

Gender and Extractives: The Importance of Gender Transformative Policy Reforms



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ABOUT THIS DOCUMENT

This primer outlines the importance of gender transformative policy reforms in the extractive sector and provides guidance for incorporating these priorities into the co-creation process of the Open Government Partnership (OGP) action plan. It is intended for both government officials and civil society organizations engaging in the OGP. Stakeholders might also find it helpful when seeking to build support for these approaches in their domestic context.

The primer was developed by the World Resources Institute and the Natural Resource Governance Institute as part of a project funded by the World Bank through the OGP Multi-Donor Trust Fund. It aims to promote women's rights and gender equality within extractive governance and to increase the number and impact of gender transformative OGP commitments concerning natural resources.

KEY MESSAGES

- Transparency, accountability and inclusive participation must be at the core of every strategy to ensure just and sustainable natural resource governance and mitigate the negative impacts on women.
- OGP government Points Of Contact, civil society leaders, and other gender and extractive advocates can take a number of steps to strengthen equal opportunities in natural resources governance, and thus increase the quantity and quality of gender transformative commitments.
- By integrating the OGP process with ongoing extractives and gender initiatives both at home and internationally, governments can build political momentum, buttress the legitimacy of national and local plans, and strengthen the performance of extractive industry governance to address gender inequality, as well as concerns of, and opportunities for, marginalized gender groups and non-binary people.

WHY GENDER AND EXTRACTIVES POLICY REFORMS?

According to the [World Bank](#), extractive industries (EI) are a dominant economic, social and political factor in the lives of 3.5 billion people living in 81 countries. But the costs and benefits from the sector are not evenly distributed. Numerous studies [show](#) that women, especially indigenous women, are more likely than men to experience a wide range of direct harms across the oil, mining, and gas exploitation supply chain and [may be less likely](#) to access the benefits. Only an [estimated 8 to 17 percent](#) of the global mining workforce are women, and they often face [unequal pay and other forms of discrimination](#).

When countries that base their future development on extraction fail to proactively address gender-based inequalities, they are hindering successful sustainable development. Laws and policies around women's rights and gender equality should recognize that women are not a homogenous group. Some are wealthy or while others are poor; Some provide unpaid care work, while others are employed in the sector. Some hold positions of power such as elected officials, while others living in small rural communities far removed from decision makers. Recognizing this diversity can help ensure that women benefit from oil, gas, and mining exploitation regardless of their role and influence. Legislation acknowledging diversity in women, can also increase their protection from discrimination in all phases of an extractive project and across the EI value chain.

Some countries have started to respond to the realization that discriminatory policies hurt sustainable development by strengthening resource governance policies and processes in ways that can advance women's rights and gender equality. Examples include requiring women's participation in consultation, formulating local gender parity targets, creating employment goals for women in the sector, and monitoring environmental impacts that disproportionately impact women and girls. But much more is still to be done.

The OGP offers an important and multistakeholder platform for tackling these much needed changes. Transparency, accountability and inclusive participation must be at the core of every strategy to ensure just and sustainable natural resource governance and mitigate the negative impacts on women. Such strategies can, and should, also facilitate access of indigenous peoples, women, LGBTQIA and other gender non-conforming people to decision making around natural extractive resources: They should have a say in how these resources and the revenue from them are used, managed, and developed.

Civil society advocates and government official open government champions are key to making change happen by addressing barriers around limited knowledge and policy implementation gaps. They can also help overcome siloed networks that don't connect gender action, natural resource policies, and open government actors and tools.

CREATING GENDER TRANSFORMATIVE POLICY PROVISIONS

Gender transformative policies and processes drive changes in norms, cultural values, power structures and can thus get to the very roots of gender inequalities and discriminations. To build gender transformative policy provisions, stakeholders can use the following scale adapted from the [UNDP's gender results effectiveness scale](#) to evaluate to what extent current policies and processes in their own country contribute to gender equality in the sector.

- Gender negative: policies had a negative outcome that aggravated or reinforced gender inequalities and norms. This includes gender exploitative approaches that take advantage of existing gender inequalities, behaviors, and stereotypes in pursuit of project objectives.
- Gender blind: policies had no attention to gender and failed to acknowledge the different needs of men, women, girls, boys and gender non-binary people
- Gender targeted: policies focused on the number or equity of women, men, or marginalized people¹

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¹ We use the term "gender blind" to be consistent with the established UNDP scale, but we encourage considering other terminology, such as "gender-unaware" or "gender-exclusionary" as alternative to "gender-blind" to ensure the notion of 'othering' within a power structure (against an established 'normal') is not reinforced.

