees both upstream oil and gas, downstream petroleum, electric power (including renewable energy and geothermal), as well as the coal sector. In addition, there are two inter-ministerial bodies that oversee the oil and gas sector; the “Inter-Ministerial Committee on the Policy and Legal Framework for Geology, Mining and Minerals” has the Ministry of Finance as its lead agency, while the National Fossil Fuels Advisory Committee (NAFFAC) is the licensing review body for oil and gas in Kenya. NAFFAC is led by the MOEP and includes National Oil Corporation of Kenya (NOCK), the Attorney General, NEMA, the Kenya Revenue Authority, the Ministry of Finance and the Petroleum Institute of East Africa (PIEA) as members. In November

⁴⁴ What’s in it for us? Gender issues in Uganda’s oil and gas sector

⁴⁵ Article 19, Kenya Constitution, 2010

2013 Tullow temporarily suspended its drilling operations in Kenya due to local protests regarding lack of employment and tendering opportunities for the local population.⁴⁶ The Kenyan government has delayed in passing key proposed legislation in the oil and gas sector, which could address some of these concerns, as well as the following:

- **Local content:** How can the locals, both men and women and local companies benefit from supporting the sector, ensuring that “extractives enclaves” are avoided? Community development: How can some of the finite revenues from oil and gas be used to stimulate sustainable development that benefits both men and women?
- **Conflict prevention:** How does Kenya avoid oil production leading to conflict, as has happened elsewhere? Environmental safe guarding: How best can Kenya avoid pollution through oil spills, pipeline damage and gas flaring?
- **Corruption:** What measures can be put in place to ensure that revenues from oil are used effectively and efficiently for the benefit of all Kenya citizens, thereby avoiding corruption and mismanagement?

The proposed Energy Bill, which addresses a wide number of elements of the energy sector from upstream oil and gas to nuclear power, is currently in its 4th draft at committee stage and has yet to start its legislative progress.

Amongst other things, the proposed Energy Bill is anticipated to bring in changes in respect of:

- the process and terms for the awarding of new petroleum licenses; revisions to tax and royalty regulations for the natural resources sector; a new model of Petroleum Production Sharing Contract; enhanced powers for the Government to compel operators to carry out work obligations and to provide operational directions; and provisions for the establishment of a Sovereign Wealth Fund to invest petroleum revenue, among other issues.

The Energy Bill is part of the broader reform agenda of the Kenyan Government in the natural resources sector, which also includes a review of the Petroleum (Exploration & Production) Act that could introduce provisions on: gas-sharing compensation and terms; windfall profits; environmental and corporate social responsibility requirements; and changes to the terms of assignment and change of control provisions for petroleum licences. However, details on these proposed changes have not yet been released,⁴⁷ and it therefore remains to be seen whether this new legislation will be gendered/gender sensitive.

Tanzania ratified CEDAW in 1985, ICCPR in 1976 and ICESCR in 1976. The country is currently in the final stages of getting the draft new constitution approved, which has still been criticised for being gender blind. Women’s rights groups in Tanzania are demanding that the new constitution acknowledges substantive gender equality and collective voices

⁴⁶ Refer to <http://www.lexology.com/library/detail.aspx?g=ad6d5474-0c7f-4aa4-9aa0-48ef265561bd>
⁴⁷ Ibid.



East African Regional Conference on Regional Oil and Gas Management Forum 2013

of men and women.⁴⁸ Although Tanzania has ratified the main international and regional women's rights protection instruments, many of their provisions continue to be violated in both law and practice.⁴⁹

The Tanzania Petroleum Development Corporation (TPDC) was formed to regulate oil and gas functions in the country. The TPDC, which started operations in 1973, is charged with overseeing oil and gas operations as well as representing the Government in the oil and/or gas undertakings. Hydrocarbons activities in Tanzania are regulated under, among others: the Petroleum Act of 1980 and 2008, various Production Sharing Agreements, the Energy Act of 2005 and Energy Policy of 2003. The Constitution of the United Republic of Tanzania provides that all petroleum and petroleum products, crude oil and natural gas, are Union Matters.

