

Global Rights – Gender on Extractive Agendas

Abiodun Baiyewu

This Profile focuses on Global Rights' work on natural resource governance. Global Rights is a non-governmental organisation based in Nigeria that works on a spectrum of issues, including equitable resource governance, human security and access to remedies, women's rights, and security and human rights programmes. The organisation's programmes address governance failures that exacerbate the disenfranchisement and violations of the rights of the poor and marginalised, women, and victims of discrimination (Global Rights, 2014).

Gender is a crosscutting theme across all Global Rights' thematic work. We could rightly be described as a feminist organisation engaged in mainstream human rights work. At the same time, that would raise the question whether it is possible to do human rights work without mainstreaming gender. The aim of this article is to give a glimpse of our work and explain why gender must matter on extractive agendas.

Our natural resource governance work is contextualised in an extractive-rich country in which commercial quantities of either hydrocarbons or solid minerals—sometimes both, are found in virtually every state. While the concentration of hydrocarbons is greatest in the southern parts of Nigeria, solid minerals are spread throughout the country. Gold, tin, columbite, tantalite, lead-zinc¹, manganese, uranium, iron ore, industrial minerals such as kaolin and clay, and precious stones such as ruby, sapphire and beryl are some of the solid minerals regularly mined in Nigeria. Although Nigeria's hydrocarbon industry is well developed and accounts for about 86% of its total exports (OPEC, 2020), its mining sector is still largely underdeveloped. Mining companies account for only 20% of the sector, while the remaining 80% of mining operations in Nigeria is artisanal. As a result, and because of poor governance of the sector, mining contributes a paltry 0.18% to the national Gross Domestic Product (National Bureau of Statistics, 2018).

While these figures appear to suggest that mining in Nigeria is not lucrative, a holistic view of illicit financial flows from the industry suggests otherwise. For example, experts suggest that Nigeria loses annually at least \$1,54 billion to illegal

gold mining alone (Ikyaa, 2016). The daily illicit trade in blue sapphire is worth over N100 million (approximately \$260,000) in Taraba State alone (Magaji, 2018).

The environmental consequences of mining on the country are, however, not commensurate with its contribution to the economy. Virtually all states of the federation face environmental mining damage ranging from water pollution to soil degradation, toxic effluences released into the atmosphere, deforestation and, on a few occasions, landslides. Whether the mining is done by large corporations or artisanal miners, mining host communities inordinately bear the costs of this poorly-regulated industry and sometimes pay for it with their lives. In addition, while mining is a male-dominated industry, it is women who bear the brunt of its environmental and economic consequences due to their societal roles as primary caregivers, as well as the effects of traditional land holding structures and patterns of subsistence livelihoods.

When Death Knocks

What do you say to a dry-eyed mother who has lost four children to artisanal gold-mining-related lead poisoning? How do you ensure that her pain is heard beyond her community and that she is able to participate in preventing further deaths there? These were questions my colleagues and I were confronted with in the Zamfara State lead poisoning disaster. It resulted in the deaths of more than 700 children, between 2010 and 2012, with at least 2,500 others receiving treatment for elevated levels of lead in their blood. The disaster was also responsible for several miscarriages and the loss of thousands of economic livestock in the communities affected, further impoverishing already struggling families.

The Zamfara gold-mining-related lead poisoning is the worst recorded incident of lead poisoning in the world (Pure Earth, 2011). It resulted from the processing of gold nuggets by artisanal miners in homesteads in addition to regular mine sites, in order to meet demands by middlemen to Chinese prospectors. Unlike most other parts of the world, the gold alluvial stream in Nigeria coexists with large lead deposits which are highly toxic when ingested. The lead dust from the nuggets therefore contaminated the homes in which they were being processed and resulted in the infection of the blood streams of children and even adults in the communities across Zamfara State.