- Gender responsive: policies addressed the differential needs of men, women and gender non-binary people and equitable distribution of benefits, resources, status, and rights but did not address root causes of inequalities in their lives
- Gender transformative: policies contributed to changes in norms, cultural values, power structures and the roots of gender inequalities and discriminations

OGP COMMITMENTS CAN DRIVE PROGRESS

The OGP promotes commitments that are “transformative”. This means the reforms to which a government commits through Local or National Action Plans have the potential to change the status quo and culture of government towards greater openness, responsiveness as well as more public engagement and scrutiny. Commitments are developed through an [inclusive participatory process](#) with multiple stakeholders. The OGP Support Unit also facilitates opportunities and platforms for [peer learning](#) through webinars, summits, and thematic priority events, and provides resources for [how to involve women](#), gender groups, and LGBTQIA communities across the co-creation process and by mainstreaming gender into commitment designs.

OGP commitments on gender and extractives

To date, two gender and extractive commitments have been recorded. Both involve implementation of the Extractive Industries Transparency Initiative (EITI) Standards:

- [Nigeria Action Plan 2019-2022](#): Works with women, youth and vulnerable groups to enhance transparency in the extractive sector through full implementation of the EITI Standard and audit remediation.
- [Philippines Action Plan 2019-2022](#): Includes gender mainstreaming and inclusion indicators in commitment: Mainstreaming implementation of the EITI Standard.

OGP government Points Of Contact (POCs), civil society leaders, and other gender and extractive advocates can take a number of steps to strengthen equal opportunities in natural resources governance, and thus increase the quantity and quality of gender transformative commitments.

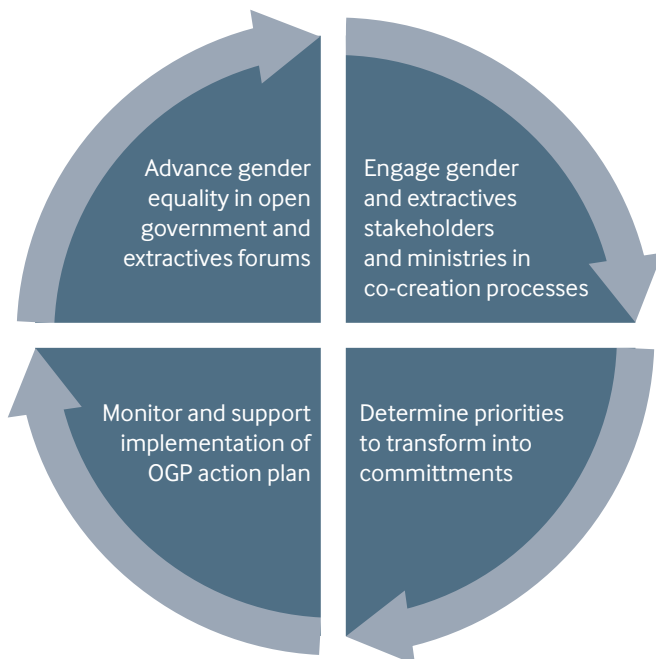


Figure 1: Steps to create and implement gender transformative extractive commitments

IDENTIFY AND ENGAGE GENDER AND EXTRACTIVE STAKEHOLDERS

Inclusive development of transformative gender and extractive commitments may require expanding outreach beyond the government officials and civil society stakeholders already active in the OGP. This includes relevant representatives of line ministries and agencies, women and gender groups, indigenous groups and local community groups impacted by current extractive projects. Mapping all the relevant individuals and organizations and inviting them to engage in the initial stages of the co-creation process will help ensure that the knowledge, concerns, and experience of women and non-binary people are included in the process of defining the problem and proposing solutions.

DETERMINE GENDER AND EXTRACTIVES GAPS AND PRIORITIES

Once gathered, gender and extractive stakeholders should discuss the specific country barriers hindering gender equality and outline possible solutions that could be achieved through the OGP action plan process. A robust gender power analysis of the EI sector in the respective country could be commissioned by either government or civil society participants to facilitate this process, and would help define challenges and opportunities. Identified priorities may include the need for mining and environmental legal reforms, transitioning to participatory and decision-making processes, refining access and distribution of resources rules such as land rights. They may also extend to developing policies that address broader socio-economic drivers influencing the rights and realities of gender groups, such as women's employment, educational opportunities, or domestic and sexual violence policies.

