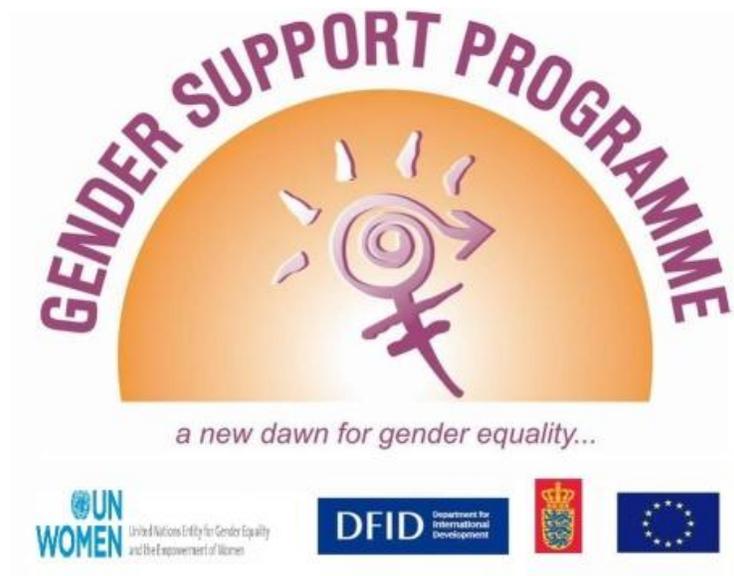




**Women and Law In Southern Africa Research and Education Trust Zimbabwe**  
**Creating a conducive legal and policy environment for women in mining in Zimbabwe**

**A report on a baseline study conducted in Kwekwe and Zhombe, Midlands Province**

**February 2012**



**Disclaimer**

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## **Preface**

The site of women miners conducting illegal mining activities is a cause for concern. They conduct mining activities but at the back of their minds is fear of arrest, confiscation of the minerals and unsafe conditions. To its credit, mining can result in significant increase in household income. It is therefore important that the mining activities be conducted in a conducive atmosphere.

Zimbabwe has many laws on mining and the environment. These include the Base Minerals Export Control Act; Precious Stones Trade Act, Gold Trade and Copper Act, the Mines and Minerals Act among many others. There are also many legal and policy requirements for one to be able to conduct mining activities legally. Women miners are lost in the maze of these laws and policies. Most of the mining legislation has not kept up to date with the current environment and gender equity and equality.

Women's economic empowerment is key to the development of Zimbabwe. The government of Zimbabwe through the Ministry of Women Affairs, Gender and Community Development is striving to improve the lives of women through economic empowerment. Creating a conducive mining legal environment for women in Zimbabwe will go a long way in ensuring that the women miners are able to lead better lives. It will also contribute to the economic growth of Zimbabwe.

### **About WLSA**

WLSA conducts action research in the seven countries of Southern Africa namely Botswana, Malawi, Zambia, Lesotho, Mozambique, Swaziland and Zimbabwe. The essence of action research is that we inform, advise and take action during research. WLSA is always cognisant of the environment around promotion of women's rights and looks at opportunities to create a conducive legal and policy framework to better the rights of women.

**Slyvia Chirawu**  
**National Coordinator**  
**WLSA Zimbabwe**  
**February 2012**

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## **ACKNOWLEDGEMENTS**

The baseline was conducted by WLSA and its partners with the assistance of a team of consultants.

We would like to thank various stakeholders including but not limited to the Ministry of Women Affairs, Gender and Community Development, Ministry of Mines, Zimbabwe Republic Police, The Ministry of Local Government especially the Kwekwe District Administrator, Kwekwe Municipality and Zibagwe Rural District Council and the Environmental Management Authority (EMA).

We are hugely indebted to the many women and men who shared their views with us and we hope that we have correctly captured the views. We take responsibility for any omissions, inaccuracies and the opinions expressed herein.

### **Baseline study team**

Getrude Murungu – Team leader  
Dorcas Makaza – Legal Program Officer  
Slyvia Chirawu – National Coordinator  
Benevolence Taguta – WLSA Intern  
Joyline Chikuni- WLSA Intern  
Admire Chitambo – CDO- MWAGCD  
Nomsa Ngoni – Intern – MWAGCD  
Thomas Ngweme – Intern – MWAGCD  
Dorothy Mushayavanhu – Consultant  
Judith Chaumba – Consultant  
Inviolata Vhevha – Consultant

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## ACRONYMS

ASM	Artisanal and Small-Scale Mining
BEE	Broad Based Black Economic Empowerment
CEDAW	Convention on the Elimination of all forms of Discrimination against Women
CSOs	Civil Society Organisations
DA	District Administrator
EMA	Environmental Management Agency
EIAs	Environmental Impact Assessments
FGDs	Focus Group Discussions
KIIs	Key Informant Interviews
ILO	International Labour Organisation
MDGs	Millennium Development Goals
M & E	Monitoring and Evaluation
MGWACD	Ministry of Gender, Women Affairs and Community Development
UNEP	United Nations Environment Programme
RDC	Rural District Council
SPSS	Statistical Package for Social Sciences
WLSA	Women and Law in Southern Africa Research and Education Trust
ZMF	Zimbabwe Miners Federation
ZRP	Zimbabwe Republic Police

## **EXECUTIVE SUMMARY**

This is a report on a baseline survey on women and mining that was carried out in the Midlands Province of Zimbabwe from 29th November to 2nd December 2011. The report explores women's participation and economic empowerment in the mining industry and presents the situational analysis in terms of legal, policy and practical socio-economic issues affecting women in mining. It builds on the findings to formulate appropriate recommendations for improving the participation, welfare of women in mining and creating an enabling legal framework to enhance their economic status.

### **Study Methodology**

The baseline survey and an analysis of the legal and policy that regulate mining was undertaken through desk review, field data collection using direct observation of mining processes, key informant interviews, focused group discussions and administration of questionnaires to miners and non miners.

### **Key Survey Findings:**

Out of the 84 respondents to the questionnaire for miners, 80% and 20% were illegal and legal miners respectively. Of the 80% respondents who were illegal miners, a further analysis was done to find out the percentage of women who were illegal miners. The findings indicate that seventy-nine percent (79%) of these women were illegal miners. In terms of knowledge levels, 95% of the miners have no idea about legal procedures to be registered as legal miners. Mining provides a source of livelihood for women. For example, it is the main source of income for 81% of the respondents. There is increased interest among women miners to participate meaningfully in this sector although the Mining Commissioner's register had only 10% legal women miners. Women constitute 93% of respondents who have not completed secondary school level of education. Men were also interviewed so a specific proportion in relation to women was calculated through cross tabulation. Thus men make only 7% of those who have not completed secondary education. The implication is that both women are and men are not able to understand the laws, procedures and environmental, health and safety issues which affect them as miners.

Substantial financial capital is required for prospecting and registration of mines as well as carrying out of environmental impact assessment. A mining course costs \$250. The study noted that so far only two women have been formally trained in mining. Women miners have inadequate equipment and cost of hiring equipment is beyond their reach. They have inadequate marketing skills and linkages leading to low return sales. There are different spending habits by both men and women miners. The women miners' income benefits the well-being of the entire family while that of male miners is spent on drinking beer and other self gratifying activities. Safety-related issues, arrests and harassments are among the challenges women miners faced. For example, 40% of the women miners had been arrested more than two times, 60% had

experienced harassment and confiscation of equipment by the ZRP while 65% has been displaced from mines or agricultural lands.

They face several challenges that include costs associated with legal mining activities. This is because most laws and policies that were reviewed are gender neutral and this perpetuates inequalities among men and women in terms of their participation in economic empowerment activities such as mining. Some of the challenges faced by women miners are low knowledge levels, harassment, dishonesty and bullying by unscrupulous gold buyers and male miners. Both men and women miners face challenges related to costs associated with legal mining activities; inadequate and inappropriate equipment; arrests by the Zimbabwe Republic Police (ZRP); sexual harassment and bullying by unscrupulous gold buyers and male miners; health and safety issues as well as socio cultural disruption. Women miners bear the brunt of negative social impacts of mining such as health, safety and environmental risks as a result of contamination of drinking water, reduced quality of life due to unclean and unhealthy environment caused by air, water and noise pollution and the burden of caring for the sick. They are exposed to mercury poisoning during gold processing and indirectly expose their families to mercury through cooking, handling of food and caring for the sick.

**Recommendations and strategies:** Women's participation in mining will be encouraged by the implementation of the following legal and policy strategies:

- Advocating for a specific quota or affirmative measures that promote women's participation and economic empowerment;
- Advocating for the amendment of various Acts related to mining so that quota-type and affirmative action measures are legally entrenched;
- Simplifying the registration and compliance procedures for mining activities;
- Improving legal literacy among women miners on the legal and policy framework that regulates mining;
- Improved legal literacy among women miners; and lobby and advocate for synergies between District stakeholders.
- Developing a gender sensitive policy on mining;
- Providing community technological and information centres; and
- Encouraging women to form syndicates and associations.

## 1.0 INTRODUCTION AND BACKGROUND

Despite the world's advocacy for women empowerment, progress on the ground has been limited because the campaign has not been accompanied by access to economic resources. Mineral wealth is one option through which women can become economically empowered. Women that engage in the mining sector have to contend with among other issues environmental concerns, gender disparities and the regulatory framework.

Empowerment can be defined in economic, social, political or legal terms. Economic empowerment refers to the “the capacity of poor women and men to participate in, contribute to and benefit from growth processes’. It is an entry point in tackling poverty and is dependent on the inclusion and participation of women in mining activities. Social empowerment relates to “taking steps to change society so that one’s own place within it is respected and recognised on the terms on which the person themselves want to live, not on terms dictated by others.”<sup>1</sup> Political empowerment increases equity of representation in political institutions, allowing all sections of society to engage in making the decisions that affect their lives. Legal empowerment is a “cross-cutting element in these different types of empowerment. The law is a contributory element to changing the way things are done as well as how people envisage themselves and are seen by others, enhancing their capacity to act to bring about changes in their lives and those around them”.<sup>2</sup>

In order for Women and Law in Southern Africa Research and Education Trust (WLSA), to assist women from an informed position to achieve economic empowerment, it has commissioned a Baseline Survey for the women in mining. This Baseline Survey is the first step in implementation of a United Nations Entity for Gender Equality and the Empowerment of Women (UN Women)-Funded Project. The objective of this project is to contribute towards establishment of an enabling gender sensitive legal and policy framework on mining. It is envisaged that an enabling legal and policy framework on women in mining increase the number of women who are complying with the legal requirements. More women will be encouraged to comply with the legal requirements once they are simplified and translated into vernacular languages. The rights of the women miners will be protected and they will not be subjected to arrests, harassments and unscrupulous gold traders because their activities will be legal. The women miners will be better able to harness the financial resources, contribute to the wealth of the country and also at household levels contribute to the welfare of the family. This contributes to the attainment of Millennium Development Goals (MDGs) especially Goal 1 that promotes poverty reduction.

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<sup>1</sup> Nina Strandberg, “Conceptualising Empowerment as a Transformative Strategy for Poverty Eradication and the Implications for Measuring Progress.” Kvinnoforum/Foundation of Women’s Forum, Sweden. United Nations, Division for the Advancement of Women (DAW), Expert Group Meeting on “Empowerment of women throughout the life cycle as a transformative strategy for poverty eradication” 26 – 29 November 2001, New Delhi, India EGM/POV/2001/EP.6, p 8

<sup>2</sup> Ibid., p 8

This report will focus on economic and legal empowerment of women miners. In particular it will address how laws and policies can improve access to and control over resources by women miners. Women are not viewed as victims of poverty but transformative agents of change who are being empowered through mining activities and raising their legal awareness of the laws and policies that regulate the mining sector.

## **2. OBJECTIVES OF THE STUDY**

The study sought to:

- Conduct a desk review of laws and policies on mining and related legislation and assess the level of alignment of Zimbabwean laws and policies to regional, sub-regional and international instruments;
- Conduct a gender analysis of the laws and policies related to mining;
- Assess and analyze the extent of illegal mining activities among women and men in Midlands province;
- Establish the situation of women and men who are conducting illegal mining activities in Midlands province;
- Assess and analyse the factors which influence the type of mining activities (legal or illegal) which women engage in;
- Assess knowledge levels among women and men on mining legal framework and the requirements;
- Assess the impact of illegal mining activities on women's rights and development of the country and achievement of MDGs;
- Conduct a stakeholder mapping exercise and recommend mutually beneficial partnerships for the project;
- Recommend strategies for enhancing the participation of women in legal mining activities; and
- Recommend strategies of developing gender sensitive policies and provide evidence or best practices from other countries.

## **3. METHODOLOGY**

The baseline study was conducted through both a desk study and field work. The Research team was composed of Consultants and staff from WLSA. The data collection tools were developed by the Consultants in conjunction with WLSA. The Consultants trained the research assistants on the Household Questionnaire. The baseline study was done using a holistic approach whereby most stakeholders such as both legal and illegal women and men miners were targeted and participated as prospective beneficiaries of the project. Measurable (quantifiable) data as well as data based on people's perceptions (qualitative) was obtained and integrated into the findings of the study. Qualitative and quantitative data analysis tools are in Annex 1.