In rural West Africa, as in most of the Global South, when we go into

communities, we first have to engage with the leadership of the community to gain their acceptance. Zamfara State was no different. We met with all-male councils which, while they did their best to describe the challenges faced by their communities, could not imagine that the women had experienced the crisis differently than they had. When we requested to speak with the women, the leaders would ignore our request, saying that the women would not give us any new information. I, in particular, was told I was a “man” and so could not interact with the women unchaperoned, in spite of the fact that I am female! A man! In this part of the country, women are rarely seen and never heard. Men could speak at decision-making levels; women could not. Men control money, women do not. Men are free agents, while women are perpetual minors, subject to the authority of their fathers until they get married, and thereafter, to that of their husbands. Since none of these gendered characteristics applied to me, therefore I did not tick the boxes for “woman”, in their context. The nuances of their gendered social classification of me are the biggest signs of the gender inequity in their community.

Father after father narrated how their wives informed them that their children were ill and how they immediately took charge and took the children to the healers or the clinic, where most of the children eventually died. Speaking with the health personnel at the clinic, we were told that, unlike the mothers, who had been the primary caregivers till disaster struck, most of the fathers could not provide accurate information about their children’s symptoms, the timelines of their decline, nor any other fundamental details about their children that might have helped the immediate healthcare responders. Our early town hall meetings had women watching from the fringes, not culturally attuned to making their opinions heard in public forums.

But as we began to speak with the women individually in the privacy of their homes and to engage some of the women at the town hall meetings that were more liberal regarding the participation of women, we heard a very different perspective on this disaster from the one the men (completely believing their version to be true) had presented. Woman after woman shared with us how they felt helpless, unable to save their children. “We had realised early that the sickness was not like the occasional cholera outbreak, but that it began when the men started to bring the nuggets home to grind, but no one listened to us”, one woman whispered as she narrated how she lost three children to gold-mining-related lead

poisoning. It was in the muted tones of a cluster of women that we also learned that the milling machines were given to their husbands by middlemen to Chinese prospectors. “I warned my husband that he was bringing death home. But did he listen?” Women said to us, “Will you teach us how to stop the wind that causes these deaths?” “You tell us government is responsible for protecting our rights to a healthy environment, but how do we hold them accountable here at Anka, so far from where government is in Gusau? And remember we are just women.” And so, the learning and capacity building began.

The tragedy in Zamfara did not insulate us against the deep sense of grief that we faced again in a repeat incident, barely 18 months later, when another 28 children died in Shikira community in Niger state in exactly the same circumstances as in Zamfara. Once more, we were confronted with women who had lost their children and livestock to artisanal gold-mining-related lead poisoning and who felt disenfranchised—invisible and helpless in the face of their tragedies.

These catastrophic losses are not the only points where we have been challenged with the gendered inequities that confront extractive host communities. We struggle with these at virtually every turn of our work on natural resource governance across the country.

Gendered Impacts

There are differences in the way mineral extractive activities affect men and women in host communities. For instance, extractive activities are predominantly skewed to favouring the employment of men both socially and, in Nigeria, legally. The Labour Act (CAP L1 LFN 2004) precludes women from working in underground mines for no apparent reason other than their gender (S. 56(1)). So, while men may have new employment opportunities, the women in the communities frequently speak of having their traditional livelihoods disrupted by these same extractive activities. In most rural communities, where extractive activities are almost always situated, women engage in mainly agrarian livelihoods and, according to them, the loss of their lands to mineral extractive activities also often means the end of their agricultural livelihoods. In certain instances, when their men leave their farmlands to engage in mining activities, women are forced to combine their spouses’ agricultural lots with their own, thereby doubling their labour burden without attendant benefits. The women point out that when such spouses, especially

artisanal miners, migrate seasonally from their communities to new mining sites, the burden of caring for their families in the absence of their spouses also becomes particularly challenging.

A major complaint the women never fail to make is that their tasks as primary caregivers also become more onerous when extractive activities degrade their environment and pollute the water sources on which their communities rely. For example, Okobo community in Kogi State lost its only potable water source at the onset of coal mining in its communities. Women from that community led us on foot for an hour to watch them fetch water from a neighbouring community, and then walk another hour back, resulting in wasted “women hours”. They also tell us that the effluences produced by extractive activities leave them struggling to find ways of protecting their families from dust and other emissions, and their wards fall ill more frequently. They struggle with lower crop yields due to soil contamination and the degradation of their community’s topography, which also often results in accidents in which their children fall into abandoned mine pits. Sometimes these pits get flooded and children drown in them. The effects of their changed topography are not just physical but also impinge on their culture and everyday lifestyle; until they explain these nuances, one might be oblivious of their impact.