⁵⁰A set of policies and laws are in place to guide and regulate oil and gas in Tanzania. These are: the National Energy Policy, 2003; the National Investment Policy, 1996; the Petroleum (Exploration and Production) Act, 1980; the Petroleum Act, 2008; the Energy and Water Utility Regulatory Authority (EWURA) Act, 2001; the Tanzania Investment Act, 1997; and the Environmental Management Act, 2004. The Petroleum (Exploration and Production) Act of 1980 regulates oil exploration and development activities in the country. This Act vests title to petroleum deposits within Tanzania and it is designed to create a favorable legal environment for exploration by oil companies. The Act expressly permits the Government to enter into a petroleum agreement under which an oil company may be granted exclusive rights to explore

48 Refer to <http://www.trust.org/item/20131004020943-k4abc/>

49 Refer to http://www.africa4womensrights.org/public/Dossier_of_Claims/Tanzania-UK.pdf

50 Article 4(3) read together with item 15 of the First Schedule to the Constitution of the United Republic of Tanzania.

for and produce petroleum.⁵¹

The Tanzania government provides equal opportunities to all citizens of the country. However, most of such opportunities are usually dominated by men. Active participation of women in the natural gas industry should therefore be encouraged. One of Tanzania's natural gas policies states that the Government shall ensure that all programmes related to natural gas value chain including education and training opportunities are based on gender equality and equity.⁵² This policy, however, is yet to be satisfactorily implemented.

Rwanda ratified CEDAW in March 1981, ICCPR and ICESCR in 1975. The Rwandan Constitution, in article 9, provides that the State of Rwanda commits itself to conform to and promote and enforce the respect of building a state governed by the rule of law, a pluralistic democratic government, equality of all Rwandans and between women and men, reflected by ensuring that women are granted at least thirty per cent of posts in decision-making organs. Rwanda is lauded for what is termed as a revolution in women's rights. Women occupy some of the most important government ministries and make up 56% of the country's parliamentarians, including the speaker.⁵³

The National Energy Policy for Rwanda, which was adopted in 2004 and updated in November 2008, laid down the Government's commitment to the development and utilisation of renewable energy resources and technologies and energy efficiency promotion. One of the policy actions stipulated in the Energy Policy is to promote gender equality in the search for energy, especially in rural areas.⁵⁴ This indicates the commitment by the Rwanda government to its CEDAW and MDG obligations.

The Rwanda Utilities Regulatory Authority, RURA, is mandated to control and regulate an efficient, sustainable and reliable energy sector. The Agency is responsible for promoting effective competition, advising government on the formulation of energy policy, protecting consumers, educating stakeholders, approving contractual undertakings with regard to distribution and transmission of electricity and gas and assessing the tariff structure. The Ministry of Infrastructure (MININFRA) on the other hand, assumes a supervisory role in energy regulation, being responsible for supervising standards-setting, in addition to

51 Tanzania Oil and Gas Status and Trend, 2011. Refer to http://www.investmentconsultantslk.com/oil_gas_docs/Tanzania_20_Oil%20and%20Gas%20Trend%20and%20Status%20Report.pdf

52 The National Natural Gas Policy of Tanzania, October 2013. Refer to http://www.tanzania.go.tz/egov_uploads/documents/Natural_Gas_Policy_-_Approved_sw.pdf

53 Refer to Sarah Boseley, 'Rwanda: A Revolution in Rights of Women', The Guardian, Friday 28th May, 2010 <http://www.theguardian.com/world/2010/may/28/womens-rights-rwanda>

54 Refer to https://energypedia.info/wiki/Rwanda_Energy_Situation#Policy_Highlights.2C_Cross-cutting_Issues_and_Opportunities

overseeing the implementation of the national energy policy. Tariff-setting for electricity is the responsibility of the Rwanda Energy, Water and Sanitation Authority Limited (EWSA). The country also has a National Energy Strategy for the period 2008 – 2020. The principal objective of the energy sector is to contribute to accelerated sustainable socio-economic development. A number of objectives for the development of renewable energy and energy efficiency are included in the strategy.⁵⁵

So far, Rwanda has not developed a coherent framework for the regulation of renewable energy.⁵⁶ The development of a regulatory framework for renewable energy is integral to the current National Energy Policy. There is therefore need for capacity-building, establishment of standards and codes of practice and formulation of suitable guidelines for the use of renewable energy in the country.

