



Round 2 Consultation - Updates for 2019 Code of Practices Standard February 2022

Introduction

RJC is seeking comment from all stakeholders on the proposed update to the 2019 Code of Practices (COP) standard. A summary of the proposed updates are below. RJC is conducting the consultation process as per the [ISEAL standard setting code](#). Whilst RJC has drafted updates to specific provisions we invite comments on all of the RJC COP provisions. RJC will also be looking for consultation comments on the expansion of scope to include all coloured gemstones and pearls, as well as a plan to include coral.

Timeline

This first round of consultation will be open from 28th February to 29th April 2022. RJC will then produce a summary of the received comments, provide a response to that summary and make this publicly available on the RJC website. An optional third round of 30-day consultation will be held in Q2 2022 if there are issues unresolved.

How to provide comments

We kindly ask that all comments are submitted via an online form, which can be accessed: [here](#). Comments can be submitted as a “general comment” or they can be against specific provisions of the COP, this is all detailed on the form.

Enquiries

If you have any enquiries or questions on how you can engage in the consultation, or would like to know more about the consultation process, please go to the RJC website: [here](#) or email us on: consultation@responsiblejewellery.com

| Provision Number | Round 1 - Amendments to provision requirements / Additional provision | Round 2 – Draft to provision requirements | Round 2 - Additions for COP guidance Documents |
|----------------------------------|--|--|---|
| LEGAL COMPLIANCE | | | |
| 1.1 | Members shall: a. have systems in place that maintain awareness of, and ensure compliance with, applicable law. b. Meet the most stringent requirement between the applicable law and the RJC Code of Practices, without violating the applicable law. | Members shall: a. have systems in place that maintain awareness of, and ensure compliance with, applicable law. b. Meet the most stringent requirement between the applicable law and the RJC Code of Practices, without violating the applicable law. | a. If the requirements of the RJC Code of Practices are more stringent, but in conflict with applicable law, members should implement their best endeavours to comply with the intent of the COP provisions, in a way which is appropriate to their size and circumstances. Definition: Best endeavours - acting honestly, reasonably and with a positive effort to perform the relevant obligation. (Definition within existing COP 2019 guidance document). Further addition to definition: ‘Best endeavours’ represents an obligation on a party to do everything in their power to fulfil the terms of the agreement. It is an obligation to take all steps that a prudent and determined person acting in their own interests and desiring the result would take. b. Establish corrective actions to rectify occurrences of applicable law violations and to prevent recurrence. c. Maintain records of compliance for either five years minimum or as long as required by applicable law, whichever is longer. |
| POLICY AND IMPLEMENTATION | | | |
| 2.1 | Members shall adopt a policy/policies that documents their commitment to responsible business practices, is endorsed by senior management, is actively communicated to employees and is made publicly available. | Members shall adopt a policy/policies that documents their commitment to responsible business practices, that is endorsed by the highest level management, is actively communicated to employees and is made publicly available. | *Wording of the provision “highest level” now matches the guidance requirements.* Communicate all policies and procedures to managers, employees and any affected business partners at a minimum, making sure they understand your expectations of them and are equipped to embed the policy and procedures into their ways of working. RJC recommends that members should actively communicate their policies as widely as possible, and raise awareness any time there are substantial changes or incidents relating to them. (Substantial change would be impacting their work or daily tasks.) |
| 2.2 | Senior management shall conduct, at least annually, reviews to assess the ongoing suitability and adequacy of the member’s business practices in achieving the policy, and | No amendments | No amendments |

| | | | |
|---------------------------|---|---|---|
| | implement improvements to address any gaps. | | |
| REPORTING | | | |
| 3.1 | Members shall communicate publicly and directly with stakeholders at least annually on their business practices relevant to the COP including information on fines, judgments, penalties and non-monetary sanctions for failure to comply with applicable law. | Members shall communicate publicly and directly with stakeholders at least annually on their business practices relevant to the COP including information on finalised and concluded legal proceedings related to fines, judgments, penalties and non-monetary sanctions for failure to comply with applicable law. | <p>Members are required to communicate on legal proceedings only once they are concluded, finalised and within legal requirements to business or individual confidentiality. upon finalisation and not wait until the next reporting cycle. Include information that is publicly available.</p> <p>Members belonging to a group of companies and who do not report individually, but contribute to a group company report, can include their RJC reporting requirements within the group level reporting. Members do not need to create additional reporting literature.</p> <p>Stage 1. Prepare for the report: - *additional text*: Members can use their annual reporting requirements to communicate on positive impacts / initiatives, include information such as your engagement with local communities, the aims of the initiatives they are involved with and what impacts that they have had over a defined period of time.</p> |
| 3.2 | Members with mining facilities shall publicly report annually on their sustainability performance using the Global Reporting Initiative (GRI) Sustainability Reporting Standards or comparable reporting guidelines. The reports shall have external assurance. | No amendments | No amendments |
| FINANCIAL ACCOUNTS | | | |
| 4.1 | Members shall maintain financial accounts of all business transactions in accordance with national or international accounting standards. | No amendments | No amendments |
| 4.2 | Members shall annually undertake a financial audit or | No amendments | No amendments |

| | | | |
|--------------------------|--|---------------|--|
| | financial review, in jurisdictions where permitted, by an independent qualified accountant. | | |
| BUSINESS PARTNERS | | | |
| 5.1 | Members shall use their best endeavours, commensurate with their ability to influence to promote responsible business practices among their significant business partners. | No amendments | Actions to be taken: You are free to use whatever reasonable approach works for you to promote responsible business practices among your business partners. You may consider promoting responsible business practices on a risk basis initially focusing on higher risks with significant business partners. One option is to follow the three steps outlined in Table 5.1. |
| 5.2 | All employees and visitors to the member's facilities shall be required to comply with the member's policies, systems and procedures relevant to the COP. | No amendments | No amendments |
| HUMAN RIGHTS | | | |

| | | | |
|------------|---|---|---|
| <p>6.1</p> | <p>Members shall respect human rights by considering all potential and actual impacts in their operations and business relationships. They shall also commit to, and implement, the UN Guiding Principles on Business and Human Rights as appropriate to their size and circumstances. As a minimum, members shall:</p> <p>a. Have a policy commitment, endorsed at the highest level of their organisation, to respect internationally recognised human rights within their operations and business relationships, and procedures for implementing the policy in alignment with COP 2 (Policy and implementation).</p> <p>b. Have a human rights due diligence process through the conduct of a human rights risk assessment appropriate to their size and circumstances to identify, prevent, mitigate and account for actual and potential adverse human rights impacts connected to their business. Provide for, or support legitimate processes to enable, the remedy of any adverse human rights impacts that they have caused, contributed to or been linked</p> | <p>Members shall respect human rights by considering all potential and actual impacts in their operations and business relationships. They shall also commit to, and implement, the UN Guiding Principles on Business and Human Rights as appropriate to their size and circumstances. As a minimum, members shall:</p> <p>a. Have a policy commitment, endorsed at the highest level of their organisation, to respect internationally recognised human rights within their operations and business relationships, and procedures for implementing the policy in alignment with COP 2 (Policy and implementation).</p> <p>b. Have a human rights due diligence process through the conduct of a human rights risk assessment appropriate to their size and circumstances to identify, prevent, mitigate and account for actual and potential adverse human rights impacts connected to their business.</p> <p>c. Provide for, or support legitimate processes to enable, the remedy of any adverse human rights impacts that they have caused, contributed to or been linked with.</p> <p>d. Use best endeavours based on a Members ability to influence other business partners to prevent or</p> | <p>Members who are able to trace their materials back to mine of origin and have identified possible human rights abuse risks, which need enhanced due diligence to confirm that the identified risks are occurring, should conduct enhanced due diligence by collecting authoritative data from a variety of sources such as NGO reports, UN reports, government reports, reach out to civil society organisations who operate or are based on the ground in/around the mine site, check the status of the mine site assessed or mapped through various government, industry or multi-stakeholder initiatives. If the necessary information is not available to confirm the occurrence of a possible or identified human rights risks members should consider conducting an on the ground human rights risk assessment of the mine site.</p> <p>For member seeking to remediate and mitigate for instances of historical human rights abuses, the member should enact remediation and mitigate to any direct or indirect human rights abuses within a reasonable timeframe.</p> <p>Definition: Reasonable timeframe - the member may apply the concept of 'reasonable time'. In this case, any time that is not manifestly unreasonable in those circumstances may be termed 'reasonable time'.</p> <p>e. Your grievance mechanism should be the same one as (or closely aligned with) the one used to meet RJC requirements for COP 7 Due diligence for responsible sourcing from conflict-affected and high-risk areas and COP 32 for stakeholder engagement (if applicable). All the actions to be taken under COP 7 (about accessibility, transparency, record-keeping and time-bound actions) apply here.</p> <ul style="list-style-type: none"> • Note that your grievance mechanism for external stakeholders is not the same as your internal procedures for workers to raise grievances, which may require a different approach not least because employee information may only be legally accessed by human resources (see COP 18 Harassment, discipline, grievance procedures and non-retaliation). • Wherever possible, establish a complaints and grievance mechanism before any disputes arise, not in reaction to their occurrence. <p>B: Which at a minimum:</p> <p>a. Involves competent professionals.</p> <p>b. Draws on internal and/or external human rights expertise, and consultations from affected</p> |
|------------|---|---|---|

| | | | |
|--|---|---|--|
| | <p>with.</p> <p>c. Use best endeavours based on a Members ability to influence other business partners to prevent or mitigate their contributions to the human rights risks and impacts.</p> <p>d. Communicate annually with stakeholders and publicly report about their human rights due diligence efforts including the methods used to determine human rights issues, list of identified human rights impacts and remedy activities in accordance with COP 3 (Reporting).</p> | <p>mitigate their contributions to the human rights risks and impacts.</p> <p>e. Provide a publicly available complaints and grievance mechanism, appropriate to their size and circumstances, for raising human rights related concerns and grievances.</p> <p>f. Communicate annually with stakeholders and publicly report about their human rights due diligence efforts including the methods used to determine human rights issues, list of identified human rights impacts and remedy activities in accordance with COP 3 (Reporting).</p> | <p>communities (e.g., ASM), traditional local authorities, stakeholders, and rights holders under a gender balance.</p> <p>c. Accounts for the current human rights context in the country are where the Member operates and conducts business.</p> <p>d. Covers relevant human rights laws and prevailing standards.</p> <p>e. Documents the human rights risks related to Member’s project activities and business relationships, and an evaluation of the potential severity of impacts for each identified human rights risk.</p> <p>f. Documents the analysis of differential risks to and impacts on rights holder groups and a disaggregation of results by rights holder group.</p> <p>g. Documents and implement prioritised recommendations for preventing, mitigating and remediating identified risks and impacts, based on their contributions to the identified human rights impacts.</p> <p>h. Provides stakeholders and rights holders that participated in the risk assessment the opportunity to review draft key issues and findings that are relevant to them, and shall be consulted to provide feedback on those findings.</p> <p>i. Use best endeavours based on a Members ability to influence or support other business partners prevent or mitigate their contributions to the human rights risks and impacts.</p> <p>j. Is periodically updated including whenever there is a significant change to the Members operations and business relationships.</p> <p>k. All members shall conduct human rights risk assessments on new, and significant changes to their existing projects, supply chains or operations.</p> <p>Mining members only - can use evidence from COP 34 impact assessments to support their demonstration of compliance with COP 6 Human rights.</p> <p>Mining members only – Include data from your community level grievance mechanisms (COP provision 32.3) into your human rights risk assessment.</p> <p>Definition: Competent professional - A Member’s staff or external consultants with relevant education, knowledge, proven experience, necessary skills and training to carry out the required work. Competent professionals would be expected to follow scientifically robust methodologies that would withstand scrutiny by other professionals. Other equivalent terms used may include: competent person, qualified person, qualified professional. For independent reviews competent</p> |
|--|---|---|--|

| | | | |
|--|--|--|---|
| | | | professionals must not be in-house staff. |
|--|--|--|---|

| | | | |
|-----|--|----------------|-----------------------|
| 6.2 | Member with mining facilities (including those with refining activities), shall conduct a human rights risk assessment for new projects or significant changes to existing operations. | Covered by 6.1 | Guidance moved to 6.1 |
|-----|--|----------------|-----------------------|

| | | | |
|------------|---|---|--|
| <p>6.2</p> | <p>Member with mining facilities (including those with refining activities) that have contributed directly or indirectly through association with its business partners to an actual human rights impact, shall:</p> <ul style="list-style-type: none"> a. Cease or change any activities that are contributing to the impact. Mitigate and remediate impacts to the extent of its contribution; b. Use its best endeavours to influence other business partners to cease or change their activities; c. Mitigate and remediate the remaining impact and prevent a recurrence. | <p>Member with mining facilities (including those with refining activities) that have contributed directly or indirectly through association with its business partners to a confirmed adverse human rights impact, shall:</p> <ul style="list-style-type: none"> a. Cease or change any activities that are contributing to the adverse impact. Mitigate and remediate adverse impacts to the extent of its contribution; b. Use its best endeavours to influence other business partners to cease or change their activities; c. Mitigate and remediate the remaining adverse impact and prevent a recurrence. | <p>Extent of its contribution: If members become aware of contributing directly or indirectly through association with its business partners to actual human rights abuse, they should apply mitigations and remediations to past contributions in a practical and reasonable way.</p> |
|------------|---|---|--|

DUE DILIGENCE FOR RESPONSIBLE SOURCING INCLUDING FROM CONFLICT-AFFECTED AND HIGH-RISK AREAS

| | | | |
|-----|---|---|---|
| 7.1 | <p>Members in the gold, silver, PGM, diamonds and coloured gemstones supply chain shall exercise due diligence over their supply chains in accordance with the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High Risk Areas (the 'OECD Guidance') or other auditable due diligence frameworks recognised by the RJC to be aligned with the OECD Guidance ('RJC-recognised due diligence frameworks'), in ways appropriate to their size and circumstances. In addition:</p> <p>a. The due diligence process shall confirm that suppliers are legally registered to operate and have not been implicated in money laundering, financing of terrorism or fraud, serious human rights abuses, and are not otherwise subject to sanctions.</p> <p>b. Members in the gold value chain shall implement the OECD Guidance Supplement on Gold as applicable to their operations and supply chains.</p> <p>c. Members in the diamond supply chain shall implement the OECD Guidance while complying with COP 29 (Kimberley Process</p> | <p>Members in the RJC scope material supply chain shall exercise due diligence over their supply chains in accordance with the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High Risk Areas (the 'OECD Guidance') or other auditable due diligence frameworks recognised by the RJC to be aligned with the OECD Guidance ('RJC-recognised due diligence frameworks'), in ways appropriate to their size and circumstances. In addition:</p> <p>a. The due diligence process shall confirm that suppliers are legally registered to operate and have not been implicated in money laundering, financing of terrorism or fraud, serious human rights abuses, and are not otherwise subject to sanctions.</p> <p>b. Members in the gold, silver and PGM value chain shall implement the OECD Guidance Supplement on Gold as applicable to their operations and supply chains.</p> <p>c. Members in the diamond supply chain shall implement the OECD Guidance while complying with COP 29 (Kimberley Process Certification Scheme and World Diamond Council System of Warranties).</p> <p>d. Members in the pearls and coral</p> | <p>RJC scope materials are: Gold, silver, Platinum Group Metals, diamonds, coloured gemstones, pearls and corals.</p> <p>a. Where the due diligence process identifies suppliers that are not legally registered to operate or have been implicated in money laundering, financing of terrorism or fraud, serious human rights abuses, and are otherwise sanctioned individuals, the member shall immediately suspend business relations with the supplier unless this puts workers or other affected communities health and safety at risk or give rise to environmental and/or social impacts that cannot be effectively managed until an alternative supplier has been identified and contracted. In this case the Member shall also use best endeavours to promote responsible business practices for this supplier in line with COP 5 Business Partners.</p> <p>B. For members sourcing material from Artisanal and small-scale sources, compliance with OECD due diligence can be supported by initiatives such as CRAFT Code.</p> <p>B & C. Additional guidance would be provided on conducting due diligence on recycled RJC scope materials.</p> <p>D. CITES (Convention on International Trade in Endangered Species of Wild Fauna and Flora) includes lists of pearls and corals of which are not to be purchased or handled by RJC members. Members must conduct due diligence to ensure that they are not sourcing pearls and corals that are listed on any CITES list or any other recognised lists of endangered, threatened or protected species such as ICUN and Regional Fisheries Management Organisations (RFMO) or that have originated from any protected regions, conservation areas, or any body of water that is subject to any protective conventions or applicable laws.</p> <p>E. periodically is defined as a minimum of 12 months, sooner if required or necessary. When engaging with existing suppliers, members can seek confirmation that information provided is still valid and accurate, it does not require new due diligence information and documentation to be collected.</p> <p>Members sourcing any RJC scope materials using online trading platforms must still adhere to the requirements of RJC provisions including COP 6 and 12. Member must ensure that they are not contributing to any Annex II risks, human rights abuses or any other applicable risk.</p> <p>Definition: Threatened (and Endangered) Species - Species that meet the IUCN (2001) criteria for Vulnerable (VU), Endangered (EN) or Critically Endangered (CR), and are facing a high, very high or extremely high risk of extinction in the wild. These categories may be re-interpreted for IRMA purposes according to official national classifications (which have legal significance) and</p> |
|-----|---|---|---|