The influx of migrant mine workers (single men, or men unaccompanied by their families, often from outside the communities) into a host community engenders a spike in insecurity for these women and their wards as they become more susceptible to different types of violence. This includes narcotics-induced sexual violence, and the pillage of entire communities by bandits seeking to rob miners of their nuggets (Global Rights, 2013). Mining companies, in a bid to secure their operations, often employ physical structures such as electric fences and security forces, which may further compromise the safety and wellbeing of women in these communities. The decrease in traditional livelihoods and increased demand for transactional sex may increase the prevalence of venereal diseases as well as unplanned pregnancies in the community. Households that have lost their livelihoods or now have to depend on a reduced or single income struggle to keep their wards in school. As many women explain, they had to encourage their underaged children to work at mining, especially as artisanal miners, to augment their family’s resources. The surge in migrant populations also strains the social infrastructure in the communities. Roads degrade faster and potable water may be

rationed, with mining companies and their staff having access to the greater share. Rents rise astronomically due to the increase in demand; schools and hospitals (where they exist) are unable to meet the needs of the enlarged populations. Additionally, the general costs of goods and services undergo massive hikes due to inflation occasioned by increased demand and limited supply. Needless to say, women, and the families they provide primary care for, inordinately suffer the consequences.

The mining sector is stacked against women with subtle and blatant forms of gender discrimination. In Nigeria, less than 20% of women farmers own the land on which they work (Munn, 2019). Most of them gain access to these properties through marriage or their extended family structures, with the ownership rights vested in the male members of such families. The implication of this is that women are effectively precluded from the right to reject mining activities on their land or to receive compensation and other benefits which may accrue to a male landowner in areas where mineral extraction is occurring. At the same time, women lose their sources of livelihood. For these same reasons, women say that they are often excluded from discussions between their communities and mining companies which are aimed at generating community development agreements. These gendered differences point to the erroneous assumption that the host community from which mining consent is being sought and with which the Community Development Agreement is made is a homogenous group. It is further assumed that as a homogenous community, the benefits of the foregoing agreement will be equally extended to both men and women, whose needs are assumed to be similar. The women in such communities insist that they are not.

Moreover, any support designed to assist small-scale and artisanal miners is unlikely to benefit women. For example, S.91 of the Nigerian Minerals and Mining Act (Act No. 20, 2007) mandates the provision of skills, technology and extension services to small scale and artisanal mining, which ordinarily should benefit both male and female miners. However, women are mainly involved in the supply chain and not actual mining, from which the Labour Act tends to preclude them (see S.56 (1)). As a result, women are unlikely to derive benefit from the foregoing provision unless the supervising ministry develops a clear policy of affirmative action for women miners. With respect to large-scale mining, women rarely participate in such operations due to the foregoing reasons and lack of access to capital.

Nothing About Us Without Us

“Nothing about us without us”² is a popular slogan which affirms the democratic norm that policies should not be formulated without the full and direct participation of persons or groups that will be affected by the policy. While the slogan often has most civil society and development experts nodding and declaring their allegiance to this principle, it is rarely followed in practice. Many times, we forget (and sometimes are too lazy) to share control of interventions with the persons most affected.

The question is, how do we do that in a strongly patriarchal society, in which even the government is a part of the system stacked against women? How do we hope to put women in the front seat of decision making on issues that affect them, especially in communities where female literacy is as low as two per cent and poverty is endemic? The first and most important thing we do is that we **listen**. We listen to the women’s perspectives on their problems. We **learn** first-hand from them how they are affected. We watch and learn what is most important to them—how they would rather live as opposed to how we desire for them to live. We **share** our knowledge of the laws and policies as they stand, and of the proven impact of the mineral extraction activities in their environment. **They facilitate** the design of interventions through a **solutions lab** technique—a facilitated learning and collective problem-solving technique in which we engage our partner communities in jointly identifying the underlying causes of problems and in designing interventions. We **follow** their lead. Walking hand in hand and side by side with the women in the most affected communities, insisting that **their voices** must be heard, we amplify the voices of the most vulnerable. Nothing can be more empowering.