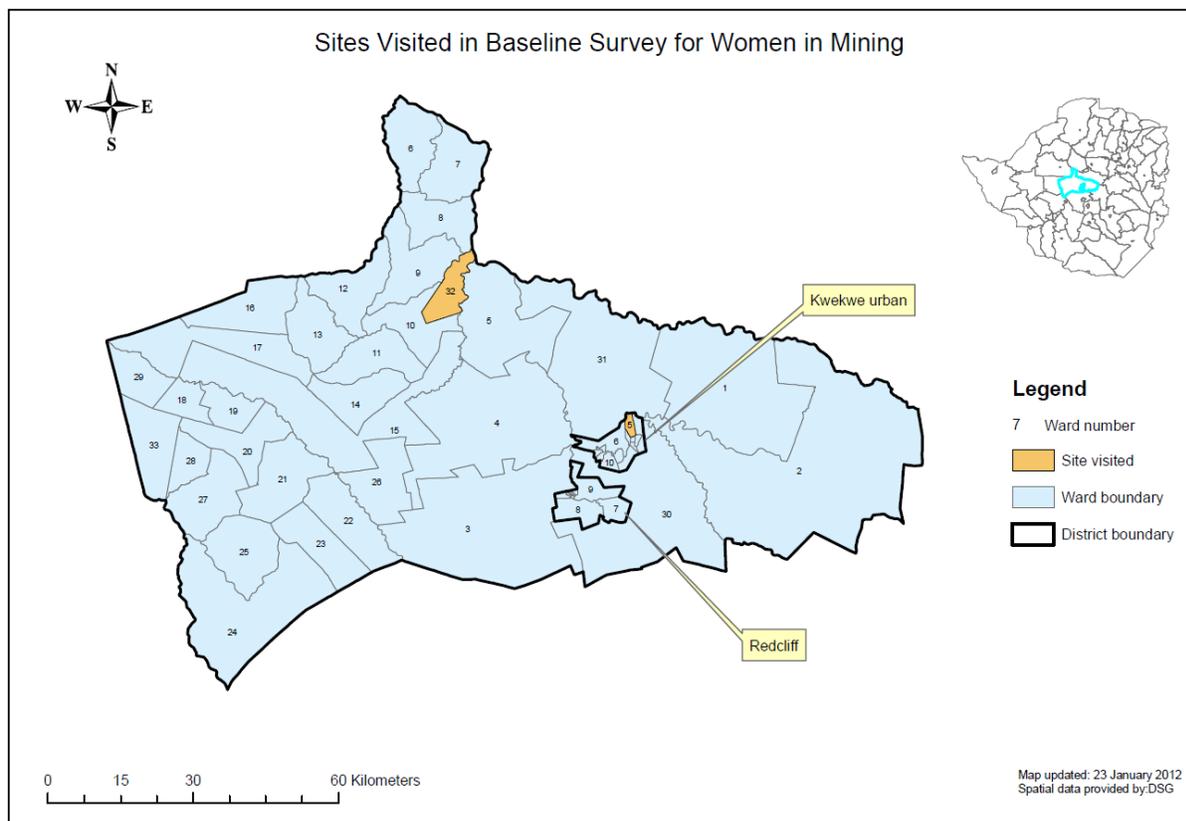
## Desk Study

Project-related documents such as the project proposal, relevant international, regional and national policy and legal framework relating to gender, socio-economic development, mining, environmental protection and health and safety issues were reviewed. A gender analysis of the laws and policies was conducted to identify gaps and inform advocacy strategies.

## Field Situational Analysis

Kwekwe District was chosen as the representative district for the Midlands Province as guided by key informants from Ministry of Women, Affairs, Gender and Community Development. The selection of the study site considered the availability of women in both legal and illegal mining as well as rural and urban miners. Two wards were selected for the field visit. Ward 5 referred to as Mbizo represented the urban miners. Rural miners were represented in Ward 32 of Zivagwe Rural District Council (RDC) here after referred to as Donjani or Zhombe.

**Map 1: Sites Visited in Kwe Kwe District During the Baseline Survey**



The following techniques were used to collect the data:

**Key Informant Interview (KII):** A total of 20 key informant interviews were held at 3 levels as shown in Table 1. The first level interviews involved the national representative who was conversant about the women empowerment issues and procedures for legal mining. The second level interviewees were the district representatives who provided information on the district overview for mining in Kwekwe as well as the role of each stakeholder in mining and their perspectives on how the participation of women in mining could be enhanced. These stakeholders provided insights into the operations, impacts and challenges faced by both legal and illegal miners.

**Table 1: The Organisations Consulted During Stakeholder Interviews**

Level	Organisation
National level	Ministry of Women, Affairs, Gender and Community Development
	Ministry of Mines: Mining Commissioner’s Office
Rural District Council (RDC) Level	District Administrator’s Office
	Environmental Management Agency
	Zimbabwe Republic Police (Police)
	Ministry of Youth
	Ministry of Lands
	Ministry of Women, Affairs, Gender and Community Development.
	Kwekwe Municipality
	Kwekwe/Zivagwe Rural District Council
	Zimbabwe Miners Federation
Ward Level	Ministry of Women, Affairs, Gender and Community Development.
	Zivagwe RDC Councillors for Wards 5 and 31
	Traditional leaders
	Miners

**Focus Group Discussions:** A total of four focus group discussion (FGDs) sessions were conducted. Two focus group discussions were held in each of the 2 wards. The first one was held with miners only whilst the second was held with non-miners and former miners. The FGDs were composed of both men and women. The ratio of men to women was approximately 1:3 as advised by the client, WLSA. The number of each FGD was a minimum of 9 to a maximum of 15 respondents. All ages were represented in each group. This is because mining is an activity carried out by all age groups. The discussion focused on the means of livelihoods, extent of legal and illegal gold mining, legal procedures and processes involved in mining, impacts of the mining on the socio-economic lives of the miners, challenges faced and recommendations for improving women’s participation in mining.

**Questionnaire Administration:** A total of 122 questionnaires were administered to 84 miners (61 women and 23 men) women and 38 non miners (16 men and 22 women). In the absence of a reliable database of how many illegal miners were in the area, the sample size was calculated

based on the number of the prospective beneficiaries the project intended to reach. The project target is 50 miners. In order not to create a lot of expectation from prospective miners, the number of respondents reached was 122. The Household Questionnaire collected data on socio economic background; knowledge levels of mining laws; mining operations; occupational health and safety, stakeholder involvement such as the role of Women Miners Association; production and marketing, stakeholder involvement, conflicts, challenges and future aspirations. The questionnaire for miners collected data that was based on their direct experience and lived realities in mining. The non-miners' questionnaire enquired similar data but mostly sought their independent opinion on legal and socio-economic issues affecting gold miners in Kwekwe. The non-miners live in the neighbourhood and they contribute indirectly to mining through selling food and buying gold. Their experiences and observations of the challenges faced by miners are critical to the study.

***Direct Observation:*** Visits were made to both legal and illegal mining sites. The legal mine owners had the relevant legal documents while illegal miners had none and they admitted to mining illegally. During preliminary interviews and FGDs, they raised their hands to indicate that they were illegal miners, One legal mine in Ward 32 which was in the process of installing a stamp mill was visited whilst 3 sites (two in Ward 32 and one in Ward 5) with illegal mining activities taking place were also visited.

### ***Data analysis***

Quantitative data was analyzed using the Statistical Package for Social Sciences (SPSS). The final synthesis of the information was done through establishing interrelationships between legal and policy provisions, perspectives from policy implementers, enforcement agents and the practical experiences of miners.

### **Limitations of the Study**

#### ***Absence of a reliable database***

There is no available database on the number of illegal miners in Kwekwe and the country at large. Therefore, the number of miners was only estimated from information supplied by the key informants that oversee the areas of study. It is therefore not possible to estimate how representative of the numbers of the illegal miners interviewed to the total illegal miners in Kwekwe and in the whole country. However, the population used was chosen in relation to the number targeted by the study (50 women) so that the project does not create unmet expectations.

#### ***Time limitations of the field data collection***

The field days were limited by the availability of financial resources. It was not possible to do face-to-face interviews with the District Mining Commissioner and to visit illegal panning operations to get a broader picture of issues affecting mining operations. The day that was

allocated for a field visit coincided with the day when the residents observe a weekly traditional break or *Chisi*.

## 4. KEY FINDINGS

### 4.1 The National Policy and Legal Framework Related to Mining

This part provides for the review of various laws and policies that promote gender equality, environmental protection, mining and occupational and health issues.

Zimbabwe is party to various international human rights and multilateral environmental agreements and is therefore legally bound to comply with international minimum standards that are spelt by these agreements. Some of the human rights agreements include the UN Convention on the Elimination of All Forms of Discrimination against Women (CEDAW); the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (2003) and the SADC Protocol on Gender and Development. International obligations are incorporated into national laws as provided in terms of section 111B of the Constitution of Zimbabwe. Section 23 of the Constitution has entrenched gender discrimination in the private sphere such as marriage and inheritance issues. Zimbabwe has adopted the National Gender Policy and included the principle of equality in various national laws, policies and plans so that they are aligned with international and regional human rights laws. For example, the Indigenisation and Economic Empowerment Act 14 of 2007 seeks to address the historically disadvantaged indigenous people by stipulating that at least fifty-one *per centum* of the shares of every public company and any other business shall be owned by indigenous Zimbabweans.

The Rio Declaration on Environment and Development (1992) requires that mandatory Environmental Impact Assessments (EIAs) should be carried out on projects such as mining. Additionally, the United Nations Environment Programme (UNEP) Guidelines on Mining apply to all aspects of mining operations especially exploitation; mine operation; mine site rehabilitation; and small scale mining. Mining is regulated by the Mines and Minerals Act<sup>3</sup> that provides for different licences and permits. It is an activity that has negative impact on the environment in terms of air, water and land pollution, land degradation, deforestation and river siltation. These activities are regulated by the Environmental Management Act that is why it requires a mandatory EIA for all mining activities.<sup>4</sup> This Act, in terms of section 3, seeks to co-ordinate all sectoral environmental laws that directly or indirectly impact on the environment or utilise the environmental and natural resources such as the Mines and Minerals Act. Mining generate wastes which should be safely disposed of because they can be harmful to humans, wildlife and surrounding habitats and ecosystems. The Environmental Management Act requires miners to apply for licences on effluent discharge, emission, hazardous substances and solid

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<sup>3</sup> Chapter 21:05

<sup>4</sup> Chapter 20:27

waste. It also requires miners to rehabilitate degraded lands and have mine closure plans. Thus, mining is regulated by mainly the Mines and Minerals Act and the Environmental Management Act. The procedures for registering a mine and carrying out an EIA are outlined in Figure 8.

Table 2, shows that laws and policies directly or indirectly impact on the increased participation of women in mining activities. In addition, the laws regulate the mining sector in terms of different permits and licences such as prospecting, pegging, mining, mandatory environmental impact assessments, and the sale of the minerals such as gold and payment of mining levies to the Rural District Councils.

**Table 2: National Legal and Policy Review**

<b>Statute</b>	<b>Issues Addressed</b>	<b>Gender Gaps</b>
<b>National Gender Policy</b>	The Policy addresses key sectors, namely: Women in Politics and Decision making; Education and Training of Women; Institutional Mechanisms for the Advancement of Women and Women and the Economy. The policy's main objectives are mainstreaming gender issues into all sectors in order to eliminate all negative economic, social and cultural practices that impede equality and equity of the sexes.	Women are invisible in the mining sector due to occupational segregation and they do not have access to microfinance to buy equipment for mining.
<b>The Indigenisation and Economic Empowerment Act 14 of 2007</b>	It stipulates that at least fifty-one <i>per centum</i> of the shares of every public company and any other business shall be owned by indigenous Zimbabweans. The law requires equitable representation of indigenous Zimbabweans referred to in the governing body of any business resulting from this indigenisation process.	It does not have a specific quota or affirmative action measures that promote the empowerment of men, women, boys and girls especially how these groups can benefit from Community Share Trusts. In the absence of quota-type measures for women, local authorities, traditional leaders and men will benefit to the exclusion of women because the traditional structures, community-based committees and Council Committees are dominated by men. It has managed to mobilise Zimbabweans as 'indigenous' people but still marginalizes women's participation in economic empowerment.
<b>The National Environmental Policy</b>	Its objective is to maintain environmental integrity. It has noted mining as an environmental issue that requires mandatory environmental impact assessments. It recognises small scale mining and recommended the Government of Zimbabwe, in partnership with the mining industry, to address the issue of the environmental impacts due to small-scale formal and informal mining activities.	The policy has omitted gender and equality issues and yet women are major players in small-scale formal and informal mining activities.