| | | | |
|-----|--|---|---|
| | <p>Certification Scheme and World Diamond Council System of Warranties).</p> <p>d. The due diligence process shall be periodically updated to ensure the determination from the process has not changed.</p> | <p>supply chain shall ensure that they do not source any species of pearls and coral listed in CITES Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES dated 3rd March 1973).</p> <p>e. The due diligence process shall be periodically updated to ensure the determination from the process has not changed.</p> | <p>to local conditions and population densities (which should affect decisions about appropriate conservation measures).</p> <p>Source: Adapted from IUCN. 2001. IUCN Red List Categories and Criteria: Version 3.1.</p> |
| 7.2 | <p>Members shall adopt and communicate publicly and to their suppliers a supply chain policy. The policy shall:</p> <p>a. Be consistent at a minimum with Annex II of the OECD Guidance or with other RJC-</p> | <p>Members shall adopt and communicate publicly and to their suppliers a supply chain policy. The policy shall:</p> <p>a. Be consistent at a minimum with Annex II of the OECD Guidance or with other RJC-recognised due diligence</p> | <p>a. State expectations with respect to the environmental, social and governance (ESG) should be included in new or updated contracts with suppliers of critical input materials, obtain confirmation from the supplier that the policy has been acknowledged and understood and that failure to conform with the policy will result in mitigation actions or termination of business relations with the supplier.</p> |

| | | | |
|-----|--|--|---|
| | recognised due diligence frameworks with respect to sourcing from conflict-affected and high-risk areas. | frameworks with respect to sourcing from conflict-affected and high-risk areas. | |
| 7.3 | <p>Mining members shall:</p> <p>a. Establish and maintain risk management plans with preventive and mitigation control measures commensurate with the outcome of the due diligence process.</p> <p>b. If the due diligence establishes that Members with mining and/or refinery facilities, operates in or sources from conflict-affected and high-risk areas, it shall:</p> <p>i. not knowingly cause, contribute to or be linked to conflict, human rights infringements, money laundering, extortion or funding terrorist activities upstream or downstream of their operations including during business activities with traders and transportation organisations.</p> <p>ii. Ensure that affected communities have access to and are informed about a rights-compatible complaints and grievance mechanism at the operational level for raising conflict-related concerns and grievances.</p> | <p>Mining members shall:</p> <p>a. Establish and maintain risk management plans with preventive and mitigation control measures commensurate with the outcome of the due diligence process.</p> <p>b. If the due diligence establishes that Members with mining and/or refinery facilities, operates in or sources from conflict-affected and high-risk areas, it shall:</p> <p>i. not knowingly cause, contribute to or be linked to conflict, human rights infringements, money laundering, extortion or funding terrorist activities upstream or downstream of their operations including during business activities with traders and transportation organisations.</p> <p>ii. Ensure that affected communities have access to and are informed about a rights-compatible complaints and grievance mechanism at the operational level for raising conflict-related concerns and grievances.</p> <p>iii. Mitigate and remediate any complaints or grievances received.</p> | <p>a. Plans and control measures shall include input from consultation with affected relevant stakeholders to ensure they are culturally appropriate.</p> <p>b. Where human rights related risks have been identified, controls shall be consistent with the requirements in COP 6 Human rights and with COP 13 Security, if security personnel are used.</p> <p>c. Plans and controls must be regularly reviewed for effectiveness and updated as appropriate.</p> |

| | | | |
|--|--|---|--|
| | | iv. Measure the impact of the mitigation and remediation and inform the affected communities. | |
|--|--|---|--|

| | | | |
|-----|--|--|--|
| 7.4 | <p>Refiner members shall:</p> <p>a. Maintain internal material control systems that can uniquely identify origin of each of material received including date, quantity and assay, and reconcile movement of inventory in and out over a given time.</p> <p>b. Collect and publicly report, with due regard to business confidentiality, annually information on the quantity, source and characteristics of the materials handled.</p> <p>c. Refiners shall additionally collect and publicly report, with due regard to business confidentiality, annually information on the mine of origin of mined materials received.</p> | <p>Refiner members shall:</p> <p>a. Maintain internal material control systems that can uniquely identify origin of each of material including date received, quantity and assay, and reconcile movement of inventory in and out over a given time.</p> <p>b. Collect and publicly report, with due regard to business confidentiality, annually information on the quantity, source and characteristics of the materials handled.</p> <p>c. Refiners shall additionally collect and publicly report, with due regard to business confidentiality, annually information on the mine of origin of mined materials received.</p> | <ul style="list-style-type: none"> • Quantity of critical input materials (by weight) from mines that have submitted results of self-assessment to the Members supply chain policy • Quantity of critical input materials (by weight) from mines that have undergone an independent third-party COP audit; • Quantity of critical input materials (by weight) from recycled/scrap suppliers that have been evaluated on ESG performance; • Quantity of critical input materials (by weight) from ASM sources that has been evaluated using a credible third-party verification system; • Quantity of critical input materials (by weight) from all sources not yet evaluated on ESG performance; • Quantity of critical input materials (by weight) from sources of unknown origin; • Total number of suppliers of critical input materials; • Number of suppliers of critical input materials not legally registered; • Number of suppliers of critical input materials whose business relationship with the operating company has been suspended due to lack of legal registration, money laundering, financing of terrorism, fraud, other sanctions, or breaches of the company’s responsible sourcing policy; • Number of suppliers of critical input materials whose business relationship with the operating company has been terminated due to lack of legal registration, money laundering, financing of terrorism, fraud, other sanctions, or breaches of the company’s responsible sourcing policy; • Number of suppliers of critical input materials in high-risk category with respect to ESG performance; • Number of suppliers of critical input materials in low-risk category with respect to ESG performance; • Number of suppliers of critical input materials with action plans to address ESG performance gaps; and • Number of suppliers of critical input materials terminated for failure to address ESG performance gaps according to agreed action plans and timetable. |
|-----|--|--|--|

SOURCING DIRECTLY FROM ARTISANAL AND SMALL-SCALE MINING

WWW.RESPONSIBLEJEWELLERY.COM
THE COUNCIL FOR RESPONSIBLE JEWELLERY PRACTICES LTD.
SECOND FLOOR, QUALITY HOUSE, 5-9 QUALITY COURT, CHANCERY LANE, LONDON, WC2A 1HP.
THE RESPONSIBLE JEWELLERY COUNCIL IS THE TRADING NAME OF THE COUNCIL FOR RESPONSIBLE JEWELLERY PRACTICES LTD.
REGISTERED IN ENGLAND AND WALES WITH COMPANY NUMBER 05449042.

| | | | |
|-------------------|--|--|--|
| <p>8.1</p> | <p>Members that source gold, silver, PGM, diamonds and/or coloured gemstones directly from artisanal and small-scale mining (ASM) producers that are not under their control shall:</p> <p>Regularly assess risks outlined in COP 7 (Due diligence for responsible sourcing from conflict-affected and high-risk areas) and also risks of unsafe working conditions, uncontrolled mercury use and significant environmental impacts (including impacts to biodiversity), and seek opportunities for ASM community development in line with COP 10 (Community development).</p> <p>Use best endeavours to positively influence practices by working to:</p> <p>Reduce or avoid risks and provide for, or co-operate in, remedying adverse human rights and environmental impacts. Measurable risk mitigation should aim to promote significant improvement within a defined period from the adoption of the risk management plan. Support</p> | <p>Members that source gold, silver, PGM, diamonds, coloured gemstones, pearls and/or coral directly from artisanal and small-scale mining (ASM) producers that are not under their control shall:</p> <p>a. Regularly assess risks outlined in COP 7 (Due diligence for responsible sourcing from conflict-affected and high-risk areas) and also risks of unsafe working conditions, uncontrolled mercury use and significant environmental impacts (including impacts to biodiversity), and other risks where applicable.</p> <p>b. Seek opportunities for ASM community development in line with COP 10 (Community development).</p> <p>c. Use best endeavours to positively influence practices by working to:</p> <p>i. Reduce or avoid risks and provide for, or co-operate in, remedying adverse human rights. Measurable risk mitigation should aim to promote progressive improvement within a defined period from the adoption of the risk management plan.</p> <p>ii. Reduce or avoid risks and provide for, or co-operate in, remedying</p> | <p>a. Commission assessment by an independent third-party against, at a minimum the risks outlined in COP 6 & 7 (Human right & Due diligence for responsible sourcing from conflict-affected and high-risk areas) and also risks of unsafe working conditions, uncontrolled mercury use and significant environmental impacts (including impacts to biodiversity), considering including other risks such as working hours, remuneration, child labour, forced labour, hazardous substances, indigenous peoples and free, prior informed consent, tailings and waste rock. Members sourcing from ASM mines which are already certified against initiatives such as Fairmined, Fairtrade or participating in frameworks such as CRAFT code, can be used as evidence to demonstrate conformance with this provision.</p> <p>c.</p> <p>iv. Examples of such initiatives can be Swiss Better Gold Association (SBGA) / Better Gold Initiative, Fairmined, Fairtrade, CRAFT CODE, Maendeleo Diamond Standards and others as applicable and appropriate.</p> <p>Fair commercial terms The importance of fair commercial terms for ASM suppliers cannot be underestimated. You must seek to understand what these are, using practical and available market tools (for example, the international price of gold). For diamonds and coloured gemstones this can be challenging given the variable characteristics (and therefore price) of every stone, and the existence of multiple grading and appraisal systems. Providing fair commercial terms for ASM suppliers includes due consideration of options to support cash flow and reduce market uncertainty, for example:</p> <ul style="list-style-type: none"> • guarantee a certain volume of purchase (or offtake); • provide upfront financing (prepayment); or • guarantee an agreed frequency of payments. |
|-------------------|--|--|--|

| | | | |
|--|---|--|--|
| | <p>development opportunities for ASM communities.</p> <p>Actively participate in initiatives, including multi- stakeholder ones, that enable the professionalisation, formalisation and/or certification of ASM, as appropriate to the situation.</p> <p>Seek to understand fair commercial terms and offer these to all ASM suppliers.</p> | <p>adverse environmental impacts. Measurable risk mitigation should aim to promote progressive improvement within a defined period from the adoption of the risk management plan.</p> <p>iii. Support development opportunities for ASM communities.</p> <p>iv. Actively participate in initiatives, including multi-stakeholder ones, that enable the professionalisation, formalisation and/or certification of ASM, as appropriate to the situation.</p> <p>v. Seek to understand fair commercial terms and offer these to all ASM suppliers.</p> | |
|--|---|--|--|

SOURCING POST-CONSUMER INDUSTRIAL PRECIOUS METALS DIRECTLY FROM INFORMAL RECYCLERS

| | | | |
|------------|--|---------------|---------------|
| 9.1 | <p>Members that source gold, silver and/or PGM directly from informal recyclers that are not under their control shall:</p> <p>Regularly assess risks outlined in COP 7 (Due diligence for responsible sourcing from conflict- affected and high-risk areas) and risks of unsafe</p> | No amendments | No amendments |
|------------|--|---------------|---------------|

| | | | |
|------------------------------|---|---------------|---|
| | <p>working conditions, exposure to toxic chemicals and metals, and other significant environmental impacts; and seek opportunities for the development of informal recycling communities in line with COP 10 (Community development).</p> <p>Use best endeavours to positively influence practices by working to:</p> <p>Reduce or avoid risks and provide for or cooperate in remedying adverse human rights and environmental impacts. Measurable risk mitigation should aim to promote significant improvement within a defined period from the adoption of the risk management plan.</p> <p>Support development opportunities for informal recycling communities.</p> | | |
| COMMUNITY DEVELOPMENT | | | |
| 10.1 | N/A | No amendments | Members should ensure that their community development includes clear objectives, indicators and actions in how they will support the social, economic and institutional development. |

| | | | |
|---|--|----------------------|----------------------|
| <p>10.2</p> | <p>Member with mining facilities (including those with refining activities):</p> <ul style="list-style-type: none"> a. Develop initiatives and support activities that contribute to lasting social and economic well-being in line with COP 32 (Stakeholder Engagement) b. Collaborate with local communities to periodically monitor the effectiveness of any initiatives and support activities developed to deliver community benefits, and evaluate if changes need to be made. | <p>No amendments</p> | <p>No amendments</p> |
| <p>BRIBERY AND FACILITATION PAYMENTS</p> | | | |

| | | | |
|--------------------|---|--|----------------------|
| <p>11.1</p> | <p>Members shall establish and publicly disclose policy/policies and procedures that:</p> <p>a. Prohibit bribery or all forms of corruption in all business practices and transactions carried out by themselves and by agents acting on their behalf.</p> <p>b. Protect employees from any penalty or adverse consequences for identifying in good faith concerns related to suspected bribery, refusing to participate in bribery or refusing to pay a facilitation payment where facilitation payments are prohibited, even if this action may result in the enterprise losing business.</p> <p>c. Set the criteria and approval procedures for employees to follow when offering and/or accepting gifts to or from third parties.</p> | <p>Members shall establish and publicly disclose policy/policies and procedures that:</p> <p>a. Prohibit all forms of corruption, including bribery, in all business practices and transactions carried out by themselves and by agents acting on their behalf.</p> <p>b. Protect employees from any penalty or adverse consequences for identifying in good faith concerns related to suspected bribery, refusing to participate in bribery or refusing to pay a facilitation payment where facilitation payments are prohibited, even if this action may result in the enterprise losing business.</p> <p>c. Set the criteria and approval procedures for employees to follow when offering and/or accepting gifts to or from third parties.</p> | <p>No amendments</p> |
|--------------------|---|--|----------------------|

| | | | |
|--------------------|---|----------------------|----------------------|
| <p>11.2</p> | <p>Members shall have systems in place to manage bribery risk in their organisation. The systems shall include:</p> <ul style="list-style-type: none"> a. Identification and monitoring of those parts of their business that pose high risk of participation in bribery. b. Training of relevant managers and employees on policies and procedures. c. Recording of relevant gifts to and from third parties in a gift register, as per the member's policy. d. A whistle-blowing or other mechanism for employees or stakeholders to raise concerns. e. Investigation of any incidences of suspected bribery within their organisation. f. Sanctions for bribery and attempted bribery. | <p>No amendments</p> | <p>No amendments</p> |
|--------------------|---|----------------------|----------------------|

| | | | |
|---|--|--|----------------------|
| <p>11.3</p> | <p>Where facilitation payments are allowed by applicable law, members shall:</p> <ul style="list-style-type: none"> a. Act to eliminate all facilitation payments or to reduce the size and frequency of facilitation payments over time. b. Ensure that any facilitation payments are of limited nature and scope. c. Implement controls to monitor, oversee and fully account for any facilitation payments made by them or made on their behalf d. On a yearly basis, publicly disclose facilitation payments made to public or government officials. | <p>Where facilitation payments are allowed by either</p> <ul style="list-style-type: none"> a: Applicable law, or; b. not prohibiting facilitation payments as a matter of policy, members shall: <ul style="list-style-type: none"> i. Act to eliminate all facilitation payments or to reduce the size and frequency of facilitation payments over time. ii. Ensure that any facilitation payments are of limited nature and scope. iii. Implement controls to monitor, oversee and fully account for any facilitation payments made by them or made on their behalf iv. On a yearly basis, publicly disclose facilitation payments made to public or government officials. | <p>No amendments</p> |
| <p>KNOW YOUR COUNTERPARTY: MONEY LAUNDERING AND FINANCE OF TERRORISM</p> | | | |

| | | | |
|-------------|---|----------------------|----------------------|
| <p>12.1</p> | <p>Members shall document and apply a Know Your Counterparty (KYC) policy and procedures for counterparties, business partners, and others that are suppliers and customers of gold, silver, PGM, diamonds, coloured gemstones or jewellery products containing these materials. The policy and procedures shall:</p> <ul style="list-style-type: none"> a. Establish the identity of the counterparty by checking government-issued identification. Where triggered by a risk assessment or applicable law, establish the beneficial ownership and principals of the counterparty. b. Verify that the counterparty and, if applicable, their beneficial owners are not named on relevant government lists for individuals or organisations implicated in money laundering, fraud or involvement with prohibited organisations and/or those financing conflict. c. Maintain an understanding of the nature and legitimacy of their business. d. Monitor transactions for unusual or suspicious activity and report suspicions of money laundering or finance of terrorism | <p>No amendments</p> | <p>No amendments</p> |
|-------------|---|----------------------|----------------------|

| | | | |
|------|---|---------------|---------------|
| | to the relevant authority as applicable. e. Maintain adequate records for either five years minimum or as long as required by national legislation, whichever is longer. | | |
| 12.2 | Members shall nominate an individual to be responsible for implementing the KYC policy and procedures. | No amendments | No amendments |
| 12.3 | Members' KYC policy and procedures shall be up to date and appropriate, and shall include training, documentation procedures and regular reviews. | No amendments | No amendments |

| | | | |
|-----------------|--|---------------|---------------|
| 12.4 | Members shall maintain records of all single or apparently linked cash or cash-like transactions equal to or above 10,000 euros/US dollars or the threshold defined by applicable law (whichever is lower). Where required by law, members shall report such transactions to the relevant designated authority. | No amendments | No amendments |
| SECURITY | | | |
| 13.1 | Members shall assess security risks and establish measures that protect employees, contractors, visitors and personnel employed by relevant business partners against product theft, damage or substitution of products within the premises and during events, exhibitions and shipments. | No amendments | No amendments |
| 13.2 | Members shall ensure that all security personnel respect the human rights and dignity of all people and use force only when strictly necessary and the minimum proportionate to the threat. Members with mining facilities (including those with refining activities) shall make a publicly available policy in line with COP 2.1 (Policy and implementation). | No amendments | No amendments |

| | | | |
|--|--|--|--|
| | | | |
|--|--|--|--|

| | | | |
|-------------|---|----------------------|--|
| <p>13.3</p> | <p>Members with mining facilities (including those with refining activities) shall ensure that their security approaches are consistent with the Voluntary Principles on Security and Human Rights and as appropriate, the United Nations Basic Principles on the Use of Force and Firearms as appropriate and include commitments to acknowledge its security approaches in a publicly available policy.</p> | <p>No amendments</p> | <p>In particular, Members shall:</p> <ul style="list-style-type: none"> a. Use competent professionals to carry out a formal risk assessment to evaluate security risks and the potential for human rights abuses. The risk assessment shall draw on credible information from affected stakeholders including vulnerable groups and expert advice, human rights records of the host government or local political environment. The approach taken, inputs used and outcomes of the risk assessment actions to be taken to prevent or mitigate identified risks, and monitoring that will be conducted to ensure that mitigation measures are effective, shall be documented in a risk management plan. b. Contract or otherwise engage with public and private security in a way that helps protect human rights and not support public or private security forces that have been credibly implicated in the infringement of human rights, breaches of international humanitarian law or the excessive use of force. Engagement terms shall be under a signed contract that sets out terms for the public or private security firms to comply with the Member’s code of conduct, human rights and security policies and procedures, outlines the expected training and refresher requirements, and states the duties relating to the provision of security in and around the mine, and, if relevant, along transport routes. c. Provide mandatory initial training to employed or contracted security personnel prior to their deployment and ongoing refresher training that incorporates the Member’s security and human rights related policies procedures, risks and controls, applicable laws, and expected conduct in relation to respect for human rights and the appropriate use of force and firearms. d. Respect the human rights of individuals engaged in artisanal and small-scale mining (ASM) not under their control occurs within or in close proximity to their areas of operation and members of ASM affected communities. e. Only use firearms for the purpose of self-defence or the defence of others if there is an imminent threat of death or serious injury. f. Impose appropriate disciplinary action to prevent and deter abusive or unlawful acts by security personnel and acts that contravene the company’s policies on rules of engagement, the use of force and firearms, human rights, and other relevant policies. g. Take appropriate actions to mitigate and provide remediation for human rights impacts, injuries or fatalities caused by security providers h. Inform and provide stakeholders access to the Member’s grievance mechanism in line with COP 32 (Stakeholder engagement) and ensure the safety of victims, or others that raise security-related claims. |
|-------------|---|----------------------|--|

| | | | |
|--|--|--|---|
| | | | <p>i. Prepare and report, at least annually, to stakeholders on the Member’s security arrangements and its efforts to manage security in a manner that respects human rights.</p> |
|--|--|--|---|