Endnotes

1. Lead-zinc is a mineral that is a mixture of two distinct compounds. Because lead is a soft metal, it usually combines with another mineral. This is why we have lead alloyed with gold which has led to incidents of poisoning in Nigeria (see Pure Earth, 2011).
2. The saying has its origins in Central European political traditions. Loosely translated into Latin—“*nihil de nobis, sine nobis*”—it was the political motto that provided the name for and helped establish Poland’s 1505 constitutional legislation, *Nihil novi*. This was the first transfer of governing authority from the monarch to the parliament (Davies, 1984). It subsequently became a byword for democratic norms; its English form came into popular use in disability activism during the 1990s (Charlton, 2000).

References

- Act No. 20 2007. “Nigerian Minerals and Mining Act, 2007.” The House of Representatives, National Assembly, Nigeria (DOC.NORMES). Available at <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/87617/99972/F982527013/NGA87617.pdf>
- CAP L1 LFN 2004. “Labour Act.” Laws of the Federation of Nigeria (1990 Revised edition), Vol. X, Cap. 198 (DOC.NORMES). Available at [https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/42156/60768/F-1227037877/NGA42156%20\(rev%201990\).pdf](https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/42156/60768/F-1227037877/NGA42156%20(rev%201990).pdf)
- Charlton, James. 2000. *Nothing About Us Without Us: Disability Oppression and Empowerment*. Berkeley: University of California Press. Available at https://books.google.com.ng/books?id=ohqff8DBt9gC&pg=PA3&redir_esc=y#v=onepage&q&f=false
- Davies, Norman. 1984. *Heart of Europe: The Past in Poland’s Present*. Oxford: Oxford University Press.
- Global Rights. 2013. *Protecting Community Rights Within the Institutional, Legal and Regulatory Framework for Mining Activities in Nigeria*. Abuja: Global Rights, 99.
- Global Rights. 2014. “Protecting Host Community Rights: An assessment report on extractive host communities in Nigeria.” Abuja: Global Rights. <https://drive.google.com/file/d/1m2leuTMITeULDVhh55WrCwevBhRtkD22/view>
- Ikyaa, Yange. 2016. “Nigeria loses \$1.54bn to illegal gold mining annually.” *Business Day*, 1 March. Available at <https://businessday.ng/exclusives/article/nigeria-loses-1-54bn-to-illegal-gold-mining-annually/>
- Magaji, Isa Hunkuyi. 2018. “Inside illegal mining trade that costs Taraba N100m daily.” *Daily Trust*, 18 February. Available at <https://www.dailytrust.com.ng/inside-illegal-mining-trade-that-costs-taraba-n100m-daily.html>
- Munn, Elizabeth. 2019. “Ensuring Women’s Land Rights in Nigeria Can Mitigate

- Effects of Climate Change”. Council on Foreign Relations. Available at <https://www.cfr.org/blog/ensuring-womens-land-rights-nigeria-can-mitigate-effects-climate-change>
- National Bureau of Statistics. 2019. “Nigerian Gross Domestic Product Report (Q4 and Full Year, 2018)”, Nigerian Bureau of Statistics, 142. Available at https://africacheck.org/wp-content/uploads/2019/02/GDP_Report_Q4_Full_Year_2018-1.pdf
- OPEC. 2020. “Nigeria Facts and Figures”. Organization of the Petroleum Exporting Countries. Available at https://www.opec.org/opec_web/en/about_us/167.htm
- Pure Earth. 2011. “Nigeria (Zamfara) – Lead Poisoning Crisis”. Available at <https://www.pureearth.org/project/zamfara-nigeria-lead-poisoning/>