<p><b>The Environmental Management Act Chapter 20:27</b></p>	<p>This Act is informed by the National Environmental Policy and the National Environmental Impact Assessment Policy. It co-ordinates all environmentally-related activities including mining, Provides for EIAs to be done using National Guidelines Provides for the setting up of the environmental Fund for use in reclaiming degraded and polluted areas</p>	<p>The Act promotes community participation in environmental governance. It does not however define the communities in terms of men, women, boys and girls. It does not give clear guidelines on how women can participate in EIAs, the potential benefits associated with mining for women and potential risks to women. It does not offer any incentives for environmental protection. Although it promotes access and benefits sharing schemes such as Community Ownership Share Trusts, it does not specify how equitable benefits sharing could be achieved.</p>
<p><b>The Mines and Minerals Act (Chapter 21:05)</b></p>	<p>It recognises artisanal, small-scale and large-scale mining operations. It focuses mainly on mineral production and the processes of getting various licences, permits, leases and exclusive prospecting orders. It also deals with, inter alia, the preservation of mining rights; the regulation of the work of alluvial and certain other deposits; controlling of siting works on mining locations; payments of local authorities; and conditions governing rights on reserved ground and special grants.</p>	<p>It does not strike a balance between mineral production and environmental protection. It also does not promote environmental, economic and social impact assessment of mining activities as well as gender issues. There is no relationship of the Act with other laws that should be complied with during mining.</p>
<p><b>The Gold Act (Chapter 21:03)</b></p>	<p>It prohibits the possession of gold by persons without licences. There are three types of licences that are provided for under section 13. These are a gold dealing licence; a gold recovery works licence; and a gold assaying licence. Section 14 provides for the use of these licences.</p>	<p>The Act is gender neutral and this is to the disadvantage of women because of low status and gender inequalities. This is further explained in the narrative that is below of the Mines and Minerals Act, Gold Act, Rural District Councils Act and the Explosives Act.</p>
<p><b>The Rural District Councils Act (Chapter 29:13)</b></p>	<p>This Act provides for the declaration of districts and the establishment of rural district councils; to confer and impose functions upon rural district councils and provide for the administration of their areas. It empowers the local council to impose a land development levy upon all persons who are owners of rural land including miners within the council area.</p>	<p>The Act is gender neutral and this is to the disadvantage of women because of low status and gender inequalities. This is further explained in the narrative that is below of the Mines and Minerals Act, Gold Act, Rural District Councils Act and the Explosives Act.</p>
<p><b>Labour Relation (HIV and AIDS) Regulations, 1998:</b></p>	<p>Section 3(1) relates to education of employees on HIV and AIDS. Section 4 (1) prohibits mandatory testing of employees.</p>	<p>There are no gender gaps in relation to these regulations. These regulations are important to the mining sector.</p>
<p><b>The Explosives Act (Chapter 10:08)</b></p>	<p>It regulates and controls the possession, purchase, delivery, manufacture, storage, use, conveyance and handling of explosives.</p>	<p>The Act is gender neutral and this is to the disadvantage of women because of low status and gender inequalities. This is further</p>

		explained in the narrative that is below of the Mines and Minerals Act, Gold Act, Rural District Councils Act and the Explosives Act.
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The Mines and Minerals Act, the Gold Act, the Rural District Councils and the Explosives Act have provisions which have colonial vestiges. Zimbabweans were historically disadvantaged during colonialism. The status of women was worse off during that period. This means although these laws are gender-neutral they are not informed by principles of gender equality and non-discrimination. They avoid the terms such as men, women, boys and girls. The historical differences between men and women are ignored in political, social, economic and cultural terms. The laws create an illusion that since there are equality laws in place it means gender equality exists in all spheres of life. The assumption is that gender equality translates automatically into practical equality. However, there are structural disadvantages and inequities that exclude women from mining from the outset. The laws have entrenched these disparities and remained discriminatory and impliedly acknowledge the reproductive roles of women as homemakers and carers of children and the sick. There are gender stereotypes that should be addressed that perpetuate the fact that mining is predominantly a male domain and women cannot work underground and on shift work. This is because the mining sector is traditionally dominated by men as miners and also as board members in the Mining Affairs Board. This Board is mainly composed of large-scale miners and two representatives from small-scale miners. Thus, the participation of women as representatives of small-scale miners is not guaranteed. This means mining is taking place in an environment that is not gender sensitive and not responsive to the needs of the women miners.

Since women are marginalised from the outset, the national legal and policy framework has not incorporated and adopted quota-type or affirmative action measures that promote women’s economic empowerment in Zimbabwe. Lessons could be learnt from the South Africa’s Broad Based Black Economic Empowerment (BEE) Act that champions women’s economic empowerment. See Table 3 below:

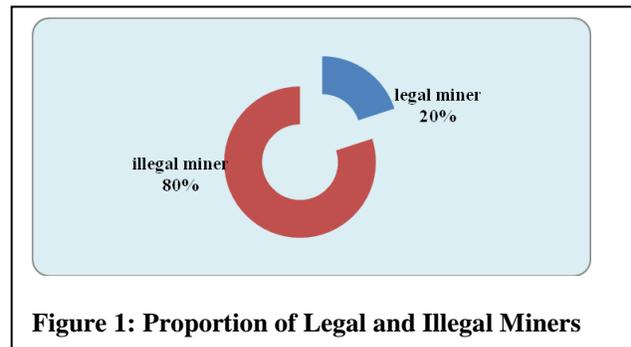
<p><b>Table 3: A Lesson from South Africa’s Broad Based Black Economic Empowerment (BEE) Act</b></p> <p>The Broad Based Black Economic Empowerment (BEE) Act addresses inequalities between men and women. It promotes the ownership and management of existing and new enterprises by black women. This statute increases their access to economic activities, infrastructure and skills training. There are scorecards have been developed to measure the progress on economic empowerment. These relate to direct empowerment that addresses ownership and control of enterprises and assets; management at senior level; human resources development and employment equity; and indirect empowerment. Indirect empowerment is about preferential procurement, enterprise development and corporate social investment.</p>
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## 4.2 The Participation of Women in Mining Activities

The survey revealed the extent of women involvement in illegal mining, socio economic backgrounds of these illegal miners, factors which influence their participation as well as the impacts of their participation.

### 4.2.1 Unpacking the Current Mining Environment in the Midlands Province

Out of the 122 respondents interviewed 84 (61 women and 23 men) are involved in mining while 38 (16 men and 22 women) are non miners. Of the 84 miners, 37% were from the urban area in Mbizo while 63% were from the rural area in Donjani or Zhombe. Women participate in both legal and illegal mining activities. The proportion of miners involved in illegal miners is 80 % whilst that of legal miners is 20%.



The low participation of women in the legal mining sector was corroborated by the City Planner, Rural District Council (RDC) Technician and the Member in Charge in the Criminal Investigation Department (CID) in Minerals. The City Planners indicated that it is common to get one woman for every 5 applications for special mining grants. At the Rural District Council Offices, it was noted that no official applications for supporting letters have been received from women. The Zimbabwe Republic Police, (thereafter referred to as the Police) indicated that only two women legal miners had visited their offices. Among the illegal miners, 79% were women. This shows that women are the key players in the illegal mining activities. The reason why women dominate in illegal mining activities is because they have not legally registered their mining claims. By definition, illegal mining refers to those miners who do not have a certificate of registration of mines from the Mining Commissioner, the Provincial Mining Commissioner or Rural District Council Office; and an approved environmental impact assessment (EIA) from the Environmental Management Agency (EMA).

The survey showed that legal miners were more accountable in reclamation of degraded lands because this was a prerequisite for renewing a mining permit. In contrast, illegal miners who are the majority of the miners are not held accountable for causing environmental degradation. For example, where ore rich in gold have been discovered open dongas/pits remain uncovered. These panners do not have the sense of responsibility to close these pits which have become hazardous to humans and livestock. Though urban local authorities have security personnel to enforce regulations against environmental degradation, gold panning activities usually occur at night when guards are off duty. The extensive gold panning in underground tunnels has now resulted in the Kwekwe Urban Master Plan to limit the construction of high rise buildings in certain areas

because they fear that weak building foundations will result in structural collapses. River siltation and poor environmental sanitation were also observed at illegal mining sites.

#### 4.2.2 Socio-Economic Background of the Miners Kwekwe District Midlands Province

The table below gives an overview of the socio economic status of the respondents disaggregated by sex

**Table 4: Age Group, Sex, Marital Status and Educational Level of the Respondents**

Age of respondent \* Sex of respondent \* Marital status \* Educational level Crosstabulation

Count				Sex of respondent		Total	
Educational level	Marital status	Age of respondent		Male	Female		
Never enrolled into school	Married	Age of respondent	45-55 years		2	2	
			55-65 years		2	2	
		Total			4	4	
	Widowed	Age of respondent	Above 65 years			2	2
		Total				2	2
Primary level	Married	Age of respondent	Under 18 years		1	1	
			31-45 years	1	4	5	
			45-55 years		3	3	
			55-65 years	1	5	6	
			Above 65 years	1		1	
		Total			3	13	16
	Widowed	Age of respondent	45-55 years			2	2
			55-65 years			5	5
		Total				7	7
	Divorced	Age of respondent	18-30 years		1		1
			45-55 years			1	1
			55-65 years		1	1	1
		Total			1	2	3
	Co-habitation	Age of respondent	18-30 years			1	1
Total					1	1	
Secondary level	Married	Age of respondent	18-30 years	2	8	10	
			31-45 years	6	10	16	
			45-55 years	4	3	7	
			55-65 years	1	2	3	
		Total			13	23	36
	Widowed	Age of respondent	31-45 years			1	1
			45-55 years			3	3
		Total				4	4
	Divorced	Age of respondent	31-45 years			1	1
			45-55 years			1	1
		Total				2	2
	Single	Age of respondent	18-30 years		2		2
		31-45 years	1	1	2		
Total				3	1	4	
Tertiary level	Single	Age of respondent	31-45 years	1		1	
		Total			1	1	

Miners of all age groups participate in illegal mining but most miners are in the 31-55 year age group. The general trend is that those above 65 years and those below 18 years make the least

contribution. This is consistent with the fact that those below 18 years are expected to be school-going, and those above 65 years are in semi-retirement and the 31-55 years are the main breadwinners. As women get mature and independent they engage in mining. Married miners make the majority for those engaging into mining regardless of their sex. However, 65.6% of the females engaged in mining are married. This trend has a bearing on the extent of engagement in mining activities as husbands' voices and social obligations of women affect their participation. Women miners make up 100% of the widowed category thereby raising insecurity issues in mining locations because they are threatened and bullied especially by male miners. For example, some widows were displaced from their mining claims and agricultural land by other miners. Females comprise 100% of those who have never enrolled in formal education. In contrast, 100% males have gone through tertiary education. Women also make up 74% of those who have attained primary school education. This shows that women are generally more illiterate than their male counterparts. This may present challenges to them in understanding laws, procedures and the different permits that are required for legal mining.

### Sources of Income

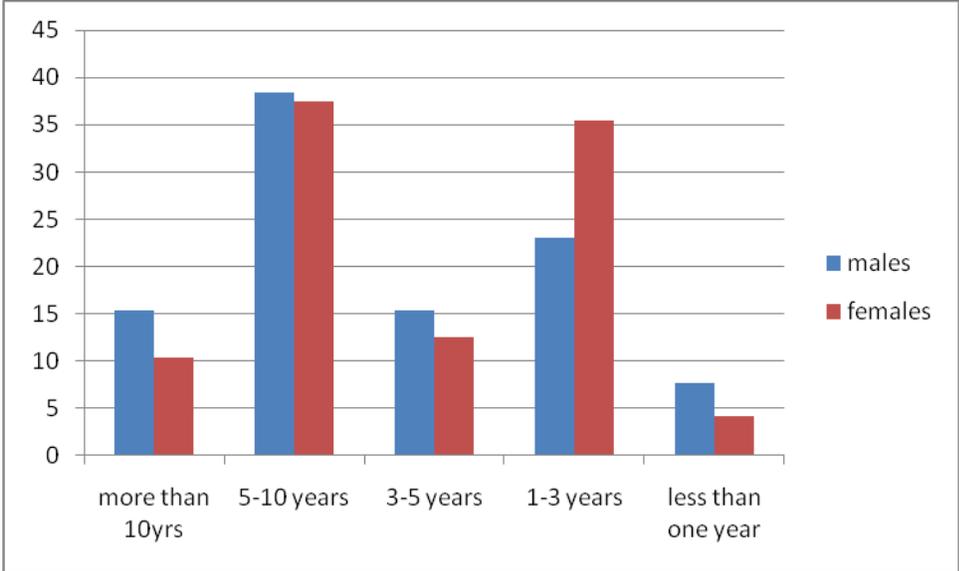
The main sources of income for the miners are mining (81.6%), agriculture (10.5%), informal trade (2.4%) and combination (4.9%) of any of the above sources. This could be agriculture and mining or informal trade and mining or agriculture and informal trade. Mining ranks highest due to the high risk of drought and crop failure in the Midlands Province. The percentage of women and men using each source of income is shown in Table 5.