Definition: Competent professional - A Member’s staff or external consultants with relevant education, knowledge, proven experience, necessary skills and training to carry out the required work. Competent professionals would be expected to follow scientifically robust methodologies that would withstand scrutiny by other professionals. Other equivalent terms used may include: competent person, qualified person, qualified professional. For independent reviews competent professionals must not be in-house staff.

| | | | |
|--------------------------|---|---------------|--|
| 13.4 | Members whose business is to provide private security services to the jewellery supply chain shall be certified members of the International Code of Conduct Association (ICoCA). | No amendments | Members providing private security services must be certified against International Code of Conduct Association (ICoCA). Your certification status will be verified during your RJC COP audit. If you are in the process of obtaining certification against the ICoCA, a minor non-conformance will be raised and compliance will be verified during your mid-term review. |
| PROVENANCE CLAIMS | | | |
| 14.1 | Members shall check whether they make any provenance claims that apply under this provision. | No amendments | No amendments |
| 14.2 | Members that make one or more provenance claims shall: a. Have systems to ensure that the provenance claims are truthful and substantiated by evidence. b. Do training to ensure that employees who are responsible for implementing the claims and responding to product enquiries, understand the claims and can explain them accurately. c. Make further information available to customers who ask about a provenance claim. d. Have a complaints or grievance mechanism appropriate to the nature, scale and impact of the business to allow interested parties to voice concerns. | No amendments | No amendments |

| | | | |
|---------------------------------|---|---------------|---------------|
| 14.3 | Members who sell directly to consumers must make available at the point of sale, and on their website, further detail about the claim/s being made, and the systems in place to achieve them. | No amendments | No amendments |
| GENERAL EMPLOYMENT TERMS | | | |
| 15.1 | Members shall implement policies and procedures regarding its approach to managing workers and employment terms with regards to wages, working hours and other employment conditions and communicate these policies and terms to employees in writing before employment starts, in a language that is understood by them. This shall include: a. Informing workers of their employment rights under applicable law including that they are free to join a workers' organisation of their choosing without any negative consequences or retaliation from the operating company, and of their rights to applicable collective bargaining in line with COP 21 (Freedom of Association and Collective Bargaining). b. Provide workers with a copy of the collective agreement and the | No amendments | No amendments |

| | | | |
|------|--|---------------|---------------|
| | contact information for the appropriate workers' representative. | | |
| 15.2 | Members shall not: a. avoid fulfilling legal labour and social security obligations including a collective bargaining agreement or other legitimate worker organising effort to employees by using labour-only contracts, false apprenticeship schemes, excessive consecutive short-term employment contracts, and/or subcontracting or homeworking arrangements. b. Hire replacement workers in order to prevent, undermine or cease a legal strike, support a lockout, or avoid negotiating in good faith, unless the labour hire replacement workers are to ensure that critical maintenance, health and safety, and environmental control measures | No amendments | No amendments |

| | | | |
|-------------|---|---------------|---------------|
| | are maintained during a legal strike. | | |
| 15.3 | | No amendments | No amendments |
| 15.4 | Prior to implementing any collective dismissals or retrenchments, the Member shall carry out an analysis and explore alternatives to retrenchment. If the analysis does not identify viable alternatives to retrenchment, a retrenchment plan that is based on the principle of non-discrimination (see COP 22) and where practicable, to minimise adverse impacts to the retrenched workers, shall be developed in consultation with workers, their representatives, and, where appropriate, relevant official agencies. | No amendments | No amendments |

| | | | |
|--------------------|--|----------------------|----------------------|
| <p>15.5</p> | <p>Members shall provide workers with notice of dismissal and severance payments mandated by applicable law and collective agreements in a timely manner. Severance payments including outstanding back pay, social security benefits, and pension contributions and benefits shall be paid on or before the termination of the working relationship, or in accordance with a timeline agreed through a collective agreement. Payments shall be made directly to workers, or to appropriate institutions for the benefit of workers, and records of the payment provided to the employee in line with COP 17 (Remuneration).</p> | <p>No amendments</p> | <p>No amendments</p> |
|--------------------|--|----------------------|----------------------|

WORKING HOURS

| | | | |
|-------------|---|---|--|
| <p>16.1</p> | <p>Members shall comply with applicable law on working hours. The normal working day and week, not including overtime, shall not exceed 8 hours and 48 hours, respectively. Where workers are employed in shifts the 8-hour day and 48-hour week may be exceeded provided that the average number of regular hours worked over a 3-week period does not exceed eight hours per day and 48 hours per week.</p> | <p>Members shall comply with applicable law on working hours. The normal working week, not including overtime, shall not exceed 48 hours, respectively. Where workers are employed in shifts, 48-hour week may be exceeded provided that the average number of regular hours worked over a 3-week period does not exceed 48 hours per week.</p> | <p>ILO has issued recommendations to reduce (where feasible) the normal working week to a maximum of 40hrs (excluding overtime) with no reduction of pay. Where feasible RJC members should strive to provide this to their employees / contractors: "ILO – The Reduction of Hours of Work Recommendation, 1962" - https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:R116</p> |
|-------------|---|---|--|

| | | | |
|--------------------|---|---|----------------------|
| <p>16.2</p> | <p>If overtime work is required for business needs, it is limited to 12 hours per week. Members shall ensure that:</p> <p>a. They strive to use voluntary systems for overtime work. Required overtime is only acceptable where it is allowed under applicable law or collective bargaining agreements, within the limits defined by COP 16 and outlined in employment contracts.</p> <p>b. In all other circumstances, overtime work shall be requested under a voluntary system and within limits set under applicable law or collective bargaining agreements. The imposition of overtime where employees cannot leave the work premises or are in any way forced to accept it (through abuse, threats of dismissal or other) is not allowed. Refusal to work overtime shall not be punished, retaliated against or penalised in any way.</p> <p>c. The sum of the normal working week and overtime hours shall not exceed 60 hours in a week unless defined otherwise by applicable law or a collective bargaining agreement, or unless</p> | <p>If overtime work is required for business needs, it is limited to 12 hours per week, 12hrs per week may be exceeded provided that the average number of regular hours worked over a 3-week period does not exceed 12 hours per week. Members shall ensure that:</p> <p>a. They strive to use voluntary systems for overtime work. Required overtime is only acceptable where it is allowed under applicable law or collective bargaining agreements, within the limits defined by COP 16 and outlined in employment contracts.</p> <p>b. In all other circumstances, overtime work shall be requested under a voluntary system and within limits set under applicable law or collective bargaining agreements. The imposition of overtime where employees cannot leave the work premises or are in any way forced to accept it (through abuse, threats of dismissal or other) is not allowed. Refusal to work overtime shall not be punished, retaliated against or penalised in any way.</p> <p>c. The sum of the normal working week and overtime hours shall not exceed 60 hours in a week unless defined otherwise by applicable law or a collective bargaining agreement, or unless there are exceptional</p> | <p>No amendments</p> |
|--------------------|---|---|----------------------|

| | | | |
|------|---|---|---------------|
| | there are exceptional circumstances (such as production peaks, accidents or emergencies), which will be assessed as outlined in the guidance for COP 16. In all cases, Members shall take appropriate safeguards to protect the workers' health and safety. | circumstances (such as production peaks, accidents or emergencies), which will be assessed as outlined in the guidance for COP 16. In all cases, Members shall take appropriate safeguards to protect the workers' health and safety. | |
| 16.3 | Members shall provide all employees with at least one rest day in seven consecutive working days in accordance with International Labour Organization (ILO) Convention 14. | No amendments | No amendments |

| | | | |
|--------------------|--|---|--|
| <p>16.4</p> | <p>Notwithstanding COP 16.2 an COP 16.3, work time exceeding the required limits is only allowed if: a. A collective bargaining agreement or applicable law allows for work-time averaging including adequate rest periods; or b. During peak production periods, so long as the longer work time is rare, voluntarily performed, and compensated at the appropriate premium level established by law or a collective bargaining agreement, or where unregulated by either, at a premium rate at least equal to the prevailing industry standards; and through consultations with workers' representatives a risk management process that includes a risk assessment for extended working hours is established to minimize the impact of longer working hours on the health, safety and welfare of workers.</p> | <p>Notwithstanding COP 16.2 an COP 16.3, work time exceeding the required limits is only allowed if: a. A collective bargaining agreement or applicable law allows for work-time averaging including adequate rest periods; or b. During peak production periods, so long as the longer work time is occasional, voluntarily performed, and compensated at the appropriate premium level established by law or a collective bargaining agreement, or where unregulated by either, at a premium rate at least equal to the prevailing industry standards; and through consultations with workers' representatives a risk management process that includes a risk assessment for extended working hours is established to minimize the impact of longer working hours on the health, safety and welfare of workers.</p> | <p>Definition: - Occasional is defined as not part of an employee's regularly scheduled work week.</p> |
|--------------------|--|---|--|

| | | | |
|------|---|--|--|
| 16.5 | Members shall provide employees with all legally mandated public holidays and leave, including maternity and paternity, compassionate and paid annual leave. Where no applicable law exists, three weeks paid annual leave after the worker reaches one year of service and a maternity leave period of no less than 14 weeks, shall be provided, in accordance with ILO Convention 132. Special leave or working-time arrangements for employees with family responsibilities shall apply to all employees regardless of gender. | Members shall provide employees with all legally mandated public holidays and leave, including maternity and paternity, compassionate and paid annual leave. Where no applicable law exists, three weeks paid annual leave after the worker reaches one year of service, and a maternity leave period of no less than 14 weeks, shall be provided, in accordance with ILO Convention 183. Special leave or working-time arrangements for employees with family responsibilities shall apply to all employees regardless of gender. | Paternity leave – No ILO standard currently exists for paternity leave. However a 2009 resolution calls for governments to develop adequate policies for a better balance of work and family responsibilities, to include paternity and/or parental leave, with incentives for men to use them. Where RJC members operate in countries where no applicable law exists, it encourages its members to provide paternity / paternal leave: https://www.ilo.org/gender/Events/WCMS_187671/lang--en/index.htm |
| 16.6 | Members shall provide all employees with a workday break including time off for meals in accordance with applicable law. If there is no applicable law, then Members shall provide employees with at least one uninterrupted work break of reasonable duration if they work longer than six hours. | No amendments | No amendments |
| 16.7 | Members shall maintain records of work hours, overtime and annual and sick leave for each employee. | No amendments | No amendments |

RENUMERATION

| | | | |
|-------------|---|---|---|
| <p>17.1</p> | <p>Members shall pay all employees a wage rate for normal hours worked, not including overtime, based on the higher of either the applicable legal or collective agreement minimum wage, plus associated statutory benefits, or the prevailing industry standards or a living wage. Wages paid on a performance-related basis shall not be less than the legal minimum wage for a normal working week. Members shall ensure that comparable wages are given to all employees for carrying out work of equal value with processes to assess and remediate any potential wage disparity that discriminates against any category of workers.</p> | <p>Members shall pay all employees a wage rate for normal hours worked, not including overtime, based on the higher of either the applicable legal or collective agreement minimum wage, plus associated statutory benefits, or the prevailing industry standard or a living wage. Wages paid on a performance-related basis shall not be less than the higher of either the applicable legal or collective agreement minimum wage, plus associated statutory benefits, or the prevailing industry standard for a normal working week. Members shall ensure that comparable wages are given to all employees for carrying out work of equal value with processes to assess and remediate any potential wage disparity that discriminates against any category of workers.</p> | <p>Living wage is defined as: The remuneration received for a standard workweek by a worker in a particular place sufficient to afford a decent standard of living for the worker and her or his family. Elements of a decent standard of living include food, water, housing, education, health care, transportation, clothing, and other essential needs including provision for unexpected events. (Global Living Wage Coalition).</p> |
| <p>17.2</p> | <p>Members shall reimburse overtime work at a rate at least equal to that required by applicable law or a collective bargaining agreement or, where unregulated by either, at a premium rate above the regular wage at least equal to the prevailing industry standards.</p> | <p>Members shall reimburse overtime work at a rate at least equal to that required by applicable law or a collective bargaining agreement or, where unregulated by either, at minimum of 1.25 x base wage or a premium rate above the regular wage at least equal to the prevailing industry standards.</p> | <p>ILO convention 1 and 30 note an overtime pay rate to be at least one and a quarter (1.25) of the employees base rate of pay.</p> |

| | | | |
|------|---|--|---|
| 17.3 | <p>Members shall make wage payments to employees in accordance with the law that are:</p> <p>a. Regular and predetermined, and not delayed or deferred.</p> <p>b. By bank transfer to an account controlled by the employee, or to appropriate institutions for the benefit of the employee or in cash or cheque form in a manner and location convenient to the employees.</p> <p>c. Accompanied by a wage slip that clearly details wage rates, benefits and deductions where applicable, and is in a format that employees can easily understand.</p> <p>d. If employment agencies are used, members shall have systems to ensure equitable compensation and workplace standards, and to ensure that wages are effectively received by employees, including migrant, contract, contingent and temporary employees.</p> | <p>Members shall make wage payments to employees in accordance with the law that are:</p> <p>a. Regular and predetermined, and not delayed or deferred.</p> <p>b. By bank transfer to an account controlled by the employee, or in cash or cheque form in a manner and location convenient to the employees.</p> <p>c. Accompanied by a wage slip that clearly details wage rates, benefits and deductions where applicable, and is in a format that employees can easily understand.</p> <p>d. If employment agencies are used, members shall have systems to ensure equitable compensation and workplace standards, and to ensure that wages are effectively received by employees, including migrant, contract, contingent and temporary employees.</p> | <p>d. members can utilise systems such as contractual agreements, certification against labour standards, ensuring that agency staff are made aware of and have access to the members grievance, or whistleblowing mechanism.</p> |
| 17.5 | <p>Members shall not make deductions for disciplinary purposes unless permitted by national law and the law guarantees the procedural fairness of the disciplinary action, or the deduction for disciplinary</p> | <p>Members shall not make deductions for disciplinary purposes unless permitted by national law and the law guarantees the procedural fairness of the disciplinary action..</p> | <p>No amendments</p> |

| | | | |
|------|--|---------------|---------------|
| | purposes are permitted in a freely negotiated collective bargaining agreement or arbitration award. | | |
| 17.6 | Members shall not force employees to buy provisions or services from their own business or facilities; where there is no alternative, members shall not charge excessive rates for these | No amendments | No amendments |
| 17.7 | Members that provide wage advances or loans shall ensure that the interest and repayment terms are transparent and fair, and not deceptive to the employee. | No amendments | No amendments |
| 17.8 | Members shall ensure that all benefits are given to employees in accordance with applicable law. | No amendments | No amendments |

