



A JOINT PRESS STATEMENT

THEME: CURBING GENDER-BASED VIOLENCE IN THE EAST AFRICAN COMMUNITY COMMERCIAL INVESTMENT SCHEMES.

DATE: 8TH MARCH 2025, SEATINI OFFICES

As the world observes International Women’s Day under the theme “For All Women and Girls: Rights, Equality, Empowerment,” we, the Civil Society Organizations (CSOs) focused on women's rights, human rights, and economic justice within the East African Community (EAC), express deep concern regarding the growing prevalence of gender-based violations in commercial investment initiatives across the region, particularly in Uganda, Kenya, and Tanzania. The EAC Report on “Gender, Community Development, and Civil Society”¹ highlights the persistent marginalization of women in investment schemes, despite women comprising over 60% of the EAC population. This marginalization is largely attributed to significant gaps in current investment policies, laws, and agreements, which continue to undermine the gender equity agenda and hinder the empowerment of women and girls in the region.

Foreign Direct Investment (FDI) inflows have over the past years been steadily increasing into the East African region, majorly from the land-based investments including inter alia, agriculture, natural resources and infrastructure due to an investor-friendly environment, the discovery of commercially viable reserves of mineral resources and the existence of fertile soils.

According to the United Nations Conference on Trade and Development (UNCTAD) 2020 World Investment Report, the total Foreign Direct Investment (FDI) inflow into Uganda, Kenya, and Tanzania increased by 11.2% between 2014 and 2019 from USD 3,296 million in 2014 to USD 3,710 million in 2019,² highlighting the growing FDI contribution to economic growth in the region. As such, EAC partner states are inclined to continuing to attract these investments and often do not consider reforms that address the plight of workers in these investment schemes including forced cohabitation, sexual harassment, sextortion, low wages, land grabbing, forced evictions,

¹ <https://www.eac.int/gender>

² <https://www.eac.int/operating-environment/eac-investment>



discrimination, and human trafficking which largely affect women workers with limited access to remedy mechanisms.

Therefore, it is against this background that the Southern and Eastern Africa Trade Information and Negotiations Institute (SEATINI) together with Uganda Consortium on Corporate Accountability, Tanzania Trade and Investment Coalition (TATIC), The African Women's Development and Communication Network (FEMNET) and Voices for Labour – Uganda highlight the following issues and call upon all relevant stakeholders to take urgent and decisive action to create safer, more equitable investment environments that protect and advance women's rights;

1. Worsening barriers to land and property ownership by women;

Commercial investment projects, particularly in agriculture, mining, real estate, and infrastructure development require vast land for operation and hence heavily rely on land and property investments. However, we observe that land-based investments lack transparency during the processes of acquiring land in defiance of the existing internationally recognized principles of Free Prior Informed Consent (FPIC) in the EAC region. Women in East Africa face legal and cultural barriers to land and property ownership as they are often seen as caregivers and home makers with little recognition of their potential to own, manage, inherit, or access land and property. This makes the women vulnerable to land grabbing and displacement without compensation in case of an encroachment by commercial projects in their communities.

2. Weak legal protections and limited access to remedy mechanisms

Women often face weak legal protections and limited access to remedy mechanisms as they seek for redress after experiencing gender-based violations in commercial investment schemes across the EAC region. While there may be laws in the EAC partner states such as the Uganda Employment Act cap 226³ and the Occupational Safety and Health Act Cap 231,⁴ that exist in Uganda intended to protect women from exploitation, harassment, and discrimination, these laws are often poorly enforced due to lack of resources and insufficient labor inspection. Additionally, women workers in these sectors are often unable to freely form or join labor unions, which severely limits their ability to collectively advocate for better working conditions or seek justice for violations. According to the "Human Rights

³ <https://ulii.org/akn/ug/act/2006/6/eng@2006-06-08>

⁴ <https://ulii.org/akn/ug/act/2006/9/eng@2006-06-08>



and Labor Rights Concerns in the Kalangala, BIDCO Oil Palm Uganda Limited (OPUL)” findings by SEATINI, 70% of the women workers did not belong to the Trade Union (Uganda Beverages, Tobacco and Allied Workers Union) because the Union and its leadership had a close relationship with BIDCO management, hence the Company manipulating the Union and yet the Union would have worked as a grievance redress mechanism. The absence of accessible social protections and legal remedies, along with fears of retaliation or social stigma, for women and girls who seek justice for gender-based violence, discrimination, or harassment perpetuate a cycle of vulnerability and inequality for women in the commercial investment sector in the EAC region.

3. Continued sexual harassment;

Sexual harassment remains a pervasive issue within commercial investment schemes, particularly in industries such as among others, agriculture, construction, and mining, where women are often employed in vulnerable positions which goes against the Maputo Protocol⁵ to which Uganda, Kenya and Tanzania are signatories. Recent reports have exposed the widespread practice of ‘Sex for Jobs’ in tea plantations in Kenya⁶, as women face coercion and abuse from supervisors and labor recruiters despite the existing laws and policies designed to protect women. Although Kenya ratified the International Labor Organization (ILO) Convention No. 029 on forced labour⁷ and developed the Kenya National Action Plan on Business and Human Rights⁸, there has been weak enforcement and lack of robust reporting mechanisms leaving many women vulnerable. Uganda faces similar challenges particularly in large-scale land-based investments, undermining the efforts of the ILO Convention No. 190 on violence and harassment on curbing gender-based violence and harassment (GBVH), which Uganda ratified in August 2023.⁹ Similarly, a report by Tanzania Media Women Association showed that 89% of women in the public sector have experienced sextortion while seeking for a job, promotion or while requesting a service.¹⁰ This further marginalizes women and hence limits their ability to thrive in the workforce.