**Table 5: Sources of Income for the Miners in Rural and Urban Kwekwe District**

Sex of respondent	Source of income	Ward		Total
		Kwekwe urban (5)	Zhombe	
male	Informal trade	1	-	1
	Mining	7	10	17
	Combination of two most significant sources	-	1	1
	total	8	11	19
female	Agriculture	3	5	8
	Informal trade	-	1	1
	Mining	15	30	45
	Combination of two most	2	1	3

	significant sources			
	total	20	37	57

The miners have been involved in the illegal mining for an average of 10 years and only 5% have less than a year’s experience. This indicates an interest to remain in mining and absence of alternative sources of livelihood and an enabling environment that supports their transition from illegal to legal mining. The percentages of women and men in the difference experience levels are shown in Figure 2.



**Figure 2: Duration of Mining Experience among Illegal Miners**

There are more males who got into mining in the last three years in the urban area as compared to the same period in the rural area. This is attributed to the economic challenges that were faced by the nation. In relation to women, 75% of them have been in mining for 5-10 years in the urban area as opposed to only 26% of those in rural area during the same period. In recent years, more women have started mining. This is shown by the 40% of them who have been in mining for 1-3 years. This could be due to increasing unreliability of agricultural production.

**4.2.3 The Role of Women in Mining**

Women make up 79% of all illegal miners who were respondents to the household questionnaire. According to the Councilor for Ward 32, there are about 600 women involved in illegal mining at Donjani/Zhombe whilst in Mbizo it is estimated that there are 300 women illegal women miners. The roles of women and men in various aspects of mining are summarized in Table 6. Where data was obtained quantitatively it is shown in percentages. A tick shows participation especially where there is only qualitative data.

**Table 6: Roles of Women in Various Mining Activities**

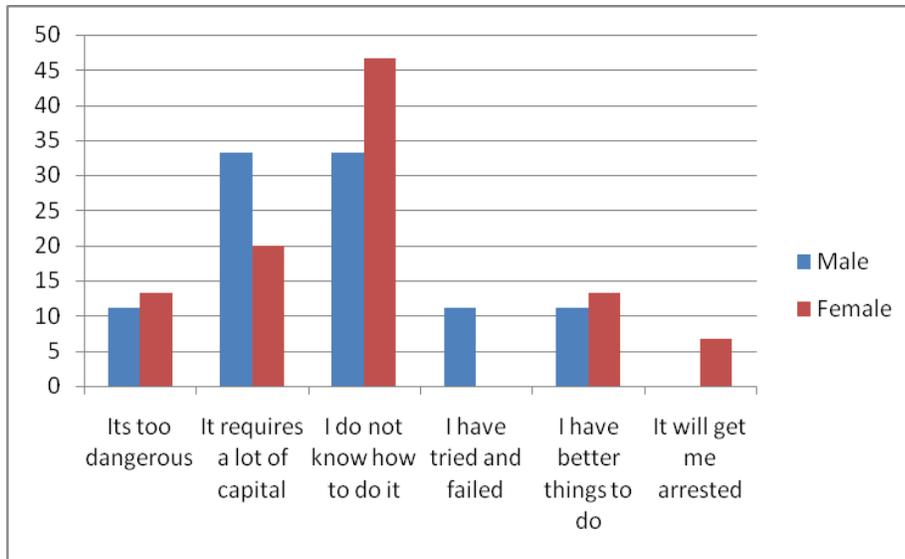
Mining Aspect	Women Contribution	Men Contribution
Surface Mining -Low gold concentration	✓ 70%	✓ 30%
Surface Mining -High gold concentration	- 0%	✓ 100%
Underground mining	- 0%	✓ 100%
Theft of Ore	- 0%	✓ 100%
Pounding of gold ore at an agreed share/reprocessing	✓ 100%	- 0%
Legal Mining	✓ 10%	✓ 90%
Supportive Services (Food, Flea markets)	✓	-

The women miners are mostly involved in alluvial panning, rubble mining, gold ore reclamations and gold ore processing using simple equipment such as mortar and pestle, sieves and James cloth. Those who process ore pound it either at their homes or in the bush so that they avoid arrests. The ore is obtained from either direct panning or from men who steal from the mines where they are employed.

Women miners are not directly involved in underground mining. This is because the depth of the shafts (200m) and the mining tunnels create unfriendly working conditions for them. The men who mine underground usually smoke marijuana/mbanje/dagga and can be dressed half-naked thereby further intimidating women miners. In urban areas, women miners generally employ men and male youths to dig mining pits and share the proceeds. These youth and males have access to the both rich ore and deep shafts which were inaccessible to women. Women are generally found in equal proportions with men in areas where there is surface mining. However, in surface mining locations where the gold concentration is high, women miners are usually displaced by male miners. Once the ore concentration has decreased, the male miners move on to other mining locations and they are replaced by women miners who spend many days panning for as little as 1g per week. Women miners pan gold either in other miners' claims or in no-man's land. Where the panning is done at another miner's claim, the payment is between 30-50% of produce.

#### **4.2.4 Factors Influencing Participation**

The key factors which determine entry into mining are shown in Figure 4. For women, lack of information is the most determinant factor whilst for men information and financial capital contributes to their involvement in mining. Forty-one percent (41%) of the non-miners acknowledge lack of information on how to engage in mining, 25% do not have the start-up financial capital and only 4% of them fear arrests. This means that the greatest barrier faced miners who want to transit from illegal into legal mining is lack of information on the laws, procedures and different permits that are required and the start-up financial capital.



**Figure 3: Reasons for not engaging in Mining**

#### **4.2.4.1 Awareness/ Knowledge Levels**

Knowledge levels are important in determining participation of women in mining. Those involved in illegal mining do not know how to register their mines. For example, 95% of FGD participants are not aware of the procedures for registering mining claims. They have already concluded that it is an expensive process but they do not have specific details of how much fees is required for what and when and what will be their entitlements after paying these fees.

The District Administrator’s opinion of women’s knowledge is that ‘*Women have always been slow in catching up with understanding of the knowledge and design of the issues around legal mining.* However, according to the women the reason as to why they have poor knowledge is that there are no mining referral centres where they can make enquiries about mining procedures. Women miners could get valuable advice and information from the Women Miners Association but then only 30% of them know about its existence and the role it plays in promoting women miners. However, none of the study respondents were members of this Association because the membership fee is \$150 and is beyond their reach.

The knowledge of laws that regulate mining is low among respondents. The only laws mentioned were the Mines and Mineral Act (17%) and the Environmental Management Act (2%). About 13% and 35 % of females and males respectively mentioned at least one of these Acts. From the household assessment, there are very few women who have attempted to register their mines. The results indicate that 80% of the respondents have not taken any initial steps to apply for legal documentation for their mining activities. Women make 80% of those without legal documentation for mining.

Those women involved in legal mining are knowledgeable about the procedures. They have used this knowledge to apply for mining permits and special grants. However, the poor knowledge levels are also evident even in those who have formally registered as legal miners. For example, none of the legal miners know that a fund exists under the Mining Commissioner for the acquisition of mining equipment. Generally, miners do not have an idea of where to hire mining equipment.



**Figure 4: Legal Compliance among Miners**

Additionally, the significance of doing the environmental impact assessment is not clear such that they consider themselves legally compliant even when they do not have an approved EIA.

#### **4.2.4.2 Financial Capital and Costs Associated with Legal Mining**

The unavailability of financial capital affects participation because it required for registration, payment of mining courses, equipment and wages. Financial capital is also required for prospectus, pegging, assay determination, mining certificate and conducting EIAs (fees for EMA and the Consultant). According to the Mining (General) (Amendment) Regulations, 2012 (No. 16)<sup>5</sup> the annual fee for alluvial, eluvial, rubble deposit or dump precious metal claims has been hiked by one thousand percent (1000%) from ten dollars to one thousand dollars. An ordinary prospecting licence per mining district and for the whole country cost \$500 and \$1 000 respectively. The application fee for registration of base mineral blocks pegged under ordinary licence and for mineral blocks pegged under special prospecting licence cost \$2 000 and \$4 000 respectively. The costs of gold buying licence, gold jewellery permit and custom milling licence are \$5 000, \$2 000 and \$8 000 respectively. The fees for smelting gold amalgam are \$50 per 100grams. The cost of pegging has not been included in the Regulations. The permit to acquire and possess explosives is \$1 000. In addition, EIA still costs \$1 000 but this is likely to change so that it is commensurate with the new prescribe fees. The absence of bank accounts from 67% of the respondents shows that the income generated from mining is for immediate consumption as opposed to long term investment. The hefty prescribed fees and the poor saving habits make the prospects of financial savings toward registering mining operations highly unlikely.

As discussed above, financial capital is also required for technical courses such as those offered at the School of Mines at a cost of \$250 per course. The course fee includes course material, certification, accommodation and a mine visit. It however excludes transport and meals for the course participants. The result is that many miners cannot afford these fees. Only 2 women from the whole of Kwe Kwe District were able to attend the course on mining. As noted earlier, due

<sup>5</sup> Statutory Instrument 11 of 2012

to the failure to provide wages for miners in the legal mining, the mine owners and employees have resorted to the ratio sharing system. The sharing ratios range from 30%-50% depending on whether the mine owner gives them other incentives such as groceries. This ratio sharing strategy has enabled legal miners to participate without offering wages to the workers. The two legal miners interviewed in Case Studies 1 and 4 are using this ratio sharing strategy. The discussions with Councillors of Wards 31 and 32 highlighted that the ratio sharing system is the only functional system used by all small-scale miners. Despite the ratio sharing system, some legal women miners have maintained their jobs because their security of tenure and viability of mining is not guaranteed. The need for financial capital is more pronounced in the urban area than in the rural area because the miners hire labour whereas alluvial gold panning in rural areas is very simple. Case Study 1 shows a legal miner who has transitioned from artisanal to small scale mining and she hopes to get into large scale mining.

**Case Study 1: Woman with a Mining Permit But Still Formally Employed Somewhere**

Mrs X owns a special grant permit. In order to get the permit she first of all went to Kwekwe Municipality/Council They went to view the proposed site. She got a special grant after getting a support letter from the Council. She approached the Mining Commissioner in Gweru as well as the Secretary responsible for Mining in Harare. The permit fee is \$150 payable to the Council and is renewed annually.

Mrs X is not involved in direct mining at the site. She contracts workers who surrender 30% of their proceeds to her. Since she has a permit, she is responsible for delivering the ore to the mills. On average, the yield from the mine is 7g/tonne of ore. She does not incur any costs in the process but gets the 30% by virtue of being the owner. She works for a local security firm. This is because she needs to raise capital to buy enough mining equipment so that she is involved in effective mining operations. She has provided the following equipment to contractors at her site: 4 hammers, 4 shovels, 3 picks, many chisels and an ore lifter and for workers to gain entry into the underground mine. The workers stay in temporary housing with houses made of black plastic sheeting supported by poles. In total there are 12 workers who are all males.

She has attended a course referred to her by the Ministry of Women Affairs, Gender and Community Development. The course content included mining methods and safety in mining. She also received reference modules. She was also advised of the steps and procedure which one needs to go through to get special grants and ordinary mining claims. The course was done over a period of 7 days at a cost of \$250 and it was self-sponsored. She acknowledged that it was a worthwhile course because she is a better miner as a result of the information and skills gained. The proceeds from the 30% share have enabled her to buy 2 residential stands in Mbizo Area. She views mining as an economic productive sector as long as one has capital and mining equipment.

**4.2.4.3 Lack of Adequate and Appropriate Equipment**

The mining equipment is very expensive and underground miners who do not have the basic equipment end up having little disposal income due to payment of hiring and wage expenses. For example, about 30% goes toward compressor hire, pump up to 10% and workers up to 50%, transport and milling such that the owner remains with about 10% of proceeds after all expenses are paid for. The most common pieces of mining equipment respondents have are digging tools

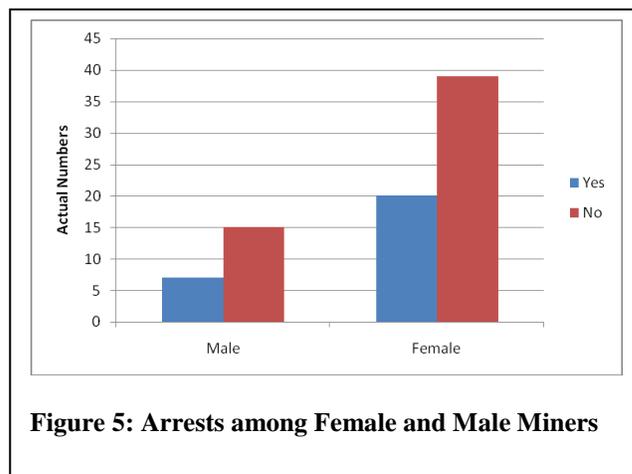
such as picks and shovels, wheel barrows, sieves and shovels. Only 4% of respondents to the household questionnaire have mechanised equipment like drills, generators and compressors. None of these are women.