HARASSMENT, DISCIPLINE, GRIEVANCE PROCEDURES AND NON-RETALIATION

| | | | |
|--------------------|---|--|--|
| <p>18.1</p> | <p>All forms of violence, harassment or intimidation in the workplace, especially with female, disadvantaged or vulnerable workers, are prohibited, including but not limited to corporal punishment; harsh or degrading treatment; sexual or physical harassment; mental, physical, verbal or sexual abuse; retaliation; coercion; and intimidation. Both direct and indirect harassment in any form including during disciplinary actions is not acceptable in workplace facilities. Members shall develop and implement measures to ensure that employees are treated with dignity and respect and are not subjected to harassment or violence, or threatened with these towards themselves, their family or colleagues.</p> | <p>No amendments</p> | <p>Make sure you have policies that prohibit all forms of violence and harassment in the workplace; and communicate this information to supervisors and workers. The policy should explicitly prohibit all forms of violence and harassment based on (at a minimum) the following criteria: Race Colour Ethnicity Caste National origin Religion Disability or genetic information Gender Sexual orientation Union membership Political affiliation Marital status Parental or pregnancy status Physical appearance HIV status Age or any other personal characteristic unrelated to the inherent requirements of the work</p> |
| <p>18.2</p> | <p>Doctors, nurses and key personnel among security staff, managers or others shall be regularly trained to recognise signs of gender-based violence and understand relevant laws and organisational policies.</p> | <p>Doctors, nurses and key personnel among security staff, managers or others shall be regularly trained to recognise signs of violence & harassment and understand relevant laws and organisational policies.</p> | <p>Managers, medical professional and other key personnel can be uniquely placed to help prevent and address violence and harassment in the workplace (including gender-based violence). It is critical that these people are trained to help identify victims, both individuals and groups, of workplace violence who may not feel safe reporting incidents through the grievance procedures.</p> <ul style="list-style-type: none"> Identify the relevant key staff who are best positioned to help prevent violence and hostile environments in the workplace and focus training on them (see box 'Practical training references'). |

| | | | |
|------|--|---------------|--|
| | | | <ul style="list-style-type: none"> • Consult with local organisations and law enforcement to identify and understand: • all relevant laws related to violence and harassment including; Race Colour Ethnicity Caste National origin Religion Disability or genetic information Gender Sexual orientation Union membership Political affiliation Marital status Parental or pregnancy status Physical appearance HIV status Age or any other personal characteristic unrelated to the inherent requirements of the work <ul style="list-style-type: none"> • local and national victim support services available; and • requirements for reporting incidents to local authorities. |
| 18.3 | Members shall clearly and actively communicate their documented disciplinary process and related standards on appropriate disciplinary procedures and employee treatment in line with COP 18.1, and apply these equally to all management and staff. Members shall keep records of all disciplinary actions taken. | No amendments | No amendments |

| | | | |
|--------------------|--|---|---|
| <p>18.4</p> | <p>Members shall have clear, understandable, confidential and unbiased grievance procedures and investigation processes that allow for anonymity if requested, and actively communicate these to all employees including new employees at the time of recruitment.</p> <p>a. Employees acting individually or with other workers shall be free to submit a workplace concern or grievance without suffering any penalty or retaliation.</p> <p>b. Grievance procedures shall be designed to function effectively, involve the appropriate level of management, workers' representative if requested by the worker, and reach a timely outcome.</p> <p>c. Records shall be kept of employee grievances raised, investigation processes and outcomes.</p> <p>d. The selection of individuals to manage and assess the grievances shall be sensitive to the situation and strive to ensure gender balance.</p> <p>e. The grievance process or any resolutions does not waive or preclude a worker's right to seek</p> | <p>Members shall have clear, understandable, confidential and unbiased grievance procedures and investigation processes that allow for anonymity if requested, and actively communicate these to all employees including new employees at the time of recruitment.</p> <p>a. Employees acting individually or with other workers shall be free to submit a workplace concern or grievance without suffering any penalty or retaliation.</p> <p>b. Grievance procedures shall be designed to function effectively, involve the appropriate level of management, workers' representative if requested by the worker, and reach a timely outcome.</p> <p>c. Records shall be kept of employee grievances raised, investigation processes and outcomes.</p> <p>d. The selection of individuals to manage and assess the grievances shall be sensitive to the situation and strive to ensure gender balance.</p> <p>e. The grievance process or any resolutions does not waive or preclude a worker's right to seek recourse from the Member for the same complaint through other available mechanisms, including administrative, judicial or other non-judicial remedies.</p> | <p>d. Members should also select and manage individuals, who will assess grievances, dependant on gender and consider other protected characteristics such as age, disability, marital status, pregnancy and maternity, race, religion or belief.</p> |
|--------------------|--|---|---|

| | | | |
|------|---|---------------|---------------|
| | recourse from the Member for the same complaint through other available mechanisms, including administrative, judicial or other non-judicial remedies. | | |
| 18.5 | Members shall have a policy and management systems to avoid retaliation for individuals filing complaints or engaging with the grievance procedure, in line with COP 2 (Policy and implementation). | No amendments | No amendments |

CHILD LABOUR

| | | | |
|--------------------|---|---|----------------------|
| <p>19.1</p> | <p>Members shall not engage in or support child labour as defined in ILO Convention 138 and Recommendation 146, which set the following minimum ages for work: a. A basic minimum working age of 15 years, to enable children to complete compulsory schooling. b. Members, operating in countries where compulsory schooling ends earlier than 15 years, can start RJC membership but cannot achieve RJC certification if there are workers below the minimum working age of 15 years.</p> | <p>Members shall not engage in or support child labour as defined in ILO Convention 138 and Recommendation 146, which set the following minimum ages for work: a. A basic minimum working age of 15 years, to enable children to complete compulsory schooling. b. Members, operating in countries where compulsory schooling ends earlier than 15 years, can start RJC membership but cannot achieve RJC certification if there are workers below the minimum working age of 15 years.</p> | <p>No amendments</p> |
| <p>19.2</p> | <p>Members shall not engage in or support the worst forms of child labour as defined in ILO Convention 182 and Recommendation 190, which includes: a. Hazardous child labour, which by its nature or circumstances is likely to jeopardise the health, safety or morals of persons younger than 18 years. Where allowed by applicable law and supported by risk assessment and controls under COP 23 (Health and safety), a minimum age of 16 is allowed on</p> | <p>No amendments</p> | <p>No amendments</p> |

| | | | |
|------|--|---------------|---------------|
| | <p>condition that the health, safety and morals of the children concerned are fully protected, and that the children have received adequate specific instruction or vocational training in the relevant branch of activity.</p> <p>b. All forms of child slavery and practices similar to slavery, including debt bondage, the trafficking of children, forced child labour and the use of children in armed conflict.</p> | | |
| 19.3 | <p>Notwithstanding COP 19.1 and COP 19.2, where Child Labour is discovered, Members shall immediately withdraw Children engaged in Child Labour and develop documented remediation processes that include steps for the continued welfare of the Child and the financial situation of the Child's family. Remediation shall include:</p> <p>a. For a Child not still subject to compulsory education laws or attending school, attempt to source alternative income generation and/or vocational training opportunities which can include decent and permissible</p> | No amendments | No amendments |

| | | | |
|----------------------|--|---------------|---------------|
| | <p>employment.</p> <p>b. For a Child still subject to compulsory education laws or attending school, offering adequate support to enable the Child to attend and remain in school until the completion of compulsory education.</p> <p>c. A systemic review of the Member's approach to avoiding Child Labour, to identify root causes of non-conformances and implement controls to avoid any recurrence.</p> | | |
| FORCED LABOUR | | | |
| 20.1 | Members shall not engage in or support the use of forced labour, including bonded, indentured or involuntary prison labour as defined in ILO Convention 29. | No amendments | No amendments |

| | | | |
|-------------|---|----------------------|----------------------|
| <p>20.2</p> | <p>Members shall ensure that all employees are working in voluntary situations. Members shall not:</p> <ul style="list-style-type: none"> a. Unduly restrict the freedom of movement of employees in the workplace or in on-site housing. b. Retain original copies of an employee's personal documentation, such as identity papers. c. Use deceptive recruitment practices and/or require employees to pay any deposits, equipment advances or recruitment fees (either wholly or partially) as part of the recruitment process. If any such fees are found to have been paid by employees, they shall be reimbursed. d. Withhold any part of an employee's salary, benefits or property to force an employee to continue working. e. Prevent employees from terminating their employment after reasonable notice or as established by applicable law. | <p>No amendments</p> | <p>No amendments</p> |
|-------------|---|----------------------|----------------------|

| | | | |
|---|--|---|--|
| 20.3 | Members shall not engage in or support human trafficking or any other type of deceptive recruitment and/or bonded labour practices. Members shall clearly communicate this requirement to labour recruiters, agencies and providers with whom they work, and shall monitor | No amendments | No amendments |
| FREEDOM OF ASSOCIATION AND COLLECTIVE BARGAINING | | | |
| 21.1 | Members shall respect the right of employees to associate freely in workers' organisations of their choice, without interference or negative consequences. Members shall ensure that employees seeking to form, join or participate in an organisation of their own choosing including participating in a legal strike are not subject to any form of harassment as outlined in COP 18.1 (Harassment, discipline, grievance procedures and non-retaliation). | Members shall respect the right of employees to associate freely in workers' organisations of their choice, without interference or negative consequences in alignment the 1998 ILO Declaration on Fundamental Principles and Rights at Work. Members shall ensure that employees seeking to form, join or participate in an organisation of their own choosing including participating in a legal strike are not subject to any form of harassment as outlined in COP 18.1 (Harassment, discipline, grievance procedures and non-retaliation). | The 1998 ILO Declaration on Fundamental Principles and Rights at Work (www.ilo.org/declaration) is already detailed in the RJC guidance document. |
| 21.2 | Members shall respect the right of employees to collective bargaining, and shall adhere to collective bargaining agreements, where these exist. Members shall, subject to applicable law, participate in any collective bargaining processes in | No amendments | No amendments |

| | | | |
|------|---|---------------|---------------|
| | good faith including providing information needed for meaningful negotiation in a timely manner. | | |
| 21.3 | Where legislation restricts the right to freedom of association and collective bargaining, members shall not obstruct alternative means that are allowable under applicable law, and not seek to influence or control these mechanisms. | No amendments | No amendments |

NON-DISCRIMINATION

| | | | |
|-------------|---|---|---|
| <p>22.1</p> | <p>Members shall base employment relationships on the principles of equal opportunity and fair treatment, and shall not practise or condone any form of discrimination in the workplace in terms of hiring, continued employment, remuneration, overtime, access to training, professional development, promotion, termination or retirement. This includes discrimination based on race, colour, ethnicity, caste, national origin, religion, disability or genetic information, gender, sexual orientation, union membership or partaking in a legal strike, political affiliation, marital status, parental or pregnancy status, physical appearance, HIV status, age or any other personal characteristic unrelated to the inherent requirements of the work. Members shall ensure that all individuals who are 'fit for work' are given equal opportunities and are not discriminated against on the basis of factors unrelated to their ability to perform their job.</p> | <p>Members shall base employment relationships on the principles of equal opportunity and fair treatment, and shall not practise or condone any form of discrimination in the workplace in terms of hiring, continued employment, remuneration, overtime, access to training, professional development, promotion, termination or retirement in alignment with the 1998 ILO Declaration on Fundamental Principles and Rights at Work. This includes discrimination based on race, colour, ethnicity, caste, national origin, religion, disability or genetic information, gender, sexual orientation, union membership or partaking in a legal strike, political affiliation, marital status, parental or pregnancy status, physical appearance, HIV status, age or any other personal characteristic unrelated to the inherent requirements of the work. Members shall ensure that all individuals who are 'fit for work' are given equal opportunities and are not discriminated against on the basis of factors unrelated to their ability to perform their job.</p> | <p>The 1998 ILO Declaration on Fundamental Principles and Rights at Work (www.ilo.org/declaration) is already detailed in the RJC guidance document.</p> |
|-------------|---|---|---|

OCCUPATIONAL HEALTH AND SAFETY

| | | | |
|------|--|---------------|---------------|
| 23.1 | Members shall provide safe and healthy working conditions for all employees in accordance with applicable law and other relevant industry standards. | No amendments | |
| 23.2 | Members shall: a. Develop and implement an occupational health and safety policy with a commitment to prioritise the health and safety of its workers over profits, and shall communicate the commitment to all employees, contractors and visitors to site, and the public. b. Establish occupational health and safety management systems that commits to managing operations in a manner that prevents injuries and fatalities, and demonstrate continuing improvement in health and safety performance with an objective of achieving zero harm. | No amendments | No amendments |

| | | | |
|------|---|---------------|---------------|
| 23.3 | Members shall assess the risks of workplace hazards and implement controls to minimise the risks of accidents and injury to employees. The risk assessment shall consider hazards associated with the members' activities and products which shall include, where relevant, use of machinery and mobile equipment; storage and handling of chemicals including cleaning materials; exposure to excessive fumes, airborne particles, noise and temperature levels, and/or inadequate lighting and ventilation; repetitive strain activities; considerations for any workers under 18 years of age and expectant mothers; and general hygiene and housekeeping issues | No amendments | No amendments |
| 23.4 | Members shall provide employees with a mechanism, such as a joint health and safety committee, by which they can raise and discuss health and safety issues with management. | No amendments | No amendments |

| | | | |
|-------------|---|----------------------|----------------------|
| <p>23.5</p> | <p>Members shall provide training and information about health and safety to employees in a form and language they can understand. This will include training and information on:</p> <ul style="list-style-type: none"> a. Specific role-related health and safety hazards and controls. b. Appropriate action in the event of an accident or emergency. c. Fire safety and emergency procedures. d. First-aid training for designated employee representatives. e. Workers' right and responsibility to stop work or refuse to work in situations with uncontrolled hazards, and to immediately flag these situations to those at imminent risk and to management. | <p>No amendments</p> | <p>No amendments</p> |
|-------------|---|----------------------|----------------------|

| | | | |
|------|--|---------------|---------------|
| 23.6 | Members shall ensure that appropriate personal protective equipment (PPE) is provided free of charge and verify that it is current and correctly worn or used. | No amendments | No amendments |
| 23.7 | Members shall provide access to adequate on-site first-aid provisions and trained first-aid personnel, have appropriate procedures for transportation to local medical facilities in the case of a medical emergency and assist workers with work-related injuries to physically access medical treatment in accordance with country law and company policy. | No amendments | No amendments |
| 23.8 | Members shall establish emergency procedures and evacuation plans for all reasonably foreseeable health and safety emergencies. These shall be accessible or clearly displayed, regularly tested (including through evacuation drills) and periodically updated. | No amendments | No amendments |

| | | | |
|---------------------------------|---|---------------|---------------|
| 23.9 | Members shall investigate health and safety incidents and feed the results into reviews of relevant hazard controls to identify opportunities for improvement. | No amendments | No amendments |
| 23.10 | Members engaged in the cutting and polishing of diamonds and/or coloured gemstones shall use cobalt-free diamond-impregnated scaifes. | No amendments | No amendments |
| ENVIRONMENTAL MANAGEMENT | | | |
| 24.1 | Members shall establish an environmental management system. | No amendments | No amendments |
| 24.2 | Members shall provide training and information about environmental risks and controls to all relevant employees. These shall be given in a format and language that workers can easily understand. | No amendments | No amendments |
| HAZARDOUS SUBSTANCES | | | |
| 25.1 | Members shall maintain an inventory of hazardous substances at facilities. Safety data sheets (or equivalent) shall be accessible wherever hazardous substances are used and their associated risks shall be clearly and actively communicated to all employees who work with them. | No amendments | No amendments |

| | | | |
|-----------------------------|---|---------------|---------------|
| 25.2 | Members shall not manufacture, trade or use chemicals and hazardous substances subject to international bans. Any hazardous substances subject to international phase-outs shall not be manufactured or traded and their use shall be phased out in accordance with the regulation. | No amendments | No amendments |
| 25.3 | Wherever technically feasible and economically viable, members shall use alternatives to hazardous substances in their business processes. | No amendments | No amendments |
| WASTES AND EMISSIONS | | | |
| 26.1 | Members shall identify significant wastes and emissions to air, water and land generated in their business processes in accordance with COP 24 (Environmental management). | No amendments | No amendments |

| | | | |
|-------------|---|----------------------|--|
| <p>26.2</p> | <p>Members shall responsibly manage the identified wastes and emissions. In particular, they shall:</p> <ul style="list-style-type: none"> a. Quantify wastes and emissions to manage and monitor trends over time and drive continuous improvement in environmental performance. b. Apply the principles of reduce, reuse, recycle and recover to minimise environmental impact where applicable, including reducing greenhouse gas emissions and increasing energy efficiency in alignment with COP 27 (Use of natural resources). c. Discharge or dispose of wastes and emissions in compliance with applicable law or, where applicable law does not exist, in line with prevailing international standards. d. Where they have mining and/or refining facilities, maintain full documentation for hazardous wastes transported offsite, whether transported by the operating company or contractors. e. Where they have mining and/or refining facilities, maintain documentation for current and legacy waste disposed of onsite | <p>No amendments</p> | |
|-------------|---|----------------------|--|

| | | | |
|---------------------------------|---|---------------|---------------|
| | detailing, at minimum disposal date, location and quantities, physical, chemical and biological characteristics of the hazardous waste, nature of the waste disposal site including permeability of layer below waste and leachate / run-off collection system. | | |
| USE OF NATURAL RESOURCES | | | |
| 27.1 | In alignment with the approach required for COP 24 (Environmental management), members shall monitor energy and water use in their business and establish energy and water efficiency initiatives. | No amendments | No amendments |
| 27.2 | Members shall identify other significant natural resources used in their business and seek to ensure their efficient use. | No amendments | No amendments |
| 27.3 | Members shall work towards using renewable energy in alignment with national frameworks, | No amendments | No amendments |