Burundi ratified CEDAW in 1992, ICCPR in 1994 and ICESCR in 1990. The Constitution provides that the rights and the duties proclaimed and guaranteed, among others, by the Universal Declaration of the Rights of Man, the International Pacts relative to the rights of man, the African Charter of the Rights of Man and of Peoples, the Convention on the Elimination of all Forms of Discrimination concerning Women and the Convention relative to the rights of the child are an integral part of the Constitution of the Republic of Burundi. These fundamental rights are not subject to any restriction or derogation, except in certain circumstances justifiable by the general interest or the protection of a fundamental right. This constitution strives to be gender sensitive, by emphasising at the beginning of most of its provisions that ‘every woman, every man...’⁵⁷

The 2006 Poverty Reduction Strategy Paper (PRSP) of Burundi presents four strategic axes: improve governance and security; promote sustainable and equitable economic growth; develop human capital; and prevent and control HIV/AIDS. Energy issues are mentioned under sustainable and equitable economic growth, in the paragraph “Expand power supply capacity”.⁵⁸ The focus of the energy policy is on the rehabilitation of existing (hydro power) plants and distribution grids as well as the development of new hydroelectric sites. Furthermore a rural electrification program is planned mainly by grid extension and by providing information on alternative energy sources affordable for low-income households.

The institutional framework in Burundi is complicated by the fact that multiple ministries and agencies have overlapping responsibilities for the energy sector.⁵⁹ Four ministries: Energy and Mines, Communal Development, Planning and Finance, play an active role in defining and executing government policy in the energy sector. The Ministry of Water,

55 Refer to <http://www.reegle.info/policy-and-regulatory-overviews/RW>

56 Ibid

57 Articles 24, 25 and 28, Burundi Constitution, 2005

58 Refer to: https://energypedia.info/wiki/Burundi_Energy_Situation#Policy_Framework.2C_Laws_and_Regulations

59 Ibid.

Energy and Mining (MWEM) has the overall responsibility for the energy sector. The policies and programs of the ministry are implemented through the Directorate General of Water and Energy (DGEE) and the Directorate General of Hydraulics and Rural Electrification (DGHER). DGEE is responsible for preparing sector policy and legislative and regulatory texts. It plans and coordinates the sector's activities, defines priorities, formulates investment programs, controls the operation of the power utility, oversees the permanent secretariat of the national energy commission and prepares the tariff policy. DGHER is responsible for coordinating all activities for water supply and energy in rural areas, including: managing government budgets and programs for rural electrification; selling electricity produced from rural facilities or purchased from the Directorate for Production and Distribution of Water and Electricity (REGIDESO); providing services to third parties for project development; and managing all authorized grants from donors.⁶⁰ Generally, Burundi's policies concerning the energy sector are gender blind and focus more on infrastructure than on the human resources and how the people, men and women, would benefit. This disregard for international legislation regarding gender sensitivity and mainstreaming, in both law and practice, are existing gaps and are therefore potential areas for women's advocacy for requisite amendments if women are to benefit from the extractive industry and the oil and gas sector.

However, despite the ratification of international treaties and the constitutional provisions, there are continued violations of women's human rights in East Africa as a whole: persistent discriminatory laws and customs, physical violence, unequal access to property and limited access to justice.⁶¹ In the Gender Policies enacted by all the member states, there is a provision for gender-sensitive development, promoting gender equality and empowering women. Uganda, for example, has achieved notable success in primary school enrollment, where gender parity has been reached.⁶² Despite advances, challenges remain in regard to the protection of women's rights and implementation of gender-sensitive development policies. There is a need for stronger local content policies in order for women to benefit from the oil sector.

The oil companies, under their joint venture in Kenya and Uganda, organized a meeting with civil society to share findings from an individual country survey, with an aim of fostering opportunities for citizens in the Oil and Gas sector". The Oil and Gas sector in Uganda, for instance, is expected to create between 100,000 to 150,000 jobs as a result of the multiplier effect, both directly and indirectly. The sector would need human resource to fill the available opportunities and applicants to position themselves to take up the available jobs.