#### **4.2.4.4 Police Arrests, Harassments and Unscrupulous Gold Traders**

The study noted the incidence of harassments throughout the mining processes and what varies is the perpetrator of harassment but the target is the women miner. Besides arrests by law enforcement agencies, women miners also experience gender-based occupational insecurity issues such as harassment and bullying by unscrupulous gold buyers, male miners and some villagers. Nearly 60% of the respondents indicated that they have been harassed by the Police and they are released after payment of bribes. Seventy-two percent (72%) of these respondents are female. As a result of lack of basic equipment such as scales, women miners rely on scales owned by gold buyers. They face harassment from gold buyers intending to cheat on the weight of the final gold product. If women try to challenge the buyers, all kinds of intimidating techniques are used such as foul words. Some of the common phrases are “*Makangwarisa (you are too streetwise), ibvai pano munondizingira macustomer (go away, you chase my customers), iscale yangu saka hamundizidzisi kushanda kwayo (it is my scale and you do not instruct me on how to use it)*”. This has an effect of eroding and decreasing the confidence and self-esteem of women miners. If the women decide to leave without selling the gold, they are arrested as soon as they leave the premises. This is because the Police are tipped off by these gold buyers.

Women miners also encounter more incidences of dishonesty throughout the whole mining processing chain: from the pegger, workers/co-partners and buyers that the male miners. As noted earlier, women miners have attained low levels of education and they do not have the technical knowhow of basic mining issues. On the other hand men are more knowledgeable on mining, health and safety issues and have wider exposure to economic issues including gold sale rates. They can challenge fellow male gold buyers with confidence. Women miners are taken advantage of due to their poor technical knowledge on ore quality and gold prices and their inability to own scales. Eighty percent (80%) of the women interviewed have experienced dishonesty in the ore extraction to selling process. The peggers can use wrong boundaries because the miner does not know the acreage of the mining block. Those who transport ore to millers do not honestly account for quantities sold while gold buyers adjust measuring scales in order to pay illegal miners less money. About 97.6% (73% of them are women) of the miners in study did not have measuring scales. This increases their vulnerability to cheating as they depend on the middlemen’s scales. The use of middlemen is inevitable as illegal panners are not licensed. Women also lose their gold to those who claim to refine it. Typical losses are through home-made refineries such as bricks and addition of mercury for amalgamations. At home-made refineries miners make holes in the bricks used to do the final refining and as the gold is burnt to remove the impurities, some grains of gold fall into the tiny holes made and after a certain time the owner of the brick breaks it up and extract the remaining gold.

Arrests are more pronounced among the illegal miners. The survey noted that the Government of Zimbabwe would want to accommodate illegal miners by allowing them to register. Though the Police indicated that they have reduced the intensity of arresting illegal miners, about 40% of the miners interviewed have been arrested at least once during their mining life. The numbers of women and men arrested during mining activities is shown in Figure 5.



**Figure 5: Arrests among Female and Male Miners**

It is clear that for both males and females, nearly 50% of miners have been arrested. Table 7 shows the frequency of arrests among miners and the actual numbers of women arrested.

**Table 7: Number of Arrests**

Number of Times One had been arrested	% Frequency	Number of Women
Once	42.9	9
Twice	28.6	6
3-5 Times	7.1	2
More than 5 times	10.7	4

Miners are arrested in accordance with the Gold Act if caught pounding, selling or transporting gold or its ore without a licence. During arrests their equipment is impounded by the Police. Women miners like other women are primarily responsible for looking after children and when arrested these are left without anyone to give them guidance. Some of these women miners care for children orphaned by HIV and AIDS. Experiences of frequent arrests discourage some women from mining as well as from formally registering their mining claims. Their impression of authorities such as the Mining Commissioner and the Police is that of violence and intimidation. The arrests of women impact negatively on families as shown in Case Study 2 where one woman gave up the mining. This case clearly shows the negative factors discouraging women from participating in illegal mining even if they consider it to be a good source of income.

### **Case Study 2: A Woman Who Gave up Due to Police Arrests**

Mrs Kushaya (not her real name for fear of further arrests) is 49 years old. She is married to an unemployed husband and has 4 children. Three of her children completed Ordinary Level Schools' Certificate but are not working. The last born is still going to school. She is renting a room in Mbizo for US\$50 a month. Mrs Kushaya started gold panning in 1994. She became a panner after seeing other women who were leading a better life than hers through gold panning. Initially, her role was to pick and grind the ore from surface where gold was available. She used to get enough money to feed her family and send the children to school. She would get about 20g a month and that enabled her to pay for processing and production costs and still remain with some disposable income. However, from the year 2000, the police raids on panners intensified. She was chased by the Police five times. Three of these times she was not so fortunate and was arrested. After admitting guilty to the offence, she paid a fine. On two occasions she was arrested but on the way to the Police Station she paid a bribe to avoid the harsh conditions in the cell. She described the harsh conditions to include poor quality food and being alienated from her family. Back at home, her family especially children were also labelled as the illegal panner's children. When she returned her kids narrated the ordeal that took place during her absence. Moved by the stigma suffered by her kids and also the high probability of being arrested again, she stopped gold panning in 2010. She is now employed as a part time domestic worker in Kwekwe. Though she earns \$200 a month, at least, she does not worry about being arrested again. Her kids do not have to suffer from the stigma of being labelled children of a gold panner or '*mwana womukorokoza*'.

She heard about the WLSA project from their Ward Development Coordinator and she received the news with joy. Her objective was to understand how she can register a mine. She prefers mining as a source of livelihood because it has high returns and the potential to make her buy a stand and build a house for her family. So the idea of a project that would get her back to mining was a 'dream come true'. She was the first to arrive at the venue of the proposed meeting for fear of being left out since they had been told that only 15 people are required for the discussions. Her hope is to get back to mining. She hopes the project will not only enhance her livelihood but also those of other women in Kwekwe.

Lessons could be learnt from the Mongolian Case Study 3 on how to promote good practice in informal mining and tackling challenges faced by illegal miners.

### **Case Study 3: Good Practice – Informal Gold Mining in Mongolia**

In recent years an increasing number of women had turned to informal gold mining as a source of livelihood. This was because a number of environmental and economic factors had reduced rural income opportunities, decimated livestock herd and led to rising unemployment both in rural and urban areas. However working conditions in informal gold mining posed serious risks to miners' health and safety. The unorganised nature of operations, insufficient structural support and lack of personal protection resulted in frequent injuries and fatalities. It was men, women and children who were involved in mining. This deprived the children of education and therefore minimised chances of breaking the poverty cycle. The ILO and Mongolian Employment Federation worked together in informal gold mining project to address the problems of child labour, occupational safety and health while moving towards creating a policy framework that allows informal gold miners to operate in a way that benefits all partners equitably. *Extract from Navch T et al (2006) Informal Gold Mining in Mongolia Study Report*

#### 4.2.4.5 Health and Safety Issues

Overall, 28% of the respondents have been injured during their mining activities. Figure 6 shows the frequency of injuries among both women and men. The range of injuries included eye damage broken legs/arm suffocated back and head injuries. Both female and males miners worry about occupational hazards such as collapsing tunnels, the use of explosives, dust, flooding of mines and falling into open shafts. Some of the safety concerns discourage women miners from working in the mining tunnels.

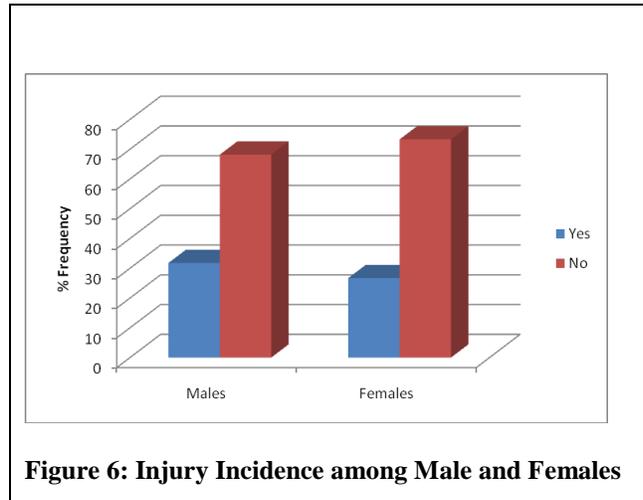
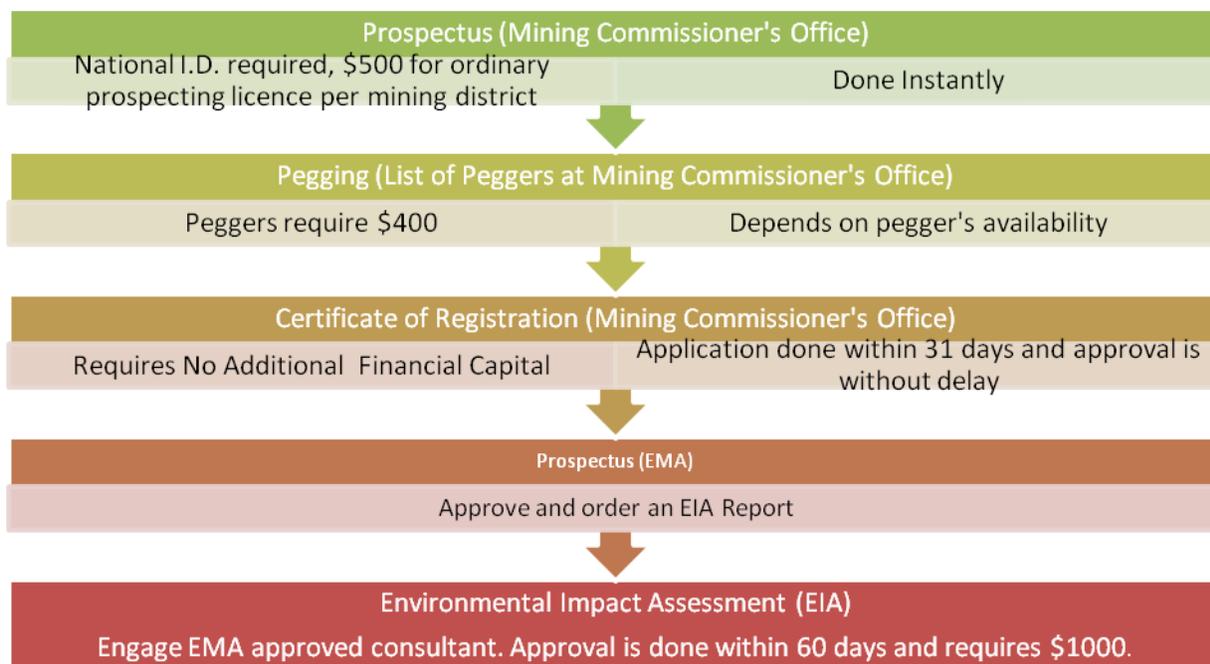


Figure 6: Injury Incidence among Male and Females

Only 7.2% of the miners (women make 75% of these) have received formal training on mining operations whilst the rest are conducting operations using rudimentary knowledge and equipment, coaching by fellow community members (63.4%) and using indigenous knowledge. As noted earlier under 4.2.3, women miners are mostly involved in gold processing, while male miners dig the gold ore as well as work in underground tunnels. Women miners are affected by the methods that are used in extracting and processing gold. Gold processing involves crushing, pounding, sieving and using mercury for amalgamation of gold. They are exposed to health risks such as respiratory problems, mercury poisoning and silicosis. They also expose their families to mercury poisoning as they cook, handle and sell food as well as caring for their children and the sick. The health and safety issues that they face are as a result of the informal and illegal nature of their mining activities, inadequate mining equipment and protective clothing as well as insufficient knowledge of health and safety issues. The male miners are aware of the health risks that are associated with mercury that is why they concentrate more in actual mining operations and assign the role of gold processing to women miners. Although both men and women miners handle hazardous chemicals such as mercury, cyanide and explosives, women miners have low awareness levels on how to use and store them. They even hide gold under their garments thereby exposing themselves to risk of cancer. If women miners were to engage in legal mining they will be obliged to comply with environment, health and safety procedures.

#### 4.2.4.6 Complexity of Registration Process and Associated Costs

The process of getting into the legal system is long and cumbersome thereby contributing to illegal mining activities. The key stages for registering mining locations are highlighted in Figure 7 below:



**Figure 7: Process of Being a Legal Miner**

Figure 7 reflects procedures in Mines and Minerals Act and the Environmental Management Act. It also reflects some of the financial capital and the costs associated with legal mining as discussed under 4.2.4.2. In theory, the issuance of prospecting licences and registration of the mining claims should not take long. Section 48 of the Mines and Minerals Act requires the pegger to apply for registration within 31 days of discovering mineral resources. The mine is supposed to be registered as soon as the Mining Commissioner receives the application. However, in practice, the pegging and registration process can take about three months if one has start-up financial capital. A prospective miner is required to submit a prospectus to the Director-General of EMA for approval in terms of Section 89 of the Environmental Management Act. Once, it is approved an EIA is ordered. Section 100 provides that the EIA report is considered within 60 days of its receipt. This is however different in practice where the EIA process takes a minimum of four months to get a response on the EIA report submitted to EMA. The report can be approved or returned for revision and resubmission. This can take up at least 9 to 12 months before a prospective miner gets all the required legal mining documentation. This period is too long. Some women miners get discouraged before completing the process. To complete, the process *‘one has to have all the patience in the world’* remarked one prospective miner who gave up registering a mine.