| | | | |
|------|---|--|--|
| | targets and/or legislation. | | |
| 27.4 | <p>Members in the mining and/or refinery sector that with significant adverse impacts to water resources shall:</p> <p>a. Identify water users, water rights holders and other stakeholders that may potentially affect or be affected by its water management practices</p> <p>b. Apply strong and transparent water governance, including policies, procedures and clear allocation of responsibilities.</p> <p>c. Manage water at facilities effectively using a water balance and water quality monitoring data, and considering cumulative and legacy impacts and implement actions to mitigate significant adverse impacts on water quantity, water quality and current and potential future water uses.</p> <p>d. Collaborate with stakeholders to achieve responsible and sustainable water use at a water catchment level (where applicable).</p> <p>e. Publicly report company water performance including outcomes arising from COP 27.4a-d, in line with COP 3 (Reporting).</p> | <p>Members in the mining and/or refinery sector with significant adverse impacts to water resources shall:</p> <p>a. Identify water users, water rights holders and other stakeholders that may potentially affect or be affected by its water management practices. Engage with water users, water rights holders and other stakeholders to agree on sustainable water practices.</p> <p>b. Apply strong and transparent water governance, including policies, procedures and clear allocation of responsibilities to protect water resources.</p> <p>c. Manage water at facilities effectively using a water balance and water quality monitoring data, and considering cumulative and legacy impacts and implement actions to mitigate significant adverse impacts on water quantity, water quality and current and potential future water uses.</p> <p>d. Collaborate with stakeholders to achieve responsible and sustainable water use at a water catchment level (where applicable).</p> <p>e. Publicly report company water performance including outcomes arising from COP 27.4a-d, in line with COP 3 (Reporting).</p> | <p>a. this will be available as a result of preparing Water Use Licences and Environmental Impact Assessments.</p> |

| | | | |
|--------------------|--|--|---|
| <p>27.5</p> | <p>Members in the mining and/or refinery sector with significant adverse impacts to land and soil resources shall:</p> <p>a. Identify land users, land rights holders and other stakeholders that may potentially affect or be affected by its current or legacy land management practices</p> <p>b. Apply strong and transparent land management governance, including policies, procedures and clear allocation of responsibilities.</p> <p>c. Manage land contamination including soil erosion and degradation at facilities effectively using soil characterisation, condition assessment and soil monitoring data, considering cumulative and legacy impacts, and implement actions to mitigate significant adverse impacts on land and soil and current and potential future land uses.</p> <p>d. Collaborate with stakeholders to achieve responsible and sustainable land use for the potential future uses identified in collaboration with relevant stakeholders.</p> <p>e. Publicly report company land and soil management including</p> | <p>Members in the mining and/or refinery sector with significant adverse impacts to natural capital derived/supported by land and soil resources shall:</p> <p>a. Identify land users, land rights holders and other stakeholders that may potentially affect or be affected by its current or legacy land management practices</p> <p>b. Apply strong and transparent land management governance, including policies, procedures and clear allocation of responsibilities to the natural capital derived/supported by the land and soil resources.</p> <p>c. Manage land contamination including soil erosion and degradation at facilities effectively using soil characterisation, condition assessment and soil monitoring data, considering cumulative and legacy impacts, and implement actions to mitigate significant adverse impacts on land and soil and current and potential future land uses.</p> <p>d. Collaborate with stakeholders to achieve responsible and sustainable land use for the potential future uses identified in collaboration with relevant stakeholders.</p> <p>e. Publicly report company land and soil management including outcomes arising from COP 27.5a-d, in line with COP 3 (Reporting).</p> | <p>Definition of natural capital: Part of nature which directly or indirectly underpins value to people, including ecosystems, species, freshwater, soils, minerals, the air and oceans, as well as natural processes and functions. (UK Government – The Natural Capital Committee).</p> |
|--------------------|--|--|---|

| | | | |
|--|--|--|--|
| | outcomes arising from COP 27.5a-d, in line with COP 3 (Reporting). | | |
|--|--|--|--|

PRODUCT DISCLOSURE

| | | | |
|-------------|---|--|---------------|
| 28.1 | Members shall not make any untruthful, misleading or deceptive representation, or make any material omission in the selling, advertising or marketing of any gold, silver and PGM materials, jewellery products, diamonds, coloured gemstones, or treated, synthetic, reconstructed, composite or simulant diamonds or coloured gemstones. Members shall follow internationally accepted standards. | Members shall not make any untruthful, misleading or deceptive representation, or make any material omission in the selling, advertising or marketing of any gold, silver and PGM materials, jewellery products, pearl, coral, diamonds, coloured gemstones, or treated, laboratory-grown, reconstructed, composite or simulant diamonds or coloured gemstones. Members shall follow internationally accepted standards. | No amendments |
|-------------|---|--|---------------|

| | | | |
|--------------------|--|--|--|
| <p>28.2</p> | <p>Members shall disclose information on the physical characteristics of the materials listed in COP 28.1 in compliance with applicable law. Unless a conflict with applicable law exists, members shall apply the following requirements to support disclosure about physical characteristics:</p> <p>a. Gold, silver and PGM: The fineness of gold, silver or PGM shall be accurately disclosed. The description of fineness or content shall be equally conspicuous as the word 'gold', 'silver' or the PGM or abbreviation. Any quality marks used shall be applied in accordance with applicable law or industry standards.</p> <p>b. Plating: The use of gold, silver and PGM as a plating material shall be accurately disclosed. The description of the plating and fineness or content of material used shall be equally conspicuous as the word 'gold', 'silver' or the PGM or abbreviation.</p> <p>c. Treatments: Treated diamonds and treated or heated coloured gemstones shall be disclosed as either 'treated' or with specific reference to the treatment. The</p> | <p>Members shall disclose information on the physical characteristics of the materials listed in COP 28.1 in compliance with applicable law. Unless a conflict with applicable law exists, members shall apply the following requirements to support disclosure about physical characteristics:</p> <p>a. Gold, silver and PGM: The fineness of gold, silver or PGM shall be accurately disclosed. The description of fineness or content shall be equally conspicuous as the word 'gold', 'silver' or the PGM or abbreviation. Any quality marks used shall be applied in accordance with applicable law or industry standards.</p> <p>b. Plating: The use of gold, silver and PGM as a plating material shall be accurately disclosed. The description of the plating and fineness or content of material used shall be equally conspicuous as the word 'gold', 'silver' or the PGM or abbreviation.</p> <p>c. Treatments: Treated RJC scope materials or heated RJC scope materials shall be disclosed as either 'treated' or with specific reference to the treatment. The description shall be equally conspicuous as the name of the RJC scope material. Any non-permanent treatment shall be disclosed with specific reference to the</p> | <p>c. treatments: The description shall be equally conspicuous as the name of the RJC scope material, for example "treated diamond" or "treated emerald". All treatments, regardless of industry understanding must be disclosed to customer / consumer. For example, Tanzanite is regularly heat treated, so it is felt that this does not need to be disclosed as it is a regular occurrence, however to consumers or those not familiar with the processing of tanzanite, this would not be clear, therefore treatments, even if applied to 100% of supply must be disclosed. If the treatment (excluding any cleaning or part of cutting / polishing) changes the colour or clarity of a RJC scope material it must be disclosed. All treatments must be disclosed to the customer either in product descriptions, on sales literature such as an invoice or receipt or any other location that is convenient for the customer.</p> <p>j. Refer to the recognised industry product disclosure guidance, such as CIBJO's 'The Pearl Book' and the AGTAs disclosure guidelines for further guidance on product disclosure requirements relating to pearls, cultured pearls, composite pearls and imitation of pearls.</p> <p>k. Product health & Safety: If members are importing RJC scope materials that have been subject to radiation-based treatments they should comply with appropriate applicable law to its handling and testing to ensure its safety. Members should (at a minimum) conduct a risk assessment on whether the RJC scope materials have been treated with radiation and if so, are the levels of radiation being emitted by the goods are safe. If the imported RJC scope materials are high-risk or the radiation level is unknown, members should submit the RJC scope material to an appropriate gemmological laboratory for testing. This can be on an individual or sampling based approach dependant on the quantities. The member should then create a simple and workable system that tracks and keeps clear record of irradiated RJC scope materials that has been subject to gemmological laboratory testing to ensure that it is safe for consumers. The testing should provide a report with unique identifier that is not reusable, and they are each tracked and logged with a record of the stone they relate to.</p> |
|--------------------|--|--|--|

WWW.RESPONSIBLEJEWELLERY.COM

THE COUNCIL FOR RESPONSIBLE JEWELLERY PRACTICES LTD.

SECOND FLOOR, QUALITY HOUSE, 5-9 QUALITY COURT, CHANCERY LANE, LONDON, WC2A 1HP.

THE RESPONSIBLE JEWELLERY COUNCIL IS THE TRADING NAME OF THE COUNCIL FOR RESPONSIBLE JEWELLERY PRACTICES LTD.

REGISTERED IN ENGLAND AND WALES WITH COMPANY NUMBER 05449042.

| | | | |
|--|--|---|--|
| | <p>description shall be equally conspicuous as the word 'diamond' or the name of the coloured gemstone. Any special care requirements that the treatment creates shall be disclosed.</p> <p>d. Synthetics: Wholly or partially synthetic diamonds or synthetic coloured gemstones shall be disclosed as 'laboratory created', 'laboratory grown' and/or 'synthetic'. The description shall be equally conspicuous as the word 'diamond' or the name of the coloured gemstone.</p> <p>e. Composites: Composite (or assembled) diamonds and coloured gemstones constructed of two or more parts shall be disclosed as 'composite', 'assembled', 'doublet' or 'triplet', and by the correct name of the material of which it is composed. The description shall be equally conspicuous as the word 'diamond' or the name of the coloured gemstone used.</p> <p>f. Reconstructed stones: Reconstructed diamonds and coloured gemstones shall be disclosed as such and the description shall be equally conspicuous as the word</p> | <p>treatment. The description shall be equally conspicuous as the name of the RJC scope materials. Any special care requirements that the treatment creates shall be disclosed.</p> <p>d. Laboratory-grown: Wholly or partially laboratory-grown diamonds or laboratory-grown coloured gemstones shall be disclosed as 'laboratory created', 'laboratory grown' and/or 'synthetic'. The description shall be equally conspicuous as the name of the diamond or coloured gemstone.</p> <p>e. Composites: Composite (or assembled) RJC scope materials constructed of two or more parts shall be disclosed as 'composite', 'assembled', 'doublet' or 'triplet', and by the correct name of the material of which it is composed. The description shall be equally conspicuous as the name of the RJC scope material used.</p> <p>f. Reconstructed stones: Reconstructed RJC scope material shall be disclosed as such and the description shall be equally conspicuous as the name of the RJC scope material.</p> <p>g. Simulants (or imitation): Any artificial product used to imitate the appearance of RJC scope materials without having their chemical composition, physical properties</p> | |
|--|--|---|--|

| | | | |
|--|---|--|--|
| | <p>'diamond' or the name of the coloured gemstone.</p> <p>g. Simulants (or imitation): Any artificial product used to imitate the appearance of diamonds or coloured gemstones without having their chemical composition, physical properties and/or their structure shall be disclosed as 'imitation' or 'simulant' along with the correct name of the material of which it is composed, for example, 'x compound', 'glass', 'plastic'. The description shall be equally conspicuous as the word 'diamond' or the name of the coloured gemstone.</p> <p>h. Descriptions of polished diamonds and coloured gemstones: Describe the carat weight, colour, clarity and cut of diamonds and the carat weight, colour and cut of coloured gemstones in accordance with the recognised guidelines appropriate to the particular jurisdiction.</p> <p>i. Place of origin for coloured gemstones: When describing the place of origin of a coloured gemstone, the information on how this was determined shall be disclosed. The place of origin</p> | <p>and/or their structure shall be disclosed as 'imitation' or 'simulant' along with the correct name of the material of which it is composed, for example, 'x compound', 'glass', 'plastic'. The description shall be equally conspicuous as the word 'diamond' or the name of the coloured gemstone.</p> <p>h. Descriptions of polished diamonds and coloured gemstones: Describe the carat weight, colour, clarity and cut of diamonds and the carat weight, colour and cut of coloured gemstones in accordance with the recognised guidelines appropriate to the particular jurisdiction.</p> <p>i. Place of origin for coloured gemstones: When describing the place of origin of a coloured gemstone, the information on how this was determined shall be disclosed. The place of origin shall only be used when it denotes a geographical area where gemstones have been mined.</p> <p>j. Description of pearls, cultured pearls, composite cultured pearls and imitation of pearls shall include weight, measurement and any treatment (including non-permanent) shall be disclosed.</p> <p>k. Product health and safety information: Any relevant health and safety information about the materials</p> | |
|--|---|--|--|

| | | | |
|--|--|--|--|
| | <p>shall only be used when it denotes a geographical area where gemstones have been mined.</p> <p>j. Description of pearls - Please see COP consultation form for related question.</p> <p>k. Product health and safety information: Any relevant health and safety information about the materials listed in COP 28.1 in jewellery products sold by members to end consumers shall be disclosed.</p> | <p>listed in COP 28.1 in jewellery products sold by members to end consumers shall be disclosed. This includes irradiated RJC scope materials.</p> | |
|--|--|--|--|

WWW.RESPONSIBLEJEWELLERY.COM

THE COUNCIL FOR RESPONSIBLE JEWELLERY PRACTICES LTD.

SECOND FLOOR, QUALITY HOUSE, 5-9 QUALITY COURT, CHANCERY LANE, LONDON, WC2A 1HP.

THE RESPONSIBLE JEWELLERY COUNCIL IS THE TRADING NAME OF THE COUNCIL FOR RESPONSIBLE JEWELLERY PRACTICES LTD.

REGISTERED IN ENGLAND AND WALES WITH COMPANY NUMBER 05449042.

| | | | |
|--------------------|--|--|---|
| <p>28.3</p> | <p>Members shall take substantive and documented action to avoid buying or selling undisclosed synthetic diamonds. To that end, members buying or selling diamonds shall:</p> <p>a. Obtain a written warranty from their suppliers.</p> <p>b. Have effective policies, procedures, training and monitoring systems in place to avoid the possibility of undisclosed synthetic diamonds being switched for natural diamonds at their facilities.</p> <p>c. Employ a documented due diligence process to identify and mitigate risks related to undisclosed synthetic diamonds entering their supply chain. Identify possible high-risk contamination points.</p> <p>d. For polished diamonds classified as high risk, carry out testing using a defined, credible and transparent protocol. This can be an existing industry-accepted protocol or one that is defined by the member. The protocol must:</p> | <p>Members shall take substantive and documented action to avoid buying or selling undisclosed laboratory-grown RJC scope materials. To that end, members buying or selling diamonds shall:</p> <p>a. Obtain a written warranty from their suppliers.</p> <p>b. Have effective policies, procedures, training and monitoring systems in place to avoid the possibility of undisclosed laboratory-grown RJC scope materials being switched for natural RJC scope materials at their facilities.</p> <p>c. Employ a documented due diligence process to identify and mitigate risks related to undisclosed laboratory-grown RJC scope materials entering their supply chain. Identify possible high-risk contamination points.</p> <p>d. For polished RJC scope materials classified as high risk, carry out testing using a defined, credible and transparent protocol. This can be an existing industry-accepted protocol or one that is defined by the member. The protocol must:</p> | <p>Member who sell RJC scope materials such as diamonds and coloured gemstones must ensure that they do not sell undisclosed laboratory-grown stones. RJC recommends that for 100% of stones that have originated from identified high-risk contamination points are subject to testing either in-house or via a gemmological laboratory. Stones that are either medium or low risk of contamination should be tested via a sampling methodology. Members can create their own sampling methodology but it must be appropriate to the level of contamination risk identified. An example approach would be testing a square root number of either monthly or annual sales numbers dependant on the stone. Testing is applicable to all stones sold and is not dependant on the size of the stone. If members wish to conduct in-house testing of RJC scope materials and want to purchase their own testing equipment, refer to programs such as the Assure Program for recommendations of equipment.</p> |
|--------------------|--|--|---|

| | | | |
|--|---|---|---------------|
| | <p>i. Incorporate an appropriate approach for testing loose and set polished diamonds.</p> <p>ii. Include either in-house testing, using relevant and effective detection equipment, or outsourced testing by a qualified service provider, such as a gemmological laboratory.</p> <p>iii. Include testing at least once at a point in the process where there is no longer any risk of introducing undisclosed synthetics before the diamond parcel is sold. This is normally just before sale.</p> <p>iv. Be available to clients, including the procedure for managing test referrals.</p> | <p>i. Incorporate an appropriate approach for testing loose and set polished RJC scope materials.</p> <p>ii. Include either in-house testing, using relevant and effective detection equipment, or outsourced testing by a qualified service provider, such as a gemmological laboratory.</p> <p>iii. Include testing at least once at a point in the process where there is no longer any risk of introducing undisclosed laboratory-grown stones before the parcel is sold. This is normally just before sale.</p> <p>iv. The testing protocol must be disclosed to clients (not end consumers), including the procedure for managing test referrals.</p> | |
| KIMBERLEY PROCESS CERTIFICATION SCHEME AND WORLD DIAMOND COUNCIL SYSTEM OF WARRANTIES | | | |
| 29.1 | Members shall neither knowingly buy or sell conflict diamonds nor help others to do so. | No amendments | No amendments |

| | | | |
|------|---|---------------|---------------|
| 29.2 | Members involved in the international trade of rough diamonds shall comply with the Kimberley Process Certification Scheme (KPCS) minimum requirements and recommendations as incorporated into the applicable legislation of countries where they operate. | No amendments | No amendments |
| 29.3 | Members involved in buying and selling diamonds, whether rough, polished or set in jewellery, shall adopt the World Diamond Council System of Warranties (SoW). | No amendments | No amendments |
| 29.4 | Members shall ensure that all employees who buy or sell diamonds are well informed about trade association resolutions and government restrictions prohibiting the trade in conflict diamonds. | No amendments | No amendments |