An [evaluation](#) by the Natural Resource Governance Institute and World Resources Institute investigated how laws, policies, regulations and guidelines in the natural resource governance of 12 mining countries characterize women and gender, and considered their potential to bring about transformative change to achieve gender equality. The report outlines the following recommendations for strengthening extractive governance legal frameworks:

- **Be ambitious.** Gender provisions in extractive documents should not aim merely to include a nominal amount of women or other groups in the industry but should additionally aim to create gender transformative change such as changing decision-making processes in extractive-affected communities.
- **Require and enable the participation of women and gender non-binary people.** Commitments should remove structural barriers to participation, create compatible workplaces, and solicit the input of women and gender diverse people in sectoral governance. Provisions that restrict women's participation in the sector should be repealed.
- **Be verifiable.** Commitments should have measurable goals and impacts built into them to track progress.
- **Require data disaggregation.** Extractive sector documents should require data disaggregation throughout the supply chain so that the sector's gendered impact is quantifiable.
- **Require transparency.** Documents relating to the sector should, wherever possible, legislate transparency to allow for greater accountability and access to information.

TRANSFORM PRIORITIES INTO VERIFIABLE COMMITMENTS

Once priorities have been established, stakeholders can then create commitments with gender indicators to allow for tracking and monitoring of implementation. The following are illustrative examples of gender transformative commitments that OGP members can adapt and integrate into their current or future commitments².

Data and disclosure

- Require the collection of gender-disaggregated statistics throughout project cycles and set up requirements on how the data should be incorporated into decision making with particular attention to:
 - gender and its intersections with characteristics such as age, disability and ethnicity.
 - clear areas of responsibility by providing guidelines, tools, and communication to public institutions in this area.
 - requirements for mining companies to include disaggregated employment data and access to trainings by gender and by responsibility level.
- Ensure information disclosed about oil, gas, and mining projects is widely accessible to and understandable by a range of audiences.
 - Require assessments of access-to-information challenges facing different groups based on gender, ethnicity, race, geographic location, and other potentially marginalizing factors in the design of publicly available dissemination plans.
 - Require access to information for local populations on the gender-differentiated environmental, economic, social and health impacts of the extractive industry Gender analysis and capacity building.
- Create gender implementation action plans that outline quantifiable goals and targets, set timelines for their achievement and establish a plan to monitor and evaluate progress.
- Pass legislation to require implementation of gender action plans that include a gender impact assessment, Gender Based Analysis Plus (GBA+) or other forms of policy gender analysis in impact assessment processes for the permission and approval of natural resource extraction projects.
 - Include ex ante and ex post gender and human rights impact assessments and/or regular reporting on implementation of gender policies, based on quantitative and qualitative indicators.
- Bolster the capacities and resources of gender equality institutions and ensure that public institutions have the capacity and resources to integrate gender equality by:
 - identifying or creating gender focal points.
 - providing clear mandates and lines of accountability for implementing gender equality and mainstreaming initiatives.
- Require gender-budgeting and gender financial audits for relevant extractive and environmental government agencies, including identifying priority areas of funding to support women, non-binary people and enhance access to benefit and active engagement of local women in participatory monitoring.

2 Some of these sample commitments were developed by Oxfam, Publish What You Pay, and NRGi based on a [2019 OGP Global Summit gender session](#) have been included

Multi-stakeholder coordination and consultation

- Hold annual inter-ministerial consultation meetings between the minister responsible for implementing the EITI and Minister-level counterparts responsible for implementing national gender policies and plans.
 - Require annual consultation to be preceded by a tripartite dialogue opportunity (government-civil society-industry) and followed by a public joint statement of commitment on how concrete actions will be monitored and reported back on the following year.
- Develop guidance for gender-responsive stakeholder consultation, including
 - increased funding and the inclusion of national and local women's organizations and women-only consultation meetings.
 - required FPIC engagement processes in collaboration with indigenous peoples, respecting their human rights, governance systems and traditional knowledge.
 - job training and skills-building necessary to address historic and structural inequalities that prevent the full participation of women and gender non-binary people in the sector.
- Form inter-ministry policy coherence committees to strengthen vertical and horizontal coordination mechanisms including engagement with ministries of women's affairs, or their equivalent, to develop sector-specific strategies for reducing legislative overlap and conflicts and identify needed capacity building and training.

ADVANCE GENDER EQUALITY IN OPEN GOVERNMENT AND EXTRACTIVE FORUMS

The EITI, UN, World Bank, and mining companies all have forums to address women and gender in the sector. By integrating the OGP process with ongoing extractives and gender initiatives both at home and internationally, governments can build political momentum, buttress the legitimacy of national and local plans, and strengthen the performance of extractive industry governance to address gender inequality, as well as concerns of, and opportunities for, marginalized gender groups and non-binary people.

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