4. Discrimination and economic exploitation of women workers;

⁵ <https://www.ohchr.org/sites/default/files/Documents/Issues/Women/WG/ProtocolontheRightsofWomen.pdf>

⁶ <https://www.bbc.com/news/uk-64662056>

⁷ [Ratifications of ILO conventions: Ratifications for Kenya](#)

⁸ [NATIONAL ACTION PLAN ON BUSINESS AND HUMAN RIGHTS-NOV-2020.pdf](#)

⁹ <https://www.ilo.org/resource/news/uganda-ratifies-ilo-convention-violence-and-harassment>

¹⁰ <https://www.tbccitizen.co.tz/tanzania/news/national/28-out-of-100-women-face-sexual-corruption-2698106>



The casualization of labour has increasingly become a norm in commercial investment schemes in East Africa where workers are employed without formal contracts making their jobs insecure, precarious and limiting their access to remedy in case of violations by the commercial investments. The Uganda Annual National Labour Force Survey of 2021 revealed that the majority of employed persons (67%) were employed on the basis of oral agreements and only 33% had written contracts¹¹. This largely affects women through systemic discrimination, economic exploitation, and structural factors such as job insecurity, low wages, limited maternity rights, higher exposure to gender-based violence due to lack of access to grievance mechanism or legal protections, despite their significant contribution to the labor force. According to a Southern and Eastern Africa Trade Information and Negotiations Institute (SEATINI) 2020 report on the Kalangala Bidco, Oil Palm Uganda Limited (OPUL) operations, it was revealed that women casual workers faced several labor rights abuses such as forced cohabitation, no formal working contracts, no entitlement to paid maternity leave nor paid annual leave, and poor working conditions, inter alia.¹²

The gender pay gap, mainly attributed to the cultural norms has been prevalent and insistent in commercial investment schemes across the East African (EA) region. The social expectations and traditional gender roles assigned to women perpetuate patriarchal ideologies and keep them in a 'less than' position inhibiting their economic success. However, this does not align with the ILO Convention No. 100 on equal remuneration to which Uganda, Kenya and Tanzania ratified. A United Nations Women Report 2023 titled "Why Women Earn Less; Gender Pay Gap and Labour-Market inequalities in Uganda" revealed that the unadjusted gender pay gap stands at 25.2% on an hourly basis, which shows that women earn approximately 75.8% of what men earn per hour. It further highlighted that this gap persisted across all educational levels and was more pronounced in rural areas.¹³ This is made worse and untenable with the existing unfair existing minimum wage in the EAC region for example in Uganda, the minimum wage was set at only Uganda Shillings 6,000 (approximately 1.61 USD) in 1984 and has since then not been reviewed. As such, the impractical minimum wage has exposed women workers to economic exploitation and income inequalities, perpetuating their cycle of poverty in the region.

¹¹ https://www.ubos.org/wp-content/uploads/publications/11_2022NLFES_2021_main_report.pdf

¹² <https://seatiniuganda.org/download/human-rights-and-labour-rights-concerns-in-the-kalangala-bidco-oil-palm-uganda-limited-seatini-uganda-findings/>

¹³ https://africa.unwomen.org/sites/default/files/2024-03/un_women_uganda_gender_pay_gap_report.pdf



Call to action

1. We call upon governments in the EAC region to address the gaps in the related legal frameworks to ensure protection of rights of women workers, local communities and the environmental rights. Laws like the Investment Code Acts, should include Human Rights Impact Assessments, enforce performance requirements and align with African Union (AU) guidelines on large-scale land-based investments. Additionally, governments should translate United Nations Binding Principles on Business and Human Rights into binding national laws by developing and implementing National Action Plans on Business and Human Rights to ensure accountability and safeguards of women's rights in investment activities.
2. The governments of Kenya and Tanzania should expedite the process of ratifying the International Labour Organization (ILO) Convention No 190 on ending violence and harassment in the workplace and align their legal frameworks to address the plight faced by women in commercial investments in the countries. Governments must also align their legal frameworks with its provisions to effectively address the challenges faced by women workers in commercial investments in order to strengthen the enforcement mechanisms and ensure protections from exploitation, discrimination and gender-based violence.
3. Uganda, Kenya and Tanzania should review all Bilateral Investment Treaties (BITs) in order to ensure balance between protection of the rights of the people and the environment on one hand and the rights of investors on the other hand. These treaties should be reviewed to eliminate provisions that grant excessive privileges to investors at the expense of women's rights that have been continued to be undermined. This is to help eliminate the excessive rights enjoyed by investors at the expense of women's rights which continues to perpetuate violence against them.
4. Governments in Uganda, Kenya and Tanzania should establish easily accessible and gender-sensitive remedy mechanisms to ensure that women workers in commercial investments have access to safe, transparent and effective grievance mechanisms that allow them to report gender-based violence, harassment and unfair labour practices without fear of retaliation. In addition to this, budgetary allocations to ministries, departments and agencies that deal with labour investigations should be increased to enable recruitment more of labour officers to



improve on the inspections of investments and reporting of violations against women workers in investments.

Signed By:

1. Southern and Eastern Africa Trade Information and Negotiations Institute (SEATINI)
2. The African Women's Development and Communication Network (FEMNET)
3. Tanzania Trade and Investment Coalition (TATIC)
4. Voices for Labour
5. Uganda Consortium on Corporate Accountability