GEMMOLOGICAL LABORATORIES AND BUSINESSES ISSUING GRADING, RESEARCH, ANALYSIS AND APPRAISAL REPORTS

| | | | |
|--------------------|---|----------------------|----------------------|
| <p>30.1</p> | <p>Gemmological laboratories and businesses issuing grading, research, analysis or appraisal reports, shall have clearly documented policies and procedures in place to ensure the laboratory or business is organised around a formal management system, with clearly defined roles and responsibilities that support consistency and integrity. Businesses that issue grading, research, analysis or appraisal reports that also engage in the business of the sale of products covered by this Code of Practices must establish and document the procedures undertaken to avoid all potential or actual conflicts of interest in compliance with Sections 30.7 and 30.8 below.</p> | <p>No amendments</p> | <p>No amendments</p> |
| <p>30.2</p> | <p>Gemmological laboratories and businesses issuing grading, research, analysis, or appraisal reports, shall have technical requirements documented and implemented related to any process-related factors that impact the chain of custody through the lab, validity, and reliability of testing, grading, or reporting of results.</p> | <p>No amendments</p> | <p>No amendments</p> |

| | | | |
|------|---|---------------|---------------|
| 30.3 | Gemmological laboratories and businesses issuing grading, research, analysis, or appraisal reports, shall have equipment and calibration documentation and processes implemented that define and control conditions, determine the appropriate equipment for use, establish maintenance requirements, and calibration procedures of equipment and instruments to ensure accuracy and consistency in their testing results. | No amendments | No amendments |
| 30.4 | Members that generate reports on grading, research, analysis, and appraisal shall maintain and employ the minimum baseline technological equipment required to produce the reports offered. Such grading analysis or appraisal facilities shall have systems in place, based on scientific methodology, that are sufficiently thorough and comprehensive to produce valid and reproducible results, and have management systems in place to ensure both the quality and the independence of the analysis and reports produced. Such facilities shall establish necessary additional quality control and assurance systems | No amendments | No amendments |

| | | | |
|------|--|---------------|---------------|
| | (including sufficient data collection and timely calibration and verification systems for testing equipment employed) and a robust chain of custody program for products in their possession to ensure necessary segregation of products while in their possession. Client anonymity during the testing process shall be maintained. | | |
| 30.5 | Members that generate diamond grading and/or coloured gemstone analysis reports shall identify whether detection of synthetics and/or any treatments are part of the assessment and whether this has been carried out for all stones. | No amendments | No amendments |
| 30.6 | Members that generate geographical place of origin reports for coloured gemstones shall have systems in place, based on scientific methodology, to ensure consistency of this determination. They shall also carry out detection of treatments and synthetics as part of the determination. | No amendments | No amendments |

| | | | |
|------|---|---------------|---------------|
| 30.7 | Members that generate reports assessing monetary value based on expert opinion shall identify the person or entity that has requested the report and provide a statement of the purpose for which the report was sought. Such members shall ensure that appropriate client confidentiality and conflict of interest policies are in place. | No amendments | No amendments |
| 30.8 | Members that offer diamond grading reports, coloured gemstone analysis and/or geographical origin reports, or monetary value reports shall disclose their relationship, if any, to the seller of the item, any relevant vested interests held by the grader, analyst or appraiser, or organisation in the sale of the jewellery product; describe the grading system employed; provide disclaimers or limitations on liability and any other specific information pertaining to the report. Such information shall be in plain language and readily accessible. | No amendments | No amendments |

EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE

| | | | |
|------|--|---------------|---------------|
| 31.1 | Members in the mining sector shall support implementation of the Extractive Industries Transparency Initiative (EITI) in EITI implementing countries. | No amendments | No amendments |
| 31.2 | <p>In all countries, members shall:</p> <ul style="list-style-type: none"> a. Promote transparency throughout the mining industry, helping public debate and providing opportunities for sustainable development. b. As a guiding principle, aim to publicly disclose taxes and payments in all countries of operation. Where companies choose not to, they should state why not. c. Aim to publicly disclose beneficial owners. d. Engage in rigorous procurement processes, including due diligence in respect to partners and vendors. e. Support countries to put into practice their decisions to disclose future licences and contracts. f. Work with governments to deliver natural resources in a way that benefits societies and communities. | No amendments | No amendments |

| | | | |
|--|--|--|--|
| | <p>g. Ensure that company processes are appropriate to deliver the data required for high standards of accountability.</p> | | |
|--|--|--|--|

| | | | |
|------|---|---------------|---------------|
| 32.1 | <p>Members with mining facilities (including those with refining activities) sector shall foster two-way dialogue and carry out meaningful stakeholder engagement. The engagement shall</p> <ul style="list-style-type: none"> a. Begin prior to or during planning for mining operations (including those with refining activities), and be ongoing, throughout the facility's lifecycle b. Be respectful, and free from manipulation, interference, coercion or intimidation, and to prevent or mitigate community conflicts c. Be conducted in an inclusive, equitable, culturally appropriate and rights compatible way. d. Draw on appropriate skills, resources and suitably experienced personnel including participation by site management and subject-matter experts especially when addressing concerns of significance. e. Be used to identify community development priorities and support activities that contribute to lasting social and economic well-being. This includes considering the interests of affected communities, | No amendments | No amendments |
|------|---|---------------|---------------|

| | | | |
|--|---|--|--|
| | stakeholders and rights holders in key mining decisions in the mining facilities (including those with refining activities) lifecycle and seeking broad community support for proposals | | |
|--|---|--|--|

| | | | |
|------|---|---------------|---------------|
| 32.2 | <p>Members with mining facilities (including those with refining activities) sector shall have systems for early and ongoing engagement with affected communities and other relevant stakeholders and rights holders including women, marginalised and vulnerable groups. These engagement systems shall:</p> <ul style="list-style-type: none"> a. Draw on appropriate skills, resources and suitable experience personnel. b. Apply throughout the mining lifecycle. c. Identify and analyse the full diversity of relevant communities, stakeholders and rights holders including disadvantaged and vulnerable groups and ensure these are effectively and meaningfully represented throughout the mines and their related refinery(s) lifecycle. d. Be designed in consultation with affected communities and other stakeholders and rights holders. e. Demonstrate that efforts have been made to include participation by women, men, and marginalised and vulnerable groups or their representatives. | No amendments | No amendments |
|------|---|---------------|---------------|

| | | | |
|--|--|--|--|
| | <p>f. Establish effective communication channels to disseminate relevant information, receive feedback and to report back issues raised during engagement processes and how the Member has taken their input into account.</p> <p>g. Ensure communication is timely, and use formats and languages that are culturally appropriate and accessible to affected communities and other stakeholders and rights holders</p> <p>h. Have a process to respond to requests for information including performance against the COP that is not unreasonable or involve commercially sensitive information</p> <p>i. Be documented in a plan that is appropriate to the Members size and circumstances, and that is maintained, and updated.</p> | | |
|--|--|--|--|

| | | | |
|------|--|---------------|---------------|
| 32.3 | <p>Members with mining facilities (including those with refining activities) shall:</p> <p>a. Ensure that affected communities have access to and be informed about a rights-compatible complaints and grievance mechanism at the operational level for raising and resolving disputes about the Member and its mining and/or related refining activities, including grievances related to human rights.</p> <p>b. Consult with affected communities, stakeholders and rights holders on the design of the grievance mechanisms.</p> <p>c. Ensure the grievance mechanism shall be easily and publicly accessible, culturally appropriate, easily understood and transparent. Monitor and evaluate the performance of the grievance mechanism over time to determine if outcomes and remedies provided through the mechanism are successful and whether improvement opportunities can be implemented to prevent or mitigate similar grievances in the future.</p> <p>d. Provide training and</p> | No amendments | No amendments |
|------|--|---------------|---------------|

| | | | |
|---|---|---------------|---------------|
| | <p>information to personnel who interact with stakeholders of the grievance mechanism, and ensure they receive instruction on the respectful handling of all grievances, including those that may appear frivolous.</p> <p>e. Periodically report to stakeholders on grievances received and responses provided in a manner that protects the confidentiality and integrity of those filing the grievance</p> | | |
| INDIGENOUS PEOPLES AND FREE PRIOR INFORMED CONSENT | | | |
| 33.1 | <p>Members with mining facilities (including those with refining activities) that operate in regions where indigenous peoples are present shall respect the rights of indigenous peoples as articulated and defined in applicable local, national and international laws and their social, cultural, environmental and economic interests, including their</p> | No amendments | No amendments |

| | | | |
|------|---|--|--|
| | connection with lands and waters. | | |
| 33.2 | <p>Provision 33.2 applies to new mining and/or related refinery facilities, or for changes to existing facilities, that are likely to have significant adverse impacts on indigenous peoples including, but not limited to, those associated with:</p> <ul style="list-style-type: none"> • Impacts on lands and natural resources subject to traditional ownership or under customary use. • Relocation of indigenous peoples from lands and natural resources subject to traditional ownership or under customary use. • Significant impacts on critical cultural heritage that is essential to indigenous peoples' identity and/or their cultures, ceremonies or spiritualities. • Use of cultural heritage (including indigenous peoples' knowledge, innovations or practices) for commercial purposes. <p>Members with mining facilities (including those with refining activities) shall, as described in International Finance Corporation</p> | <p>Provision 33.2 applies to new mining and/or related refinery facilities, or for changes to existing facilities, that are likely to have significant adverse impacts on indigenous peoples including, but not limited to, those associated with:</p> <ul style="list-style-type: none"> • Impacts on lands and natural resources subject to traditional ownership or under customary use. • Relocation of indigenous peoples from lands and natural resources subject to traditional ownership or under customary use. • Significant impacts on critical cultural heritage that is essential to indigenous peoples' identity and/or their cultures, ceremonies or spiritualities. • Use of cultural heritage (including indigenous peoples' knowledge, innovations or practices) for commercial purposes. <p>Members with mining facilities (including those with refining activities) shall, as described in International Finance Corporation (IFC) Performance Standard 7:</p> <p>a. Disclose to indigenous peoples, in a culturally appropriate manner, the scope and concepts of the proposed project, and the indigenous peoples</p> | <p>Definition: Critical cultural heritage - Consists of:</p> <ul style="list-style-type: none"> (i) the internationally recognized heritage of communities who use, or have used within living memory the cultural heritage for long-standing cultural purposes, (ii) legally protected cultural heritage areas, including those proposed by host governments for such designation; or (iii) natural areas with cultural and/or spiritual value such as sacred groves, sacred bodies of water and waterways, sacred trees, and sacred rocks. <p>Source: Adapted from IFC. 2012. Performance Standard 7. Para. 16; and Performance Standard 8, Para. 13.</p> |

| | | | |
|--|--|--|--|
| | <p>(IFC) Performance Standard 7:</p> <p>a. Work to obtain the free, prior and informed consent of affected indigenous peoples during the planning and approval stages, through a process that is based on good faith negotiation and strives to be consistent with their traditional decision-making processes while respecting internationally recognised human rights.</p> <p>b. Document the mutually accepted process between the member, the affected indigenous peoples and relevant government authorities, and document the evidence of agreement between the parties and the outcome of the negotiations including compensation, if applicable.</p> | <p>right to FPIC..</p> <p>b. Collaborate with the affected indigenous peoples or their representatives to design, document and implement a mutually agreed FPIC process based on good-faith negotiation that strives to be consistent with their traditional decision-making processes while respecting internationally recognised human rights. The process must include a methodology to address the information gaps and needs identified through the FPIC process.</p> <p>c. Make the FPIC process publicly available, unless the affected indigenous peoples or their representatives have explicitly requested otherwise.</p> <p>d. Obtain the free, prior and informed consent of affected indigenous peoples during the project planning and approval stages. If the affected indigenous peoples or their representatives clearly communicate, at any point during engagement, that they do not wish to proceed with FPIC-related discussions or that consent is not given, the Member shall acknowledge that it does not have consent and shall cease to pursue the project until discussions are renewed and FPIC has been obtained.</p> | |
|--|--|--|--|

| | | | |
|------|--|---|---------------|
| | | <p>e. Document that the mutually accepted process between the member, the affected indigenous peoples and relevant government authorities has been followed, record the outcome of the process and document the evidence of agreement between the parties and the outcome of the negotiations including compensation, if applicable.</p> <p>f. Where FPIC has been obtained, continue engagement with indigenous peoples, monitor implementation of the FPIC agreement, and document the status of the commitments made in the agreement.</p> | |
| 33.3 | Where FPIC is found not to apply, Members with mining facilities (including those with refining activities) shall seek to obtain broad based support of affected indigenous peoples before carrying out any new or expanded activities and seek to | No amendments | No amendments |

| | | | |
|--|---|--|--|
| | <p>maintain it throughout the mining and/or related refinery lifecycle. This support shall be formally documented before the project begins. The documentation shall include any compensation, partnerships and/or programmes to provide benefits and mitigate impacts.</p> | | |
|--|---|--|--|

IMPACT ASSESSMENT AND MANAGEMENT

| | | | |
|------|--|---------------|---------------|
| 34.1 | For existing operations, planning and approving new mining/exploration and/or related refinery projects or significant changes to existing projects or operations, members shall complete an environmental and social (including human rights) impact assessment (ESIA) commensurate with the project scope for the mine and/or related refinery lifecycle | No amendments | No amendments |
|------|--|---------------|---------------|

| | | | |
|------|---|---------------|--|
| 34.2 | ESIAs for new mining/exploration and/or related refinery projects or significant changes to existing projects or operations shall be comprehensive, appropriate to the nature and scale of the project. | No amendments | <p>Members shall collectively assess:</p> <ul style="list-style-type: none"> a. Baseline conditions, data and information that at a minimum describes the prevailing environmental, social, economic and political environment and can be used to identify and assess impacts. b. Environmental, social and human rights impacts, including but not limited to impacts on biodiversity and ecosystem services, water and land, impacts associated with climate change and extreme events, displacement and resettlement of people and communities, labour and employment, gender, health and conflict. This includes direct, cumulative and indirect impacts which are risk assessed to determine their significance. c. Design options and other actions including material selection, construction techniques and operational processes that use the mitigation hierarchy to prioritise avoidance and minimisation of negative impacts, where applicable. d. For new or significant changes to existing refinery projects or operation’s alternative locations including brownfield sites to prioritise avoidance and minimisation of negative impacts, where applicable. e. Assess the residual impacts that cannot be mitigated and whether significant residual adverse impacts can be addressed to the satisfaction of affected or relevant stakeholders. <p>Definition: Residual Impacts - Impacts that remain after on-site mitigation measures (avoidance, minimisation, restoration) have been applied.</p> |
| 34.3 | A report on the ESIA for new mining/exploration and/or related refinery projects or significant changes to existing projects or operations shall be prepared and publicly disclosed in a format and language that is culturally appropriate to affected communities and key stakeholders. The ESIA report shall include: <ul style="list-style-type: none"> a. the public engagement and consultation process, the views and concerns expressed by | No amendments | No amendments |

| | | | |
|--|---|--|--|
| | <p>affected communities, stakeholders, rights holders and other interested parties, and how the concerns were taken into account with stakeholders anonymised unless written consent for their identity to be published has been provided</p> <p>b. Names and affiliations of ESIA authors and others involved in technical studies</p> <p>c. Supporting data, analyses, studies and assessments</p> <p>d. An integrated detailed presentation of the information covered in COP 34.1 and 34.2.</p> | | |
|--|---|--|--|

| | | | |
|------|--|---------------|---|
| 34.4 | For existing operations, members in the mining/exploration and/or related refining sector shall demonstrate that it has undertaken a comprehensive evaluation of its potential environmental and social (including human rights) impact to cover the mine and/or related refinery lifecycle. | No amendments | <p>The member shall:</p> <ul style="list-style-type: none"> a. Identify and consult with affected communities, stakeholders, rights holders and other interested parties consult with relevant stakeholders in the identification and evaluation of potential environmental and social impacts associated with the refinery operation. b. Encourage and facilitate stakeholder participation, where possible, in the development of options to mitigate the potential impacts of the operation throughout its life cycle. c. Provide for timely and effective stakeholder consultation, review and comment on the scope and design of the environmental and social monitoring program. d. Develop and implement an associated environmental and social management system for the refinery lifecycle that includes control measures to avoid or minimise significant impacts, the means including personnel responsible for its implementation, key indicators to enable assessment of the systems’ effectiveness, is reviewed and maintained, based on monitoring results or other relevant information. e. Establish an environmental and social monitoring program that is designed and carried out by competent professionals and where possible, encourage and facilitate stakeholder participation, in the design and implementation of the program. The monitoring program shall conform that management systems, plans and actions have been implemented and effective in avoiding or minimising identified environmental and social (including human rights) impacts including those associated with sensitive biodiversity and ecosystem services, historical resettlement, indigenous peoples, cultural heritage and community livelihood and health and safety. f. Record all stakeholder comments received in relation to ESIA scoping; implementation; ESIA findings, conclusions and recommendations; and the monitoring program, and how the Member has responded to these comments. g. Prepare and publicly disclosed in a format and language that is accessible and culturally appropriate a summary of the significant environmental and social impacts and associated control measures, and thereafter annually, also report outcomes of the management plans and monitoring program results. <p>Definition: Competent professional – A Member’s staff or external consultants with relevant education, knowledge, proven experience, necessary skills and training to carry out the required work. Competent professionals would be expected to follow scientifically robust methodologies that would withstand scrutiny by other professionals. Other equivalent terms used may include:</p> |
|------|--|---------------|---|

| | | | |
|--|--|--|---|
| | | | competent person, qualified person, qualified professional. For independent reviews competent professionals must not be in-house staff. |
|--|--|--|---|