The oil companies pledged their commitment to promoting local content at the development and production stage and hence all citizens should prepare themselves

60 Ibid

61 Refer to http://www.africa4womensrights.org/public/Dossier_of_Claims/Uganda-UK.pdf

62 What's in it for us? Gender issues in Uganda's oil and gas sector a July 2014 publication by the International Alert

and attain the necessary skills that will enable them tap into the many opportunities that will be created by the sector. The surveys identified some of the barriers that would obstruct people from joining the sector which include: lack of skills, poor infrastructures and administrative bureaucracy, among others. The findings of the survey were, however, silent on the participation/employment of women in the sector.

4.3.1 Existing gaps in the laws and policies

In October 2013, protests hit Tanzania's southern Mtwara region over a proposed gas pipeline, exposing the region's unpreparedness in managing expectations and proceeds from the oil and gas exploration. Mtwara, where Tanzania discovered large natural gas deposits, witnessed bloody violence as locals protested against the government's decision to pipe the gas to Dar es Salaam for refining and eventual sale, instead of building a refinery in Mtwara. The protests are said to have caused losses of over Tsh 1.5 billion (\$929,000) in vandalised property. This incident is one of many that give the region a peep into its unreadiness to handle issues around the sharing of resources as oil and gas exploration activities intensify in the bloc.

Further, there is controversy over the manner in which governments in Kenya and Uganda plan to spend revenues from oil and gas, with analysts warning of potential conflicts linked to revenue sharing and environmental protection among host communities in the resource-rich areas. Kenya, Uganda and Tanzania have proposed new laws that will see their governments earn more from oil, gas and mining, but it remains to be seen how the people in the host communities, most especially the women and the country at large will benefit from these earnings.

Uganda is nearing actualisation of oil extraction following major finds in western Bunyoro region, but the indigenous people have expressed concern about the growing number of immigrant communities since the discovery of oil. "In the recruitment of workers, people coming from other regions are benefiting. Even when it comes to the supplies of goods and services, the food comes from Kampala. Where is the benefit to the local people?" asked Mr Kasiano Wadri, a Member of Parliament. The supply of goods and food is usually left to women and it would have been expected that women in these mineral rich communities would have naturally been the ones to provide these services. Such gaps in the recruitment and tendering processes would have to be adequately addressed.

Another existing gap is the fact that although countries ratify international treaties, there are no punitive measures for non-compliance with the provisions of protecting, promoting or respecting the rights enshrined therein. As a result, there is no real commitment towards implementing the human rights treaties concerned.

In closing these gaps, governments must recognise that mineral wealth belongs to the

people. While the governments take the lead in managing the wealth, they ought to be mindful of the fact that the resources belong to the people and therefore transparency is of paramount importance. Developing countries, some of which are rich in oil and gas, are home to some of the world's poorest people, often because wealth stays in the hands of politicians and industry insiders. Oil revenues don't get published, payments made to governments to exploit resources remain secret and bribery and embezzlement go unchecked. Many oil and gas companies protect the identities of their equity holders and subsidiaries, which allows corrupt leaders to hide stolen funds unnoticed. Inadequate financial statements make it easy to disguise corrupt deals and impossible for them to be monitored. More so, many oil and gas companies don't publish information country by country and this allows them to hide the royalties, taxes and fees they pay. Yet without this information, governments cannot be held accountable for the money they receive.

Transparency is therefore essential because stolen oil and gas income portends disaster. It benefits an elite few, while for the majority, it fuels conflict over resources as they are entrapped by the poverty that they would have otherwise avoided. There is need to make sure that oil and gas companies go further to prevent corruption. They need to be more open and detailed in their financial reporting – especially at country level, so that tracking money and holding governments accountable for fees and revenue is made possible. Companies should also publish details of their subsidiaries and sites where they work, so as to enable detailed monitoring and as well as to make public what they are doing to prevent corruption. That way, the public may gauge whether what they are doing is adequate.

Governments in producer countries also need to be fully open and to publish income and royalties. National oil companies must meet international accounting standards and publish independently audited accounts. Many leading oil and gas companies are based in developed nations, which should deplore the acts of corruption perpetrated by their companies abroad. They would then help to contain it by requiring the companies to report on operations in individual countries. Companies must be encouraged to join sector initiatives to promote transparency. If everyone involved in oil and gas were open about their activities, there would be less room for corruption and more money would be made available for development.