#### 4.2.4.7 Socio Cultural Dynamics

Some women require permission from their husbands to get into mining activities. In some cases the husbands are reluctant to grant them permission. This is because these husbands may either

have good paying jobs or it is not acceptable for both husband and wife to be involved in illegal gold mining. In the Case Study 4 of Mrs Z, her husband only became supportive after she generated a substantial income from the mining activities. Some women discourage each other from registering as legal mine owners. They think that being a mine owner would be unacceptable to their husbands. For example, a woman who was interviewed gave up mining as soon as she got married. She was given a choice between being a married woman or an illegal miner. She chose marriage and abandoned mining activities. The DA for Kwekwe summarised the socio cultural dynamics as follows, “*Women underrate themselves and are slow in accepting the reality and sincerity of the Government policies. Due to cultural and religious stereotypes, women do not want to take up leadership roles because they accept the status quo that women are subservient to men.*”

#### 4.2.4. 8 Summary of Findings vis-à-vis the Project Indicators

**Table 8: Performance Monitoring Framework**

Results	Indicators/Target	Means of Verification	Baseline Value/Comment
<p>Goal –</p> <p>To contribute towards establishment of a conducive gender sensitive legal and policy framework on mining.</p>	Gender sensitive mining policy and legal frame work	Gender sensitive policy	The gender sensitive policy not yet developed. Its formulation will be informed by the baseline study.
<b>Outcome 1</b> – Conducive mining environment created for women.	20% increase in women formally applying to register their claims	Ministry of Mines records	8/62 (14.5%) women miners legal operating
<b>Output 1.1</b> – Research publication produced on the mining legal framework and the impact of illegal mining activities on women’s rights.	Research publication produced and distributed	Research Report	0
<b>Output 1.2</b> – Model gender sensitive policy on women in mining developed	Draft model policy produced and distributed	Draft Policy	0
<b>Outcome 2</b> – Increased number of women in mining complying with the legal requirements.	20% increase in number of women legally compliant with mining laws and regulations	Ministry of Mines registration records	Not yet achieved
<b>Output 2.1</b> – Two functional and accessible information centers on legal and policy framework as it relates to mining established	Two Information Centres established  Number of women visiting the Information Centre	Observation of the information centers  Visitors records	Target not yet achieved.

Results	Indicators/Target	Means of Verification	Baseline Value/Comment
<b>Output 2.2</b> – Increased knowledge among 50 women on mining legal and policy framework in Midlands province	Decrease in number of women being arrested for non-compliance	ZRP records and interviews with key informants	Police do not give records but 39/62 (63%) women miners arrested in mining life span

## 5. THE IMPACT OF MINING ON WOMEN'S RIGHTS AND ATTAINMENT OF MILLENNIUM DEVELOPMENT GOALS (MDGs)

The Government of Zimbabwe has identified Goals 1 (poverty reduction), 3 (gender equality) and 6 (HIV and AIDS and other diseases) as national priority goals in the implementation of the MDGs.<sup>6</sup> Artisanal and small-scale mining (ASM) is a sector that is formally recognised by the Mines and Minerals Act but has not been included in the MDGs discourse. Women's participation in ASM is an opportunity for the promotion of gender equality, economic empowerment and improved legal literacy of laws that regulate this sector. MDGs 1 and 3 are important goals in integrating ASM into national development policies. Gender equality and economic empowerment are catalytic in promoting development efforts such as sustainable development and MDGs. The attainment of MDGs empowers women in that they address factors that promote women's participation such as HIV and AIDS and other diseases. They are also to buy antiretrovirals (ARVs) treatment for those living with HIV or their relatives using income they get from mining proceeds. The study has noted different spending habits by both men and women miners whereby, the income earned by women miners benefits the well-being of entire household. Case Study 4 reflects the fact that the positive multiplier effects of mining on women miners can be felt by the family and the communities in the nearby village. The woman miner wants to construct a cattle trough and harness water for the cattle to drink and for vegetable gardens in the nearby Communal area.

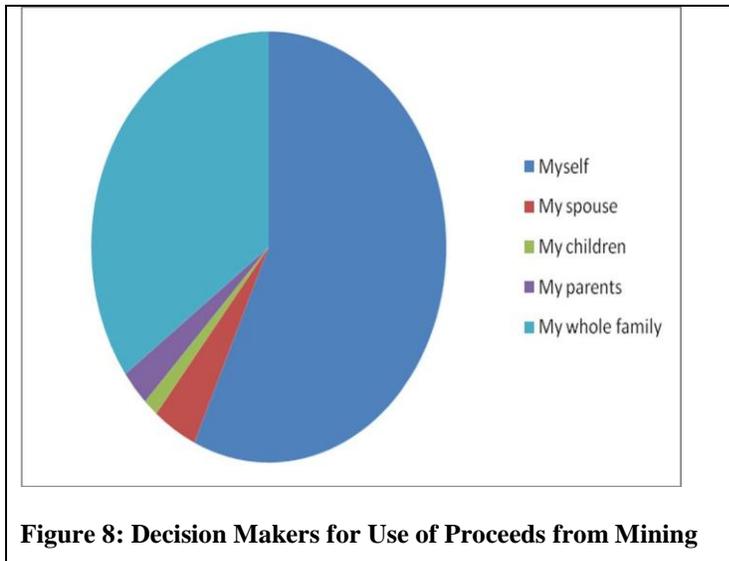
### 5.1 Positive impacts

#### 5.1.1 Women's rights

Mining has resulted in women's empowerment and have improved their decision making power over the income they get. This income is used largely at the discretion of the women miners. As can be seen in Figure 8 more than 50% of the proceeds are used without consulting their husbands. The practice of women deciding what to do with their earned income is a positive step towards championing the promotion of women's voices at the household level. The level of empowerment is limited by the fact that the income generated from the illegal mining averages only \$50 to \$100 per month. This income is enough for the daily needs and buying small

<sup>6</sup> Zimbabwe 2010 Status Report on Millennium Development Goals, p vii

household items such as kitchen utensils and payment of school fees. Thus, illegal miners are able to send children to school and rent decent accommodation and meet basic household needs. For legal women miners, the extent of economic empowerment is high because the amount of money earned can be as high as \$5 000 a month. It has enabled a woman to buy



residential stands and another to buy cars and invested the rest for her male children, (see Case Studies 1 & 4). From Case Study 4, the income from legal mining has benefitted her children, grand children and great grandchildren in form of school fees. Thus, women should be assisted to move from illegal to into legal mining where the financial returns are better. This Case Study shows that mining can be a vehicle to promote women's economic empowerment.

#### CASE STUDY 4: A WOMAN WHO HAS MADE IT

Mrs Z. is the owner of Duro Mine. She is about 60 years old. The mine has a total area of 10 hectares. She started mining in 1988. Before then she was employed as a Community Development Worker. During her outreach duties, she came across some panners who were panning gold in the location of her present mine. She obtained the prospectus licence and engaged a pegger and met all the procedures of mine registration in accordance to the Minerals and Mining Act. She sent mineral samples and was advised that the concentration of gold ore was 50g/tonne. Without resources she started mining by using only pick, shovels and wheel barrows. Her husband thought she was mad to engage into mining and he did not support her. Even her children did not have any confidence she would succeed in mining. That did not deter her as she was convinced that one day she will make it. As times went on, her husband began to appreciate her business and the income she brought home and he became very supportive. About 5 years ago, she obtained a total of 500g of gold and invited her son to join the lucrative mining venture. The son is a legally registered co-owner of the mine. The mine was operating well until 2006 when the land was invaded that forced the closure of the mining operations.

Last year (2010), the co-owner injected money to resume operations. He bought diamond mesh wire to fence off the perimeter which encloses the processing area which has the mill, office and staff accommodation. The diamond mesh has also fenced out illegal trespassers who used to carry out gold panning pan in her area. The son has also imported a Jaw Crusher and Hammer Mill from China. These are the key components of the mill. She has constructed a Blair toilet and a 10 000 litre water tank at the mine. She has installed a 60 Kva diesel generator. In addition to the imported equipment, she has also bought a magazine box to store her explosives, a tractor and trailer for transporting ore, a 7 tonne lorry, 2 wheel barrow, 2 picks, 2 shovels, a compressor, a water pump, a car for errands. She installed a transformer so that she could have access to electricity.

She employs 20 workers who are all male. The mine manager is her son in-law and he is assisted by a grandson. The son-in-law joined mining operations in 2002. They have two working shifts at the mine. The workers are not on a fixed salary but they get 40% of the proceeds after deducting costs because she provides them with food and equipment. Occasionally she engages women to collect ore from her claim and demands 30% of the proceeds from these women in return. She is the one who mills and markets the mineral so it is not a problem for her to get her share. She gives the women their share as money because they are not licensed gold dealers. On average she makes 30-100g a month and her costs for transport and processing are about 15%. Besides the equipment she has bought for the mine, she has also improved and extended the size her house. She pays school fees for the 3 grand children and 4 great grandchildren under her care. She pays for the upkeep her father-in-law. Besides gold poachers, her greatest challenge is power outage. The power outages are up to 10 hours and have delayed the installation of the milling equipment at the mining site. At times she uses the generator but it is very expensive because it requires up to 130 litres of fuel to run for a whole day.

In her view, women have potential to participate in mining only if they persevere and believe in themselves. She proposes that in order to encourage participation of women, there is a need for seminars to raise awareness of the mining legal requirements; to motivate women given by Champions/Mentors of women miners as core presenters; link women to financing institutions for them to get loans for start up equipment and support champion women entrepreneurs in mining so that they can showcase successful pilots/ case studies. In return for mining, she wants to promote corporate social responsibility by building a cattle trough for the community. She also wants to harness water from the mining site and channel it to the Communal Area for cattle to drink. This is because the flow of rivers in the area is seasonal. She also wants the villagers to use the water for vegetable gardening. For example, one person has a vegetable garden that is already benefiting from use of water from this mine. She also wants to have a custom mill to serve other miners in the area. In addition, she would like to apply for a loan to facilitate the acquisition of this custom mill.

### **5.1.2 Contribution to Business Opportunities**

The income generated by women miners from selling gold is used to buy groceries and household goods from the local shopping centre. On the 'Gold Selling Day', the shopping centres are a hive of activity. Gold mining has created good business for local entrepreneurs as women and men miners have buying power to buy goods from the shops. Though the shop owners were not interviewed, the amounts of money used at the shops for groceries is said to be about half of what is earned by the miners. Using the minimum average of \$50 a month and an average of 600 women in the ward involved in illegal gold mining, this translates to about \$3000 a month flowing into the local businesses. In addition, local business in rural areas like Donjani has benefited from rural electrification that was installed for local mining operations to power their pumping and processing operations. At national level, legal mining boosts revenue/levies collected from the sale of gold. The Police are able to tally sales of gold with a number of legal mine owners. Due to the fact that, they are not legally registered, illegal miners sell their gold within the neighbourhood and to buyers who come on mine sites. Only 8.5% of the miners sell gold to Fidelity Printers and Refiners. This prejudices the national economy of revenue that is lost through both illegal mining and sale of gold. The creation of an enabling legal framework will result in illegal miners registering their mining claims and selling gold to Fidelity Printers and Refiners.

### **5.1.3 Creation of Employment**

Mining provides a source of income that sustains families, enable infrastructural development and create employment. Although illegal mining is less profitable than legal mining, it has created jobs for the women and youths who work in surface extractions and provide support service to the underground miners. As noted earlier, the roles played by women are limited to rubble mining, alluvial gold extraction, ore pounding and selling of food.

## **5.2 Negative Impacts**

### **5.2.1 Socio Cultural Dynamics**

There is a significant negative impact brought about by illegal mining on the social fabric of the area. The areas with high gold ore attract illegal panners from all over the country. Frequent movement of people and miners as well as their isolation results in promiscuous behaviour among them. This increases their vulnerability to HIV infection. Some negative impacts attributed to mining are social disruption and disintegration of the family. For example, some women desert their husbands in preference of other men who have gold in their pockets. Some children have dropped out of school to pursue gold panning. Those who are still enrolled in school challenge their teachers because their income from their gold mining activities is more than the monthly salaries earned by these teachers. Traditionally, children are supposed to be very respectful of adults but once they have extra income they no longer respect their elders. It was noted that generally, parents do not have time for parenting and assisting their children with homework because they spend at least 6 hours a day in gold panning activities.