ARTISANAL AND SMALL-SCALE MINING AND LARGESCALE MINING

| | | | |
|--------------------|--|----------------------|----------------------|
| <p>35.1</p> | <p>Members with mining facilities (including those with refining activities) where artisanal and small-scale mining (ASM) not under their control occurs within their areas of operation or located in close proximity and affecting their areas of operation shall:</p> <p>a. Engage directly with the ASM community as appropriate and seek to maintain a continuous dialogue with them as a distinct group within the stakeholder engagement programme (COP 32 Stakeholder engagement), to understand their legal operating context, assist with social and environmental impact assessment and ongoing risk management of the ASM activities (COP 34 Impact assessment), and with closure planning (COP 42).</p> <p>b. Actively participate in initiatives, including multi-stakeholder ones, that support the professionalisation, formalisation and certification of ASM, to improve safety, environmental and social performance of ASM activities for the benefit of ASM entities and host communities, as</p> | <p>No amendments</p> | <p>No amendments</p> |
|--------------------|--|----------------------|----------------------|

| | | | |
|--|---|--|--|
| | <p>appropriate to the situation. c. Engage with communities that are or may be affected by ASM activities in the members areas of operations and/or interactions between Member and the ASM, including informing communities and the ASM that they have access to its grievance mechanism to raise concerns and resolve conflicts (COP 32 Stakeholder engagement)</p> | | |
|--|---|--|--|

RESETTLEMENT

| | | | |
|--------------------|--|----------------------|----------------------|
| <p>36.1</p> | <p>Members with mining facilities (including those with refining activities) sector shall avoid involuntary physical resettlement and/or economic displacement of people, including potential impacts on women, children, the poor, disadvantaged and vulnerable groups. Where resettlement is unavoidable, it shall be minimised and appropriate measures to mitigate adverse impacts shall be carefully planned and implemented, consistent with International Finance Corporation (IFC) Performance Standard 5.</p> | <p>No amendments</p> | <p>No amendments</p> |
| <p>36.2</p> | <p>Members planning new mining and/or related refinery projects or significant changes to existing projects or operations for all designs and alternatives, shall include as part of their ESIA, an assessment of risks and impacts related to the physical and/or economic resettlement of people, including potential impacts on women, children, the poor and vulnerable groups in line with COP 34 (Impact assessment and Management).</p> | <p>No amendments</p> | <p>No amendments</p> |

| | | | |
|--------------------|---|----------------------|----------------------|
| <p>36.3</p> | <p>For historical resettlement at an existing mine and/or related refinery that was completed after April 30, 2006, members in the mining and/or refinery sector shall:</p> <p>a. At least every year, evaluate and confirm that displaced persons and affected communities have been compensated and their livelihoods improved, that there are no lingering human rights impacts associated with historic resettlement activities, in line with the monitoring program in COP 34.4e (Impact assessment and Management).</p> <p>b. Implement new restorative actions in consultation with affected persons and communities or their representatives, where the evaluation identifies gaps with the agreed compensation, ineffective improvement in livelihoods, lingering human rights impacts or other introduced adverse impacts attributed with the historical resettlement.</p> <p>c. At least every year, report to affected persons, communities and other relevant stakeholders</p> | <p>No amendments</p> | <p>No amendments</p> |
|--------------------|---|----------------------|----------------------|

| | | | |
|--|---|--|--|
| | progress made toward full implementation of the historical and any new restorative actions. | | |
|--|---|--|--|

EMERGENCY RESPONSE

| | | | |
|------|---|---------------|---------------|
| 37.1 | <p>Members with mining facilities (including those with refining activities) shall develop, maintain and regularly test (through drills and emergency response exercises conducted at least annually) emergency response plans in collaboration with potentially affected communities, workers and their representatives, and relevant agencies, in accordance with UN Environment guidance on Awareness and Preparedness for Emergencies at Local Level (APELL) methodology for Mining. Plans shall:</p> <ul style="list-style-type: none"> a. Include up to date emergency contact details. b. Developed with COP 23.2 (Health and safety) c. Include due consideration of Provide response for any emergencies arising within the facility that have the potential to impact off-site areas including the surrounding environment and communities. d. Include evacuation and emergency medical procedures, for all potential industrial accidents that pose a significant risk to worker health or safety e. Be reviewed at least annually. | No amendments | No amendments |
|------|---|---------------|---------------|

| | | | |
|------|--|---------------|---------------|
| 37.2 | In addition to the requirements in 37.1, emergency response plans for Members in the mining sector shall be developed, maintained and tested in accordance with the UN Environment guidance on Awareness and Preparedness for Emergencies at Local Level (APELL) for Mining. | No amendments | No amendments |
|------|--|---------------|---------------|

BIODIVERSITY

| | | | |
|------|--|---|---|
| 38.1 | Members with mining facilities (including those with refining activities) shall not explore, mine or refine in World Heritage sites and shall ensure that their activities do not negatively impact directly on adjacent World Heritage sites. | Members with mining facilities (including those with refining activities) shall not explore, mine or refine in World Heritage sites and areas on any official list (both tentative and nominated) for World Heritage Site Inscription, IUCN protected area management categories I-III; Core areas of UNESCO biosphere reserves and shall ensure that their activities do not negatively impact directly on adjacent World Heritage sites, areas on any official list for World Heritage Site Inscription; IUCN protected area management categories I-III; Core areas of UNESCO biosphere reserves | <p>Definition: Protected Area / Protected Area Management Categories (IUCN) - A clearly defined geographical space, recognized, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values. The definition is expanded by six "protected area management categories" (one with a sub-division), summarized below:</p> <p>ia: Strict nature reserve: Strictly protected for biodiversity and also possibly geological/geomorphological features, where human visitation, use and impacts are controlled and limited to ensure protection of the conservation values</p> <p>ib: Wilderness area: Usually large unmodified or slightly modified areas, retaining their natural character and influence, without permanent or significant human habitation, protected and managed to preserve their natural condition</p> <p>ii: National Park: Large natural or near-natural areas protecting large-scale ecological processes with characteristic species and ecosystems, which also have environmentally and culturally compatible spiritual, scientific, educational, recreational and visitor opportunities</p> <p>iii: Natural monument or feature: Areas set aside to protect a specific natural monument, which can be a landform, sea mount, marine cavern, geological feature such as a cave, or a living feature such as an ancient grove</p> <p>iv: Habitat/species management area: Areas to protect particular species or habitats, where management reflects this priority. Many will need regular, active interventions to meet the needs of particular species or habitats, but this is not a requirement of the category</p> <p>v: Protected landscape or seascape: Where the interaction of people and nature over time has produced a distinct character with significant ecological, biological, cultural and scenic value: and where safeguarding the integrity of this interaction is vital to protecting and sustaining the area and its associated nature conservation and other values</p> |
|------|--|---|---|

| | | | |
|------|--|---------------|--|
| | | | <ul style="list-style-type: none"> Protected areas with sustainable use of natural resources: Areas which conserve ecosystems, together with associated cultural values and traditional natural resource management systems. Generally large, mainly in a natural condition, with a proportion under sustainable natural resource management and where low-level non-industrial natural resource use compatible with nature conservation is seen as one of the main aims Source: Dudley. 2008. Guidelines for Applying Protected Area Management Categories. IUCN. <p>Definition: Tentative List for World Heritage Site Inscription - The list of sites that relevant State Parties are formally considering for nomination as a World Heritage Site in the next five to ten years.</p> |
| 38.2 | Members with mining facilities (including those with refining activities) shall respect legally designated protected areas by ensuring that they: <ul style="list-style-type: none"> a. Have a process to identify nearby legally designated protected areas. b. Comply with any regulations, covenants or commitments attributed to these areas. c. Take impacts on legally designated protected areas into account when making decisions throughout the mining and/or refinery lifecycle. | No amendments | <p>Definition: Protected Area / Protected Area Management Categories (IUCN) - A clearly defined geographical space, recognized, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values. The definition is expanded by six "protected area management categories" (one with a sub-division), summarized below:</p> <ul style="list-style-type: none"> ia: Strict nature reserve: Strictly protected for biodiversity and also possibly geological/geomorphological features, where human visitation, use and impacts are controlled and limited to ensure protection of the conservation values ib: Wilderness area: Usually large unmodified or slightly modified areas, retaining their natural character and influence, without permanent or significant human habitation, protected and managed to preserve their natural condition ii: National Park: Large natural or near-natural areas protecting large-scale ecological processes with characteristic species and ecosystems, which also have environmentally and culturally compatible spiritual, scientific, educational, recreational and visitor opportunities iii: Natural monument or feature: Areas set aside to protect a specific natural monument, which can be a landform, sea mount, marine cavern, geological feature such as a cave, or a living feature such as an ancient grove iv: Habitat/species management area: Areas to protect particular species or habitats, where management reflects this priority. Many will need regular, active interventions to meet the needs of particular species or habitats, but this is not a requirement of the category v: Protected landscape or seascape: Where the interaction of people and nature over time has produced a distinct character with significant ecological, biological, cultural and scenic value: and where safeguarding the integrity of this interaction is vital to protecting and sustaining the area and its associated nature conservation and other values |

| | | | |
|------|---|---|---|
| | | | <ul style="list-style-type: none"> Protected areas with sustainable use of natural resources: Areas which conserve ecosystems, together with associated cultural values and traditional natural resource management systems. Generally large, mainly in a natural condition, with a proportion under sustainable natural resource management and where low-level non-industrial natural resource use compatible with nature conservation is seen as one of the main aims Source: Dudley. 2008. Guidelines for Applying Protected Area Management Categories. IUCN. |
| 38.3 | <p>Members with mining facilities (including those with refining activities) shall identify Key Biodiversity Areas affected by their operations and:</p> <p>a. Use the mitigation hierarchy to avoid, minimise and rehabilitate impacts on biodiversity and ecosystem services. Offsets to address the residual impact shall only be employed after these steps are applied.</p> <p>b. Implement action plans to deliver measurable biodiversity benefits that are at least commensurate with the level of adverse impacts and ideally provide a net gain.</p> <p>c. In areas of critical habitat, ensure there are no measurable adverse impacts (no net loss) on the criteria for which the habitat was designated or on the ecological processes supporting those criteria, and provide an</p> | <p>For new exploration, development of a new mine and/or refinery, or for changes to existing exploration or mining and/or refining facilities::</p> <p>a. Members shall not shall not explore, mine or refine in or adjacent to:</p> <p>i: World Heritage Sites areas on a government official list, whether tentative or nominated, for World Heritage Site Inscription or</p> <p>ii: IUCN protected area management categories I-III or</p> <p>iii: Core areas of UNESCO biosphere reserves.</p> <p>b. Members shall not explore, mine or refine in or adjacent to any other legally protected area unless the Member:</p> <p>i: Carries out a biodiversity and ecosystem services impact assessment and management requirements in line with COP 34 (Impact Assessment and Management) and if the legally designated area is either an IUCN</p> | <p>Definition: Conservation values - The ecological, biological, geomorphological, geological, cultural, spiritual, scenic or amenity values, features, processes or attributes that are being conserved.</p> <p>Definition: habitat - A terrestrial, freshwater, or marine geographical unit or airway that supports assemblages of living organisms and their interactions with the non-living environment. The place or type of site where an organism or population naturally occurs. Sources: IFC. 2012. Performance Standard 6; Convention on Biological Diversity, Article 2.</p> <p>Definition: No Net Loss and Net Gain (of biodiversity) - Targets for development projects in which the impacts on biodiversity caused by the project are balanced or outweighed by measures taken to first avoid and minimize the impacts, then to undertake on-site rehabilitation and/or restoration, and finally to offset the residual impacts (if appropriate). No net loss, in essence, refers to the point where biodiversity gains from targeted conservation activities match the losses of biodiversity due to the impacts of a specific development project, so that there is no net reduction overall in the type, amount and condition (or quality) of biodiversity over space and time. A net gain (sometimes referred to as Net Positive Impact) means that biodiversity gains exceed a specific set of losses.</p> <p>Definition: Protected Area / Protected Area Management Categories (IUCN) - A clearly defined geographical space, recognized, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values. The definition is expanded by six "protected area management categories" (one with a sub-division), summarized below:</p> |

| | | | |
|--|--|--|--|
| | <p>overall net gain in biodiversity benefits for the area.</p> | <p>category IV, a Ramsar site not included in the IUCN category I-III or a buffer zone of UNESCO biosphere reserves, commission an additional assessment that is carried out or independently peer-reviewed by a reputable conservation organisation and/or academic institution to demonstrate that activities will not damage the integrity of the special values for which the area was designated for protection.</p> <p>ii: Obtains approvals required by Applicable Law, and where relevant, FPIC in line with COP 33 (Indigenous Peoples and Free Prior Informed Consent).</p> <p>iii: Consults with protected area sponsors, managers and relevant stakeholders in line with COP 32 (Stakeholder engagement).</p> <p>iv: Conducts the exploration, mining and/or refining related activities in a manner consistent with protected area management plans for such areas.</p> <p>v: Implements additional conservation actions or programs to promote and enhance the conservation aims and/or effective management of the area..</p> | <p>ia: Strict nature reserve: Strictly protected for biodiversity and also possibly geological/ geomorphological features, where human visitation, use and impacts are controlled and limited to ensure protection of the conservation values</p> <p>ib: Wilderness area: Usually large unmodified or slightly modified areas, retaining their natural character and influence, without permanent or significant human habitation, protected and managed to preserve their natural condition</p> <p>ii: National Park: Large natural or near-natural areas protecting large-scale ecological processes with characteristic species and ecosystems, which also have environmentally and culturally compatible spiritual, scientific, educational, recreational and visitor opportunities</p> <p>iii: Natural monument or feature: Areas set aside to protect a specific natural monument, which can be a landform, sea mount, marine cavern, geological feature such as a cave, or a living feature such as an ancient grove</p> <p>iv: Habitat/species management area: Areas to protect particular species or habitats, where management reflects this priority. Many will need regular, active interventions to meet the needs of particular species or habitats, but this is not a requirement of the category</p> <p>v: Protected landscape or seascape: Where the interaction of people and nature over time has produced a distinct character with significant ecological, biological, cultural and scenic value: and where safeguarding the integrity of this interaction is vital to protecting and sustaining the area and its associated nature conservation and other values</p> <ul style="list-style-type: none"> • Protected areas with sustainable use of natural resources: Areas which conserve ecosystems, together with associated cultural values and traditional natural resource management systems. Generally large, mainly in a natural condition, with a proportion under sustainable natural resource management and where low-level non-industrial natural resource use compatible with nature conservation is seen as one of the main aims <p>Source: Dudley. 2008. Guidelines for Applying Protected Area Management Categories. IUCN.</p> <p>Definition: Residual Impacts - Impacts that remain after on-site mitigation measures (avoidance, minimisation, restoration) have been applied.</p> <p>Definition: Tentative List for World Heritage Site Inscription - The list of sites that relevant State Parties are formally considering for nomination as a World Heritage Site in the next five to ten years.</p> |
|--|--|--|--|

| | | | |
|--------------------|--|---|--|
| <p>38.4</p> | <p>Members with mining facilities (including those with refining activities) shall implement controls to ensure that their operations will not lead to the significant decline (no net loss) of a threatened species, as listed by the IUCN, or create adverse impacts on the critical to supporting their survival.</p> | <p>If existing mine or refinery is negatively affecting or is located entirely or partially in an IUCN protected area management categories I-III or Core areas of UNESCO biosphere reserves the Member shall demonstrate that:</p> <p>a. The mine or refinery was developed prior to the area’s official designation.</p> <p>b. Management plans have been developed in collaboration with the relevant protected area management authorities, and are being implemented to ensure that activities during the remaining lifecycle of the operation will not permanently and materially damage the integrity of the special values for which the area was designated for protection.</p> <p>Members with mining facilities (including those with refining activities) shall implement controls to ensure that their operations will not lead to the significant decline (no net loss) of a threatened species, as listed by the IUCN, or create adverse impacts on the habitat critical to supporting their survival.</p> | <p>Definition: habitat - A terrestrial, freshwater, or marine geographical unit or airway that supports assemblages of living organisms and their interactions with the non-living environment. The place or type of site where an organism or population naturally occurs. Sources: IFC. 2012. Performance Standard 6; Convention on Biological Diversity, Article 2.</p> <p>Definition: No Net Loss and Net Gain (of biodiversity) - Targets for development projects in which the impacts on biodiversity caused by the project are balanced or outweighed by measures taken to first avoid and minimize the impacts, then to undertake on-site rehabilitation and/or restoration, and finally to offset the residual impacts (if appropriate). No net loss, in essence, refers to the point where biodiversity gains from targeted conservation activities match the losses of biodiversity due to the impacts of a specific development project, so that there is no net reduction overall in the type, amount and condition (or quality) of biodiversity over space and time. A net gain (sometimes referred to as Net Positive Impact) means that biodiversity gains exceed a specific set of losses.</p> <p>Definition: Protected Area / Protected Area Management Categories (IUCN) - A clearly defined geographical space, recognized, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values. The definition is expanded by six “protected area management categories” (one with a sub-division), summarized below:</p> <p>ia: Strict nature reserve: Strictly protected for biodiversity and also possibly geological/geomorphological features, where human visitation, use and impacts are controlled and limited to ensure protection of the conservation values</p> <p>ib: Wilderness area: Usually large unmodified or slightly modified areas, retaining their natural character and influence, without permanent or significant human habitation, protected and managed to preserve their natural condition</p> <p>ii: National Park: Large natural or near-natural areas protecting large-scale ecological processes with characteristic species and ecosystems, which also have environmentally and culturally compatible spiritual, scientific, educational, recreational and visitor opportunities</p> <p>iii: Natural monument or feature: Areas set aside to protect a specific natural monument, which can be a landform, sea mount, marine cavern, geological feature such as a cave, or a living feature such as an ancient grove</p> |
|--------------------|--|---|--|