4.3.2 Potential areas for women's advocacy

Advocacy

- Risks tend to accrue to those who are located near the actual production of the resource, while benefits and revenues flow elsewhere. Advocacy would be necessary to encourage transparency and availability of information to the public concerning who exactly is benefiting from revenues from the sector and in what percentages;

- While women may be the primary land users, men commonly hold the land titles and therefore compensation payments are made to them and, in most cases, these payments do not accrue to the most impacted parties (women and children). Advocacy would ensure that laws prohibiting women from owning property are repealed;
- Advocacy would also highlight government revenues from oil, gas and mining and how these are being spent or managed. For example, advocacy would address issues, such as: whether government is getting a fair share, as compared to the international companies which have developed the oil and gas fields; whether information is publicly available on what revenues the government is getting; how government revenues are being used; and, the development impacts realized, most especially for women.

Training and Partnerships

- This area would address issues such as: environmental and social impacts, for example, how the extractive industries will be developed without damaging valuable ecosystems and causing pollution to resources that people depend on; and how companies will secure the “local license to operate” from communities;
- Economic benefits would also be addressed under training and partnerships, incorporating concerns, such as: how communities and the wider citizenry will benefit from the extraction of non-renewable resources; who will benefit from jobs and business opportunities; whether oil and gas finds will result in more and cheaper domestic energy; and, what direct and indirect employment benefits will be created. Training would ensure that the people are fully knowledgeable on what they stand to gain and exactly how, so that they may cooperate with government. Partnerships would not only help fund the trainings, they would also assist in the realisation of some of the environmental, social and economic benefits, for example, employment and development of extractive industries in an environmentally friendly way.

Sensitisation

- Sensitisation, through workshops, would help to promote awareness among the communities on the benefits of empowering women, alongside men and encouraging them to participate in and contribute to the energy sector; because this, in turn, benefits and improves the economies of families, communities and the country as a whole.



5.0 Recommendations

5.1 Areas for women's leadership development

What is needed for the extractive industry to contribute to gender equity and equality is public effort to make women's work visible in mining and an active debate on the rights of women, including: right to work, right to own land and to participate in mining. This will require the revision of laws pertaining to women's work, as well as the need to make significant improvements on the work itself.⁶³

Skills development and support

- Skills development, which facilitates and promotes business opportunities for women, should be prioritised so as to enhance their participation in the oil and energy sector.
- Women's entrepreneurship should be supported and promoted by creating opportunities for them through training in small business skills; provision of micro credit and other financial schemes to fund their businesses; and taking steps, where feasible, to remove the barriers to their access to jobs, credit and financial resources.
- Women's organizations should be supported in their sundry pursuits: through trainings in organizational management skills pertaining to funding, budgeting, vision and mission formulation; in the development and implementation of projects; and in advocacy for the inclusion of women in the public participatory process.
- Organizations should develop and implement mentor-ship programmes so as to enable their membership to surmount the challenges that include: scarcity of senior female role models, incorrect perceptions with regard to women's roles and capabilities, assumptions about women's abilities to overcome challenges between work and personal life and the vital need for more developmental assignments for further career growth.

Advocacy and Lobbying

The promotion of women's empowerment will necessitate carrying out a number of initiatives, including the following:

- Activities to empower women should target men as well as women; they include: encouragement of female labor force participation; provision of literacy programs for adult women; retooling women in vocational training and business skills development; supporting women entrepreneurs through start-up grants,, increased access to credit and other financial services; and promotion of women's rights to land ownership and to holding other resources in their own names;
- Advocacy campaigns should be conducted to enjoin Governments and oil companies to adopt and implement policies and initiatives and take actions to improve women's economic empowerment.
- Advocacy undertakings should also focus on increasing the employment and advancement of women in EI operations, not just in low-skill jobs but also in skilled jobs as well as managerial and professional ranks;
- Lobbying for the recognition of women as stakeholders in their own space and right will not only tap their economic potential but also reduce poverty and foster positive conditions for sustainable development.⁶⁴
- Advocacy should further be conducted to ensure that women are included in all consultations and community decision-making processes – such that programs do not overly disadvantage them and such that investments reflect the priorities and concerns of the whole community;
- Advocacy should also be stepped up for the support of women's participation in regional development: to ensure that women are included in regional and local development planning committees, in EI Review Committee meetings and in all consultations regarding all phases of EI project planning, implementation, operation and closure.