### **5.2.2 Conflicts in Land-use**

Some miners fight over sharing of monetary proceeds, control and ownership of mining pits. The fighting is common among male miners but women miners can either be conflict mediators or aid and albeit the fights. They rope in their husbands or male friends whenever they have disagreements with their mining co-partners. The Mine and Minerals Act requires the mine owners to fence their mining locations. This has created conflict in areas such as Duro Mine where the mining area used to be part of an access road to major roads and schools. In Donjani, farmers and miners are in conflict because there have been cases of livestock dying after either drinking cyanide contaminated water or falling into mining pits. Conflicts also extend to local farmers because they are left without labour force as gold panning proves to provide ready cash and quick returns. The Police help by conducting workshops on conflict, raising awareness of physical assaults and rape cases and their implications.

### 5.2.3 Loss of Revenue

As noted earlier, local authorities collect levies from miners operating within their jurisdictions. The payment of levies is \$80 per block per quarter. The illegal miners are extracting mineral resources and not paying mining levies. These illegal activities prejudice the local authorities of taxes and levies from mining activities. Additionally, EMA is losing out on environmental levy that should be levied on miners for their activities on the environment stipulated in Section 50 of the Environmental Management Act. The levies will be used in accordance with Section 52 to rehabilitate degraded environments; clean up polluted environments and for mine closure plans.

## 6. STAKEHOLDER ANALYSIS AND ROLES

The local stakeholders interviewed during the study included the, Environmental Officer from the Rural District Council (RDC), Youth Development Officer and Lands Officer, Member-in-Charge- Minerals (ZRP), Civil Engineering Technician, Councillors, Vice Village Head and City Planner, Zimbabwe Miners' Federation, miners and non-miners. The roles currently played by the District stakeholders are shown in Table 9.

**Table 9: Key Stakeholders in the Mining Sector and their Roles**

Stakeholder	Role (s)
District Administrator	Coordinates inputs of all government departments into mining applications and operations Gives supportive letter after verifying absence of conflict on land-use
EMA	Ensures environmental safety through environmental monitoring and audits Approves/rejects environmental impact assessments
Rural District Council/local authorities	Give supporting letters for mining and special grants applications Collect levies from legal miners Monitor illegal mining
Mining Commissioner	Issues out mining registration documents Assists with loans for equipment through the Mining Loan Fund
ZRP	Enforces mining and environmental laws Raises awareness of illegality of mining activities
Councillors	Promotes mining related developments in ward Assists in conflict resolution
Village Head	Resolves disputes
Women Affairs, Gender and Community Development	Responsible for the implementation of the National Gender Policy Promotes and advocates for the economic empowerment of women.
Large Scale Mining Companies	Carry out mining; and issues tributes to individual miners.
School of Mines	Provides courses on mining at a cost
Women Miners Association	Provides market linkages; linkages of access to micro-finance; and Lobbies and advocates for training of tailor-made courses for women miners.

## **7. CONCLUSION OF THE FIELD FINDINGS**

The importance of legal mining cannot be underestimated. Mining is a source of livelihood for the miners, whilst providing a source of revenue for local authorities. In Kwekwe, artisanal and small-scale mining provides a source of and a choice of livelihood for its residents and participation of women. It can provide an avenue for economic empowerment which is important in strengthening women's rights. However, the legal and policy framework does not effectively promote economic empowerment but promotes legal, social and political empowerment. Economic empowerment can only be achieved when quota-type and affirmative action measures have been incorporated into these laws and policies as well as adopting gender-sensitive policies.

The study noted low level educational status among women miners as well as in relation to the mining laws and procedures. This has implications on their self-esteem, confidence and grasping of the legal provisions that regulate mining activities. There are several issues that were noted by the study that include striking a balance between mineral development and environmental protection; increased interest by women to participate in mining activities; mining as a source of livelihood; carrying out environmental impact assessments to assess environmental, economic and social health impacts and benefits, and the payment of development levies by miners to the local authorities. Some of the challenges faced by women miners are low knowledge levels, harassment, dishonesty and bullying by unscrupulous gold buyers and male miners. Both men and women miners face challenges related to costs associated with legal mining activities; inadequate equipment, arrests, safety of mining activities and as well as socio cultural disruption. However, as discussed earlier in the study, women miners bear the brunt of negative social impacts of mining such as health, safety and environmental risks as a result of contamination of drinking water, reduced quality of life due to unclean and unhealthy environment caused by air, water and noise pollution and the burden of caring for the sick. They are exposed to mercury poisoning during gold processing and indirectly expose their families to mercury through cooking, handling of food and caring for the sick.

An enabling legal and administrative environment that is simplified, decentralised and accessible to women will help in striking a balance between mineral extraction and environmental protection. It will increase women's participation in the mining sector. Their rights will be protected especially from unscrupulous gold dealers. Women miners will be able to take control and ownership of their lives because their economic status would have been improved. This will result in reduced poverty and contribute to the attainment of MDGs on poverty reduction, gender equality and economic empowerment.

## **8 STRATEGIES AND RECOMMENDATIONS**

Though the laws provide for women's participation in mining activities, the issue is how to translate these laws for the benefit of women who venture into the mining sector. Women have

keen interest to participate in mining and their participation will be encouraged by implementation of the following strategies.

### 8.1 Lobby and advocate for synergies between District and local key stakeholders

Though various Government Departments implement their roles in mining in collaboration with the DA’s Office, no extension and proactive initiatives have been done by these various stakeholders to reach out to the women miners mainly due to limited financial resources. The following partnerships are recommended for improvement of women participation in mining:

- The Environmental Management Agency (EMA) and traditional authority for environmental protection role;
- The Ministry of Women’s Affairs and miners to assist in marketing and accessing financing;
- The Mining Commissioner and EMA so that renewal of permits is guided by the level of adherence to EIA permit condition by the miner;
- Private Mines (Carslon) and local women: Private companies should adopt corporate social responsibility to benefit women in terms of facilities, capacity building and job creation; and
- The Rural District Council and miners to raise awareness-raising about the need to legalise mining operations.

### 8.2 Improved legal literacy among women miners

**Table 10: Training on Specific Legal Provisions**

<p><b>The Mines and Minerals Act</b> especially the following provisions:</p> <ul style="list-style-type: none"> <li>• Section 15 provides for the registration of an approved prospector;</li> <li>• Section 19 provides for a duplicate certificate of registration;</li> <li>• Section 30 and 35 provides for surface rights of holder of prospecting licence include the right to use public water or private water from land not closed to prospecting;</li> <li>• Section 44 provides for the registration notices of discovery of any ore or deposit of precious metals or precious stones or any ore or deposit of any base mineral;</li> <li>• Section 45 provides for the registration of a mining block;</li> <li>• Section 87 provides for the procedure for the application for Exclusive Prospecting Reservations;</li> <li>• Section 117 addresses dangerous workings such as mining shafts;</li> <li>• Section 145 provides for mining leases;</li> <li>• Section 169 provides for rights of claim holders and landowners;</li> <li>• Section 172 provides that every holder of a registered block of claims other than precious metal</li> </ul>	<p><b>The Environmental Management Act</b>, especially the following provisions:</p> <ul style="list-style-type: none"> <li>• Section 50 deals with the Environmental Levy;</li> <li>• Section 52 deals with the use of Environmental Levy such s rehabilitation of degraded environments and mine closure plans;</li> <li>• Section 57 deals with water pollution;</li> <li>• Section 63 addresses the issue of air quality;</li> <li>• Section 69 deals with standards for wastes;</li> <li>• Section 79 deals with standards for noise;</li> <li>• Section 82 deals with standards for control of noxious smells;</li> <li>• Section 106 obliges developers/miners to carry out periodic environmental audits of mining operations;</li> <li>• Section 97 provides for that the projects that require mandatory environmental impact assessments; and</li> <li>• The First Schedule provides for the projects that require mandatory EIA.</li> </ul> <p><b>The Explosives Act (Chapter 10.08)</b></p> <p>Raising awareness of the safe use, storage, conveyancing and disposal of explosives such as dynamites.</p>
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<p>reef claims shall possess the mining rights such as the exclusive right of mining any ore or deposit of the mineral in respect of which the block is registered which occurs within the vertical limits of his block;</p> <ul style="list-style-type: none"> <li>• Section 185 addresses with the issue of closing down of mines in particular abandonment and forfeiture of the site;</li> <li>• Section 189 requires a miner to fence a mining location adjacent to pasture land as directed by the Mining Commissioner; and</li> <li>• Section 191 provides that the use of any private water on private land may be acquired by a miner requiring the use of water for mining purposes.</li> </ul>	<p><b>The Rural District Councils Act</b></p> <p>Raising awareness of the importance of legal mining and the payment of mining levies among women miners. This revenue will be channeled to infrastructure development and meeting MDGs.</p> <p><b>The Gold Act (Chapter 21.03)</b></p> <p>Raising awareness of section 13 that provides for the different licences that are issued to licensed gold dealers. These are a gold dealing licence; a gold recovery works licence; and a gold assaying licence.</p>
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### 8.3 Lobby and Advocacy Strategies

**Table 11: Lobby and Advocacy Strategies: National Laws Regulating Mining Activities**

<p><b>The Indigenisation and Economic Empowerment Act (14 of 2007)</b></p> <ul style="list-style-type: none"> <li>• Lobby and advocate for a specific quota or affirmative action measures that promote women’s participation and economic empowerment; and</li> <li>• Lobby and advocate for the amendment of this Act so that quota-type or affirmative action measures are legally entrenched.</li> </ul> <p><b>The Environmental Management Act (Chapter 20.27)</b></p> <ul style="list-style-type: none"> <li>• Lobby and advocate for the differentiated roles played by different gender groups in promoting environmental protection;</li> <li>• Lobby and advocate for quota-type or affirmative action measures in promoting access and benefits sharing schemes especially the Community Ownership Share Trusts;</li> <li>• Raise awareness of different licences that are required for legal mining activities; and</li> <li>• The amendment of laws is lengthy and cumbersome. In the meantime, lobby and advocate for decentralisation of administrative structures especially those involved with services such as licensing and regulation of mining by adopting legal measures or political directives.</li> </ul>	<p><b>The Mines and Minerals Act (Chapter 21:05)</b></p> <ul style="list-style-type: none"> <li>• Simplify and translate relevant provisions that regulate mining;</li> <li>• Lobby and advocate for the simplification of the regulatory and administrative framework and make it transparent and accessible.</li> <li>• Revenue from mining should be used to create linkages between mining and other productive sectors, employment, value addition and technology transfer;</li> <li>• In order to expand women’s opportunities in mining, there is a need to link women miners with markets for their minerals.</li> <li>• Identify entry points that ensure that artisanal and small-scale mining are integrated.</li> </ul> <p><b>The Gold Act (Chapter 21.03)</b></p> <ul style="list-style-type: none"> <li>• Encourage women to be dealers in gold; and</li> <li>• Translate laws into tangible benefits for women.</li> </ul> <p><b>The Rural District Councils Act (Chapter 29:13)</b></p> <p>Encourage women miners to operate legally so that the revenue base for these councils is boosted. This revenue will be channeled to infrastructure development and meeting of MDGs in Kwekwe District.</p> <p><b>Labour Relation (HIV and AIDS) Regulations, 1998:</b></p> <p>Promote behaviour change among men and women miners in relation to HIV and AIDS in mining sites.</p>
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## **8.2 Simplify Information Packages**

The simplified information packages will incorporate the following:

- The importance and benefits of legal mining and market linkages;
- Procedures to be followed in mining registration and carrying EIAs;
- Permits that are required such as prospecting, pegging, mining and EIAs;
- Administrative and regulatory offices to approach such as the Mining Commissioner, EMA and the local authorities;
- Translation of the relevant legal provisions under Mines and Minerals Act, the Environmental Management Act and the Rural District Councils Act into vernacular languages.

## **8.4 Strategies for the Development of Gender Sensitive Policies**

In order to develop gender sensitive policies the following should be done:

- Develop and implement a policy and operational framework that have indicators and guidelines for women's economic empowerment and participation in the mining sector;
- Identify the gender impact of a mining policy;
- Integrate gender impact analysis and gender perspective into the design, implementation and review of the mining policy;
- The strategies could include:
  - Data collection on the gender impacts of a mining policy. It should have sex-disaggregated data and indicators to measure the gender impact of mining policy especially on women's participation in mining and related associations
  - Map the ASM sector in terms of gender and carry out policy research and analysis this includes a gender analysis of all international and regional human rights and environmental agreements on their potential to promoting women's participation and economic empowerment in the mining sector; and
- Formulate a strategy that moves women miners from artisanal to small-scale mining, small-scale to gold dealers, and cutters and polishers of diamonds.

### **8.4.1 Lobby and Advocacy Strategies: National Policies that Promote Economic Empowerment**

Lobby and advocate for the entrenchment of quota-type and affirmative action measures as legally enforceable provisions that will ensure increased participation of women in mining. Additionally, there should be lobbying for the amendment of the legal and regulatory framework to be simplified especially in relation to the mining procedures. The priority for renewal of special grant leases should be given to women applicants so that gender parity in the mining sector is achieved. There is a need to research on user-friendly mining equipment that could be utilised by women as well as the integration of artisanal and small-scale mining into the overall National Development Plan and District Development Plans.