Research

- Social mapping, including gender aspects should be conducted for the citizenry to fully understand issues of land use and ownership – legal and customary – so that all affected parties are directly and appropriately compensated where land is

⁶⁴ Women & Gender in Kenya's Extractives Sector; Why it Matters Dr. Melba K. Wasunna 18 June 2014 (<http://ices.or.ke/women-why-it-matters>)

converted for use by EI and, in particular, so that necessary safeguards are put in place for non-land owning tenants;

- Information mechanisms should be established through gender-sensitive training of staff in key local government structures, such as: the police, or health service providers – to gather information on the risks experienced by women as a result of EI. A multi-sectoral facility should also be set up to address the risks stemming from EI operations.

5.2 Strategic partners and allies

For East African women to effectively create and recreate their spaces and voice in the oil and gas sector for greater visibility and participation in all the processes of the sector, at all levels of negotiations and decision-making, they will require much more than round table theory. Proactive action will be paramount; and for that, they will require knowledge and skills. They will, therefore, have to acquire innovative strategies on research, training and capacity building, policy advocacy and movement building. To be able to attain that level of enhanced empowerment on EI operations, women will invariably benefit from assistance by strategic partners and, even more importantly, from organizing themselves into groups so as to collaborate with other women's organizations as well as other civil society groups. It is such partners and allies that will build strong coalitions and advocacy movements on oil and gas regionally and internationally to work for leverages for women in the sector.



Participants at the oil and gas forum in Kampala, 2013

In the East African region the strategic partners and allies include those named below:

■ Strategic partners

UN women (United Nations Entity for Gender equality and the empowerment of women); The World Bank; Global Women Petroleum & Energy Club, which recognizes the ascending and significant role of women in global oil, gas and energy, in key roles and is exclusively open to women⁶⁵. African Women's Development Fund; United Nations Development Fund for Women.

■ Uganda

Uganda Human Rights Commission, Civil Society including but not limited to Global Rights Alert, NAPE, Uganda Association of women Lawyers (FIDA), Uganda women Entrepreneurs association limited, ACODE, Law Reform Commission.

■ Kenya

FIDA, Friends of Lake Turkana, Institute for Human Rights and Business (IHRB) and the Kenya National Commission on Human Rights (KNCHR) see (<http://www.ihrb.org/about/programmes/nairobi-process.html>) ILEG, KOGWG - see <http://www.kogwg.org/>, The National Oil Corporation of Kenya (NOCK), Kenya Oil and Gas Association (KOGA, Institute of Economic Affairs, IEA, Kenya Civil Society Platform on Oil and Gas, Institutions of higher learning such as Kenyatta University and Taita-Taveta University have recently started offering undergraduate and post-graduate studies in petroleum engineering and mining and mineral studies respectively and finally Kenya Mining Frontiers⁶⁶

■ Tanzania

Tanzanian Women Miners Association (TAWOMA) and the Female Mining Association of Tanzania include 300 members, or approximately 26% of Tanzanian women involved in small-scale mining. TAWOMA provides advocacy, market research, fund-raising and business development opportunities for women.

⁶⁵ <http://gwc.globalpacificpartners.com/clubs/?clubid=841>

⁶⁶

■ Rwanda

Akilah Institute for Women, Sustainable Health Enterprises, Solar Sister, Rwanda Women Parliamentary Forum (RWPF)

■ Burundi

Association for Women's Rights Defenders, Burundi Association of Women Lawyers, Collective of Burundi Women's Organizations, Femmes Africa Solidarité, Synergy of Partners for the Promotion of Women's Rights.

■ The Media

The media is awash every day with extractive news. Some institutions have formed information centers to collect and disseminate media information.

5.3 AMwA's role

On its part, AMwA should strategically undertake the following:

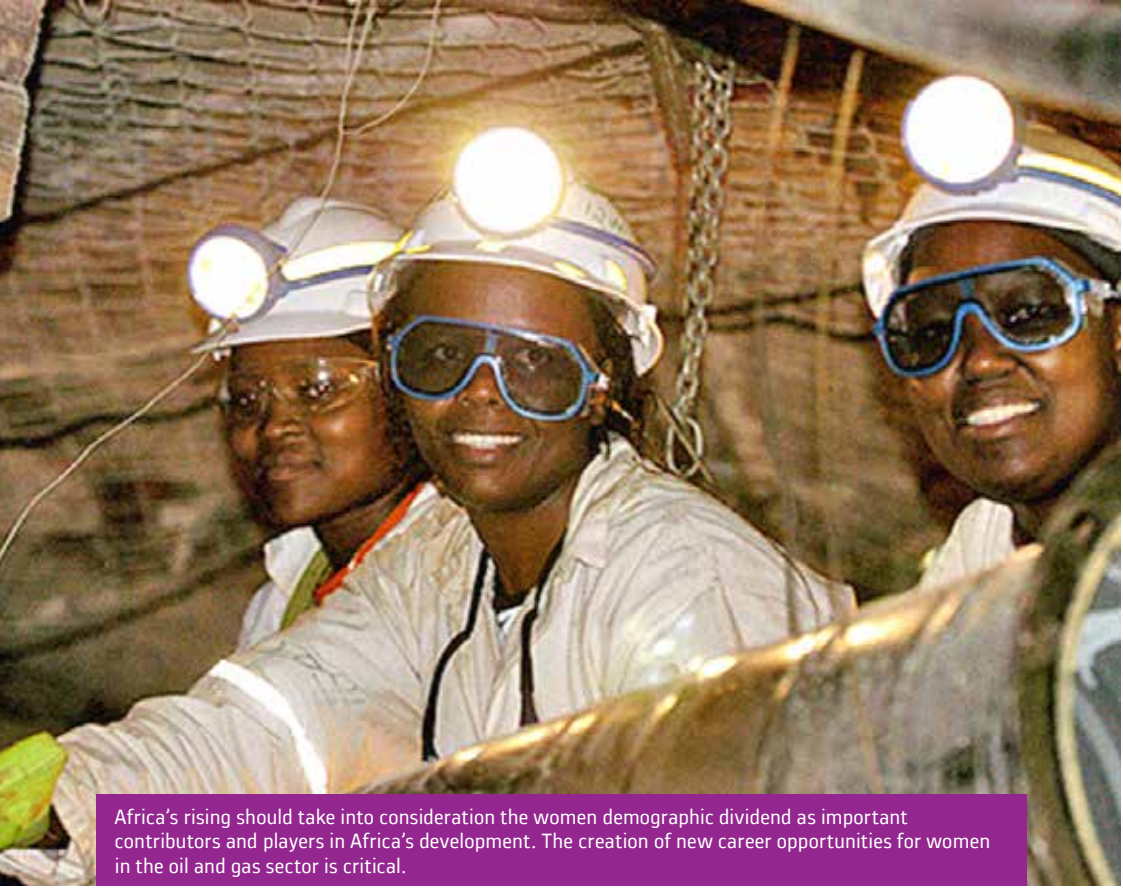
- Create a membership for organisations and mentor young feminist organisations;
- Expand dialogue, which seeks to engage stakeholders in the extractive industry on the constitutional mandate to improve the status of women as a key to ensuring sustainable development;
- Enhancement of conduct of research and auditing⁶⁷ on the role of women in the sector. Further research is needed to understand the gender impacts of extractive industries and develop targeted interventions; documenting, collating and disseminating this research and information resources; including the creation of a regional database/repository;
- Review legal and institutional frameworks on gender biased laws/ policies, in collaboration with entities such as the law reform commission;
- Utilize the role of UN Women and other feminist organizations and Ministries in linking Government and civil society for advocacy;

67

<http://www.publishwhatyoupay.org/resources/communiqu%C3%A9-towards-gender-responsive-extractive-industry-africa;way-forward>

- Strengthen the capacity of women's leadership in East Africa women for them to be able to participate in decision- making processes at the executive and parliamentary level, serve effectively on corporate boards, as well as articulate issues competently at the local government and community level;
- Engage with governments that have a role to play on raising awareness regarding the gender dimension of the extractive sector;
- Conduct continuous monitoring and auditing of the sector to ensure that gains for women are maintained and new initiatives and projects are analyzed vigorously to cater for the creation of new career opportunities for women in the sector.





Africa's rising should take into consideration the women demographic dividend as important contributors and players in Africa's development. The creation of new career opportunities for women in the oil and gas sector is critical.