#### **8.4.1.1 The Indigenisation and Economic Empowerment Policy**

Lobby and advocate for the adoption of quota-type or affirmative action measures that promote women's participation in mining activities.

#### **8.4.1.2 The National Gender Policy**

Lobby and advocate for the adoption of quota-type measures that promote women's participation in mining activities.

#### **8.4.1.3 The National Environmental Policy**

Lobby and advocate for the inclusion of gender equality issues in this policy; and address the needs of small-scale miners, especially women and manage adverse environmental impacts of their activities such that positive economic benefits of mining are not outweighed by its negative impacts on the environment.

### **8.5 Provide an Information Centre**

There should be a 'Help Desk' where women can get advice on what to do and what to expect in relation to mining activities. There is a need for a complete package of information on all the steps one needs to fulfil in registering mines. The source of information required for each step and the contact numbers should be provided at this centre. In addition, an information pamphlet on how to get into the legal mining and how one can market their minerals should be translated into vernacular languages. The 'Help Desk' should encourage women to go directly to the relevant offices instead of relying on middlemen for information.

### **8.6 Increase visibility of the Mines Promotion Office**

The Mines Promotion Office is largely unknown by the miners yet it provides valuable information on advancing women's interest in mining. This office could incorporate 'Help Desks' so that women could have more access to information related to mining, the various procedures and permits that are required.

### **8.7 Provide Training on Mining Issues**

Education is the key to improved mining and yet the relevant courses are expensive. An arrangement should be made where the miners can be pre-financed and allowed to repay the fees over a period of time. The repayments will go into a revolving fund so that other women can have access to it. Women miners should be empowered in areas such as resource mapping, map reading, mining methods, mining safety, the importance of carrying out an environmental impact assessment and legal awareness of environmental issues that relate to mining and improved legal literacy as well as the market linkages.

### **8.8 Encourage women to form syndicates and Associations**

Women could form syndicates and approach mining companies with permits to get tributes for mining. In addition, they should form syndicates so that they assist each other with costs and monitoring of the mine operations. Women miners should be trained in procedures and requirements of forming associations and the potential benefits associated with these associations. They should be encouraged to join associations such as Zimbabwe, Miners Federation, Women Miners Association or their local miners groups. These organised groups are able to engage the government, private sector and CSOs in securing funding and training workshops for women's mining-related activities. They are also strategically positioned and have comparative advantage in negotiating loans. However, these associations should be approached to reduce joining fees so that their membership of women is expanded.

### **8.9 Form a Strong Coordination Platform for Key Stakeholders**

Since all stakeholders demonstrated support for women miners, they need to be engaged in constructive discussion for project support. The key stakeholders for the project are DA's office, ZRP, EMA, Local Authority (RDC/Municipality), Lands, District Mining Commissioner and traditional leaders and these should be taken to an orientation and training workshop. The stakeholder will itemise requirements for legal mining operations from their relevant departments. A follow up workshop should also be held with miners using these key stakeholders as some of the resource persons. The visibility of these key stakeholders will generate interest from the women miners and give them confidence that their participation in the project will result in tangible benefits from mining operations. Further, it will demonstrate that the Government Departments have noble intentions for women miners. The private owners of mines should be engaged as well as the civil society organisations (CSOs).

### **8.10 Simply the Registration and Compliance Procedures**

Simplify the regulatory and administrative framework and make it transparent and accessible. As noted earlier, the procedures are lengthy and cumbersome and yet only legally compliant miners can sell gold to Fidelity Printers and Refiners. The financing of the aspects such as pegging should be done on credit so that once sales flow in; the Mining Commissioner can deduct the expenses from receipts submitted to Fidelity Printers and Refiners. In the meantime, lobby and advocate for decentralisation of administrative structures especially those involved with services such as licensing and regulation of mining. A special arrangement should be made with EMA so that the agency provides EIA services to the disadvantaged women and the service could be paid for once the mine owner starts selling the gold. Additionally, the period for the completion of the EIA reviews should be reduced to a maximum of a month instead of 3 months.

### **8.11 Provide Community Technological Centres**

The Community Technological Centres should provide information to women on equipment that could be hired at a reasonable cost. These should also be venues for training so that community members do not incur transport and accommodation costs. The training should also cover issues such as sexual harassment, legal rights of miners, registration of mines and the importance of carrying out EIAs on an ongoing basis.

### **8.12 Improved Police Present at Areas where Women Could get Assistance**

In order to improve security in the area, there is need for continued Police presence. The social facilities in mining sites should be gender sensitive so that women also feel safe and comfortable to work from.

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**Annex 1. HOUSEHOLD QUESTIONNAIRE FOR WOMEN IN MINING  
BASELINE STUDY**

**Enumerator introduces themselves, briefly explain the purpose of visit and then ask for permission to interview.**

<b>A. Interview Data</b>			
	Ward		Village/Town
	Enumerator Name		Date of Interview
<b>B. Background data</b>			
1	Age of respondent	1=Under 15years 2=Under 15-18 years 3= 18 – 30 years 4=31 – 45 years 5= 45 – 55 years 6= 55 – 65 years 7=Above 65 years	
2	Sex of Respondent	1=Male 2=Female	
3	Marital status	1=Married 2=Single 3=Divorced 4 = widowed 5 = Co habitation	
4	Education level	1 = Never to school 2=Primary 3 = Secondary 4=Tertiary 5=Other (Specify)	
5	Household size		
6	Wealth status (Respondent’s perception)	1= Well off 2 =Moderately well off 3 =Poor 4 =Very poor/ destitute	
7	What is your source of income? (Choose 1 answer)	1 =Agriculture 2 =Informal trade 3= Formal Employ 4 =Casual labour 5 =Mining 6=Combination of sources (please specify top 2) 7=Other (Please specify)	
8	Do you know any women involved in illegal mining activities?	1= Yes 2=No	
9	How many women do you know?	1=1 2 =2 3 =3 4 =4 5 =5 6= More than 5	
10	For how long have they been involved in these mining related activities?	1=More than 10 years 2= 1-10 years 3 =1- 5years 4=1-3 years 5=Less than a year	
11	Do they employ other people in their mining related activities?	1=Yes 2=No 3=Others do whilst some do not	
12	What would you say about their wealth status since they started mining related activities?	1 =Increased 2 =decreased 3= no significant change 4= Up and Down	
13	Why are you not getting into mining activities? (Circle all applicable answers)	1=It is a male environment 2= It is not profitable 3=It is too dangerous 4= It requires a lot of financial capital 5= I do not know how to get involved 6 = I have tried and failed 7= It will get me arrested 8= Have seen others fail 9=I have better things to do 10 =My spouse will not allow it 11 = Other (please specify)----	

<b>C. Mining Operations</b>		
14	What is the role of the person/s you know in mining activities? (circle all that apply)	1=Provide food/Tuck shop 2=Provide stamping/ <i>kutswa</i> and sieving of gold ore 3=Work in Actual Mining 4=Buying Gold 5=Owner of Mine 6=Sex Worker 7= Work at the mill 8=Others (please specify)
15	Type of mine where the person/s you know offer/s services?	1=Open Cast 2=Underground 3=Alluvial 4= Given/Buy Ore for processing 5=Do not know 5=Others ( please specify)
16	Which laws that govern mining operations do you know? ( <b>Circle all applicable answers</b> )	1=Mines and minerals Act 2= Environmental Management Act 3=Water Act 4=Other (Please specify)
17	Have the persons you know received any training in mining operations?	1=Yes 2= No 3= Used to work in a mine 4= Do not know
<b>D. Occupational Health and Safety</b>		
18	Have they been injured during mining activities?	1= Yes 2= No
19	If yes, what kind of accident? ( <b>Circle all applicable answers</b> )	1= Collapse of tunnel 2= Collapse of roof 3= Fire 4= Dangerous gases 5= Electric shock 6= Injured by drilling machine 7= Injured by a shovel 8= Do not know 9= Other (please specify)
20	What injuries did they get? ( <b>Circle all applicable answers</b> )	1= Eye damage 2= Broken legs and arms 3= Lost legs and arms 4= Became deaf 5= Burnt 6= Fainted 7= Suffocated 8= Back injury 9= Head injury 10= No injuries 11= Other (please specify)
21	What kind of health problems have they encountered as a result of mining activities? ( <b>Circle all applicable answers</b> )	1= HIV and AIDS 2= Tuberculosis (TB) 3= Respiratory infections 4= Fatigue 5= Aching bones 6= Loss of hair 7= Wounds/rashes/burns 8 =DO not know 9= Other (please specify)
<b>E. Stakeholder Involvement</b>		
22	In your view what is the current role of government in mining operations? ( <b>Circle all applicable answers</b> )	1=Awareness creation 2=Protect us from police/harassment 3=Regularise the way we operate 4=Provide support (technical advice, info) 5=Collect Rates 6=Provide services 7=Others (Please specify)
23	What role do you think government should play to improve mining operations? ( <b>Circle all applicable answers</b> )	1=Provide technical training 2=Create awareness on all mining legal requirements 3=Provide mining equipment 4=Provide funding 5=Source markets 6=Represent us when arrested 7=Other (specify)

24	Are you aware of the Women Miners Association?	1= Yes                      2= No
25	What are its roles (Women Miners Association)? <b>(Circle all applicable answers)</b>	1= Assist women in registering      2=Raising awareness of mining issues 3= Not clear of the roles                      4= Don't know
	<b>F. Conflicts and challenges</b>	
26	What type of challenges have the miners you know encountered during mining activities? <b>(Circle all applicable answers)</b>	1= Harassment from other miners      2= Harassment from ZRP (Police)                      3=Sexual harassment 4=Several miners hold same mining claim 5=Villagers have interest in the claim      6 = Do not know 7= Other (Please specify)
27	Has any of the person/s you know ever been arrested by the Police as a result of their involvement in mining activities?	1=Yes      2=No      3= Some arrested others not 4= Do not know
28	If yes above, Do you know how many times they have been arrested by Police?	1= Once                      2= Twice      3= not more than 5 times 4=More than 10 times      5= Countless      6= Frequency varied with person 7= Do not know
29	Did the person/s continue with their activities after the arrest?	1= Yes                      2=No                      3= Do not know 4=Other (Specify)
30	What other challenges do you think women in mining face? <b>(Circle all applicable answers)</b>	1= Cannot read maps 2= Lack of access to information (please specify) 3=Lack of access to clean and safe drinking water 4=Lack of access to health services 5=Lack of access to schools      6=Lack of access to shops 7=No user friendly equipment      8=No toilets 9=Other (please specify)
31	What changes (legal, regulatory or otherwise) would you like to be introduced in order to improve mining operations for miners? <b>(Circle all applicable answers)</b>	1= Simplify registration procedures 2=Provide more information (please specify) 3=Set aside a quota for women miners 4=Stipulate number of shares for women in relation to Community Share Ownership Trusts (CSOS) 5=Provide financial assistance 6=Provide training courses on different aspects related to mining (please specify) 7=Provide grace period for illegal miners to operate without licences 8= Other (please specify)
32	If the suggested changes above were done would you get involved into mining?	1=Yes                      2= No

**Thank you, Tatenda, Siyabonga!!!**

**Annex 2: List of Stakeholders Interviewed**

Name of Stakeholders	Sex	Position	Organisation	Contact Details
Mr A. Mandava	M	Regional Representative Midlands	Zimbabwe Miners Federation	0778-305 485
Mr D. Mabika	M	Civil Engineering Technician	Zivagwe RDC	0773 682 896
Ms F.C. Mutumhane	F	Youth Development Officer	Ministry of Youth and Employment Creation	0773- 858 258/ 055 22759
Ms E. Kagud	F	Lands Officer	Ministry of Lands	0714 271 877/ 055 24567
Mr Mastock E	M	Member in Charge Minerals	ZRP	055 22204
Mr N. Mangezi	M	District Environmental Officer	EMA	0773 862 010
Councillor P. Zhou	F	Ward 31 Councillor	Zivagwe RDC	0772 262 486
Mr Mutikizizi	M	DA	Kwekwe District	Government Complex
Mrs Matima	F	Special Grant Miner	-	0733 256 536
Mr K. Zigandiwa	M	Vice Village head	Ward 32/Donjani	
Mrs T. Duro	F	Miner	Duro Mine	0775 020 727
Councillor Zvishamira C.A	M	Councillor	Ward 31	0772 629 264
Mr E.F. Magaya	M	City Planner	Kwekwe Municipality	055 -22301-7 0772 761 061
Mrs. R. Mutinhiri	F	Director	Women Affairs and Community Development	Kaguvi Building
L. Zimunya and T. Dhliwayo	M and F	Mine Promotions Officers	Mining Commissioner	04 770 222-5
Ms S. Chimina	F	Loans Fund Officer	Mining Commissioner	04 770 222-5
Admire	M	Officer	Ministry of Women Affairs, Gender and Community Development	0773 950 692
Mr Mutasa	M	Ward Coordinator Ward 32	MWAGCD	
Mrs Chinamasa	F	Ward Coordinator Ward 5 Mbizo	MWAGCD	0733 308 775