| | | | |
|------|---|---|---|
| | | | <p>iv: Habitat/species management area: Areas to protect particular species or habitats, where management reflects this priority. Many will need regular, active interventions to meet the needs of particular species or habitats, but this is not a requirement of the category</p> <p>v: Protected landscape or seascape: Where the interaction of people and nature over time has produced a distinct character with significant ecological, biological, cultural and scenic value: and where safeguarding the integrity of this interaction is vital to protecting and sustaining the area and its associated nature conservation and other values</p> <ul style="list-style-type: none"> • Protected areas with sustainable use of natural resources: Areas which conserve ecosystems, together with associated cultural values and traditional natural resource management systems. Generally large, mainly in a natural condition, with a proportion under sustainable natural resource management and where low-level non-industrial natural resource use compatible with nature conservation is seen as one of the main aims <p>Source: Dudley. 2008. Guidelines for Applying Protected Area Management Categories. IUCN.</p> <p>Definition: Residual Impacts - Impacts that remain after on-site mitigation measures (avoidance, minimisation, restoration) have been applied.</p> <p>Definition: Threatened (and Endangered) Species - Species that meet the IUCN (2001) criteria for Vulnerable (VU), Endangered (EN) or Critically Endangered (CR), and are facing a high, very high or extremely high risk of extinction in the wild. These categories may be re-interpreted for IRMA purposes according to official national classifications (which have legal significance) and to local conditions and population densities (which should affect decisions about appropriate conservation measures).</p> <p>Source: Adapted from IUCN. 2001. IUCN Red List Categories and Criteria: Version 3.1.</p> |
| 38.5 | Members with mining facilities (including those with refining activities) shall not carry out exploration or mining activities, including tailings disposal, in deep sea areas until they have sufficient scientific knowledge of potential impacts of their activities and evidence that | Members in the mining and/or refinery sector shall identify Key Biodiversity Areas affected by their operations and: a. Use the mitigation hierarchy to avoid, minimise and rehabilitate adverse impacts on biodiversity values and maintain access to, value of, and functionality of ecosystem services and the ecological processes | <p>Definition: habitat - A terrestrial, freshwater, or marine geographical unit or airway that supports assemblages of living organisms and their interactions with the non-living environment. The place or type of site where an organism or population naturally occurs.</p> <p>Sources: IFC. 2012. Performance Standard 6; Convention on Biological Diversity, Article 2.</p> <p>Definition: No Net Loss and Net Gain (of biodiversity) - Targets for development projects in which the impacts on biodiversity caused by the project are balanced or outweighed by measures taken to first avoid and minimize the impacts, then to undertake on-site rehabilitation and/or restoration, and finally to offset the residual impacts (if appropriate). No net loss, in essence, refers to the point where biodiversity gains from targeted conservation activities</p> |

| | | | |
|------|--|--|---|
| | controls can be implemented to mitigate adverse impacts. | <p>and habitats necessary to support them. Offsets to address the residual impact shall only be employed after these steps are applied and meet international best practice.</p> <p>b. Implement and maintain action plans that follow the mitigation hierarchy and include context-based objectives targets, and clear responsibilities assigned to deliver measurable biodiversity benefits that are at least commensurate with the level of adverse impacts and ideally provide a net gain and be self-sustaining after decommissioning and reclamation of the mine or refinery.</p> <p>c. In areas of critical habitat or priority ecosystem services, ensure there are no measurable adverse impacts (no net loss) on the criteria for which the habitat was designated or on the ecological processes supporting those criteria, and provide an overall net gain in biodiversity benefits for the area</p> | <p>match the losses of biodiversity due to the impacts of a specific development project, so that there is no net reduction overall in the type, amount and condition (or quality) of biodiversity over space and time. A net gain (sometimes referred to as Net Positive Impact) means that biodiversity gains exceed a specific set of losses.</p> <p>Definition: Priority Ecosystem Services - Ecosystem services are considered priority under the following circumstances:</p> <p>i: Project operations are likely to result in a significant impact on the ecosystem service; the impact will result in a direct adverse impact on affected communities' livelihood, health, safety and/or cultural heritage; and the project has direct management control or significant influence over the service; or</p> <p>ii: The project directly depends on the service for its primary operations; and the project has direct management control or significant influence over the service.</p> <p>Source: IFC. 2012. Performance Standard 6.</p> <p>Definition: Residual Impacts - Impacts that remain after on-site mitigation measures (avoidance, minimisation, restoration) have been applied.</p> |
| 38.6 | | Members in the mining and/or refinery sector shall implement controls to ensure that their operations will not lead to the significant decline (no net loss) of a threatened species, as listed by the IUCN, or create adverse | <p>Definition: habitat - A terrestrial, freshwater, or marine geographical unit or airway that supports assemblages of living organisms and their interactions with the non-living environment. The place or type of site where an organism or population naturally occurs.</p> <p>Sources: IFC. 2012. Performance Standard 6; Convention on Biological Diversity, Article 2.</p> <p>Definition: No Net Loss and Net Gain (of biodiversity) - Targets for development projects in which the impacts on biodiversity caused by the project are balanced or outweighed by</p> |

| | | | |
|------|--|--|---|
| | | <p>impacts on the habitat critical to supporting their survival.</p> | <p>measures taken to first avoid and minimize the impacts, then to undertake on-site rehabilitation and/or restoration, and finally to offset the residual impacts (if appropriate). No net loss, in essence, refers to the point where biodiversity gains from targeted conservation activities match the losses of biodiversity due to the impacts of a specific development project, so that there is no net reduction overall in the type, amount and condition (or quality) of biodiversity over space and time. A net gain (sometimes referred to as Net Positive Impact) means that biodiversity gains exceed a specific set of losses.</p> <p>Definition: Residual Impacts - Impacts that remain after on-site mitigation measures (avoidance, minimisation, restoration) have been applied.</p> <p>Definition: Threatened (and Endangered) Species - Species that meet the IUCN (2001) criteria for Vulnerable (VU), Endangered (EN) or Critically Endangered (CR), and are facing a high, very high or extremely high risk of extinction in the wild. These categories may be re-interpreted for IRMA purposes according to official national classifications (which have legal significance) and to local conditions and population densities (which should affect decisions about appropriate conservation measures).</p> <p>Source: Adapted from IUCN. 2001. IUCN Red List Categories and Criteria: Version 3.1.</p> |
| 38.7 | | <p>Members in the mining and/or refinery sector shall not carry out exploration or mining activities, including tailings disposal, in deep sea areas until they have sufficient scientific knowledge of potential impacts of their activities and evidence that controls can be implemented to mitigate adverse impacts.</p> | |

| | | | |
|-------------|--|---|---|
| <p>38.8</p> | | <p>Members in the mining and/or refinery sector shall develop and implement a program to monitor the implementation of its protected areas and/or biodiversity and ecosystem services management plan(s) throughout the lifecycle of the mine and/or refinery. The program shall include:</p> <p>a. Monitoring of key biodiversity or other indicators with sufficient detail and frequency to enable evaluation of the effectiveness of mitigation strategies and progress toward the objectives of at least no net loss or net gain in biodiversity and ecosystem services over time.</p> <p>b. Include mechanisms to identify and implement timely and effective corrective action developed in consultation with relevant stakeholders to address situations where the monitoring program reveals that the protected areas and/or biodiversity and ecosystem services targets or plans are not being achieved as expected.</p> <p>c. Processes for independent review monitoring information.</p> <p>d. At least annual reporting of the monitoring information and effectiveness of mitigation strategies and plans on impacts, adverse or</p> | <p>Definition: No Net Loss and Net Gain (of biodiversity) - Targets for development projects in which the impacts on biodiversity caused by the project are balanced or outweighed by measures taken to first avoid and minimize the impacts, then to undertake on-site rehabilitation and/or restoration, and finally to offset the residual impacts (if appropriate). No net loss, in essence, refers to the point where biodiversity gains from targeted conservation activities match the losses of biodiversity due to the impacts of a specific development project, so that there is no net reduction overall in the type, amount and condition (or quality) of biodiversity over space and time. A net gain (sometimes referred to as Net Positive Impact) means that biodiversity gains exceed a specific set of losses.</p> <p>Definition: Protected Area / Protected Area Management Categories (IUCN) - A clearly defined geographical space, recognized, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values. The definition is expanded by six "protected area management categories" (one with a sub-division), summarized below:</p> <p>ia: Strict nature reserve: Strictly protected for biodiversity and also possibly geological/geomorphological features, where human visitation, use and impacts are controlled and limited to ensure protection of the conservation values</p> <p>ib: Wilderness area: Usually large unmodified or slightly modified areas, retaining their natural character and influence, without permanent or significant human habitation, protected and managed to preserve their natural condition</p> <p>ii: National Park: Large natural or near-natural areas protecting large-scale ecological processes with characteristic species and ecosystems, which also have environmentally and culturally compatible spiritual, scientific, educational, recreational and visitor opportunities</p> <p>iii: Natural monument or feature: Areas set aside to protect a specific natural monument, which can be a landform, sea mount, marine cavern, geological feature such as a cave, or a living feature such as an ancient grove</p> <p>iv: Habitat/species management area: Areas to protect particular species or habitats, where management reflects this priority. Many will need regular, active interventions to meet the needs of particular species or habitats, but this is not a requirement of the category</p> <p>v: Protected landscape or seascape: Where the interaction of people and nature over time has produced a distinct character with significant ecological, biological, cultural and scenic value: and where safeguarding the integrity of this interaction is vital to protecting and sustaining the area and its associated nature conservation and other values</p> |
|-------------|--|---|---|

| | | | |
|--|--|---|--|
| | | <p>restorative to biodiversity values and ecosystem services.</p> | <ul style="list-style-type: none"> • Protected areas with sustainable use of natural resources: Areas which conserve ecosystems, together with associated cultural values and traditional natural resource management systems. Generally large, mainly in a natural condition, with a proportion under sustainable natural resource management and where low-level non-industrial natural resource use compatible with nature conservation is seen as one of the main aims <p>Source: Dudley. 2008. Guidelines for Applying Protected Area Management Categories. IUCN.</p> <p>Definition: Residual Impacts - Impacts that remain after on-site mitigation measures (avoidance, minimisation, restoration) have been applied.</p> |
|--|--|---|--|

TAILINGS AND WASTE ROCK

| | | | |
|------|---|---|---------------|
| 39.1 | Members in the mining sector shall carry out physical and geochemical characterisations of mine waste rock or tailings from mining or refining and processing activities. | Members in the mining sector shall carry out physical and geochemical characterisations of mine waste rock or tailings from mining or refining and processing activities. | |
| 39.2 | Members in the mining and/or refinery sector shall design, construct, maintain, monitor and close all tailings and mine waste rock facilities and supporting infrastructure to: a. Ensure structural stability and take measures to prevent catastrophic failures. b. Ensure controlled discharge and protect the surrounding environment and local communities from potential impacts of acidification, metal leaching, loss of containment or contamination, including contamination of groundwater during the mine's or refinery's operation and post-closure. c. Implement appropriate mitigation or treatment if impacts are identified. | No amendments | No amendments |
| 39.3 | Members in the mining and/or refinery sector shall not use riverine disposal of tailings or waste rock. | No amendments | No amendments |

| | | | |
|----------------|---|---------------|---|
| 39.4 | <p>Members in the mining and/or refinery sector shall not use marine or lake disposal of tailings and waste rock from land-based mining and/or refining facilities unless:</p> <p>a. A thorough environmental and social analysis of alternatives, using scientifically valid data, was conducted that showed marine or lake tailings disposal creates less environmental and social impact and risk than a land-based tailings facility; and</p> <p>b. It can be scientifically demonstrated that there will be no significant adverse effect on coastal or marine species and habitats; and</p> <p>c. There is long-term impact monitoring, including for cumulative impacts, and provision made for a mitigation plan.</p> | No amendments | <p>Definition: habitat - A terrestrial, freshwater, or marine geographical unit or airway that supports assemblages of living organisms and their interactions with the non-living environment. The place or type of site where an organism or population naturally occurs.</p> <p>Sources: IFC. 2012. Performance Standard 6; Convention on Biological Diversity, Article 2.</p> |
| CYANIDE | | | |
| 40.1 | <p>Members in the mining and/or refinery sector using cyanide in the recovery of gold, and silver or platinum group metals shall ensure applicable sites are certified to the International Cyanide Management Code.</p> | No amendments | No amendments |

MERCURY

| | | | |
|-------------|---|----------------------|----------------------|
| <p>41.1</p> | <p>Members in the mining and/or refinery sector where mercury is contained in saleable products, by-products or emissions shall adopt responsible management practices to control and reduce mercury emissions using best available techniques or best environmental practices that take into account technical and economic considerations. At minimum, this shall be in accordance with applicable law and in line with the Minamata Convention.</p> | <p>No amendments</p> | <p>No amendments</p> |
| <p>41.2</p> | <p>Members using mercury in mining or refining and processing activities shall take steps to control, reduce and, where feasible, eliminate their use of mercury and mercury compounds, and their emissions and releases to the environment of mercury. They shall use time-bound action plans for doing so. a. Members shall not practise whole ore amalgamation or open burning of amalgam (or processed amalgam) under any circumstances; in residential areas they shall not practise the burning of amalgam. They shall not practise cyanide leaching in</p> | <p>No amendments</p> | <p>No amendments</p> |

| | | | |
|--|--|--|--|
| | <p>sediment, ore or tailings to which mercury has been added without first removing the mercury.</p> <p>b. Members shall take steps to prevent vulnerable groups being exposed to mercury, particularly children, women of childbearing age and pregnant women.</p> | | |
|--|--|--|--|

SITE REHABILITATION AND CLOSURE

| | | | |
|--------------------|--|----------------------|----------------------|
| <p>42.1</p> | <p>Member with mining facilities (including those with refining activities) shall prepare and regularly review a rehabilitation and closure plan for each site and its associated facilities including mine exploration activities. New facilities shall have a closure plan from start-up, and existing facilities shall establish a comprehensive plan as early as possible. Plans shall be designed to prioritise protection of human health and the environment with the area returned to a stable landscape to suit the agreed post-mining and/or post-refining use and include:</p> <p>a. Include a clear purpose, scope</p> | <p>No amendments</p> | <p>No amendments</p> |
|--------------------|--|----------------------|----------------------|

| | | | |
|------|---|---------------|---------------|
| | <p>with location and relevant background information</p> <p>b. A description of the mine and/or refinery facilities and/or mine exploration activities, and the site features</p> <p>c. Agreed-upon post-mining and/or post-refining use including details of the consultation undertaken and stakeholders involved to achieve the agreed use</p> <p>d. Methods and timeline for land and ecosystem restoration earthworks, revegetation and disposal of hazardous materials</p> <p>e. Rehabilitation maintenance and monitoring</p> <p>f. Role of communities in post restoration monitoring activities.</p> | | |
| 42.2 | <p>For each mining and/or refining facility including mine exploration activities, members in the mining and/or refinery sector shall engage regularly with local stakeholders, including indigenous peoples, communities, artisanal and small-scale miners, employees and regulators, about site closure and rehabilitation plans.</p> | No amendments | No amendments |

| | | | |
|------|---|---------------|---------------|
| 42.3 | <p>Members in the mining and/or refinery sector shall:</p> <ul style="list-style-type: none"> a. Estimate the cost for implementing the site rehabilitation and closure plan for each mining and/or refining facility including mine exploration activities, b. Establish financial provisions to ensure availability of adequate resources to meet rehabilitation and closure requirements including post closure monitoring. c. Guarantee the reclamation costs for exploration activities d. Ensure sufficient financial assurances and guarantees to cover rehabilitation and closure are in place at all times of the mine and/or refinery lifecycle including decommissioning, rehabilitation, closure and post closure rehabilitation e. Periodically review all site and/or refinery related closure funding estimates during the mining and/or refinery lifecycle | No amendments | No amendments |
|------|---|---------------|---------------|

| | | | |
|------|---|---------------|---------------|
| 42.4 | <p>Members in the mining and/or refinery sector shall adopt good practice techniques for rehabilitating environments disturbed or occupied by mining and/or refining facilities including mine exploration activities. They shall:</p> <p>a. Implement mine exploration-related reclamation in a timely manner and progressively rehabilitate all other mining and/or refining facilities, as appropriate</p> <p>b. Only adopt long term post closure water treatment subject to an independent engineering and risk assessment that evaluates the environmental, social and financial impacts and with consideration of affected communities and other stakeholders including technical experts.</p> <p>c. Seek to establish an appropriate self-sustaining ecosystem, or other post-mining and/or post-refining use agreed through stakeholder engagement during site closure planning.</p> | No amendments | No amendments |
|------|---|---------------|---------------|

COMMUNITY HEALTH AND SAFETY

| | | | |
|-------------|---|---|--|
| <p>43.1</p> | <p>Members with mining and/or refinery activities shall identify and assess potential risks and impacts to community health and safety from mining and/or refinery related activities that may occur throughout the operations' life cycle. The assessment shall at a minimum:</p> <p>a. Be informed by relevant data including information sourced from collaboration with affected communities, stakeholders, health agencies and workers who live in affected communities and individuals or representatives of vulnerable groups</p> <p>b. Consider potential risks and impacts arising from incidents, failure of controls and infrastructure, mining and/or refinery related impacts on priority ecosystem services used by the communities, release of hazardous materials, contamination and degradation of land, soil and water, effects on community demographics and other community services</p> <p>c. Identify differential impacts of mining and/or refinery activities on vulnerable groups or susceptible members of affected communities</p> | <p>Members with mining and/or refinery activities shall identify and assess potential risks and impacts to community health and safety from mining and/or refinery related activities that may occur throughout the operations' life cycle. The assessment shall at a minimum:</p> <p>a. Be informed by relevant data including information sourced from collaboration with affected communities, stakeholders, health agencies and workers who live in affected communities and individuals or representatives of vulnerable groups</p> <p>b. Consider potential risks and impacts arising from incidents, failure of controls and infrastructure, mining and/or refinery related impacts on priority ecosystem services used by the communities, release of hazardous materials, contamination and degradation of land, soil and water, effects on community demographics and other community services</p> <p>c. Identify differential impacts of mining and/or refinery activities on vulnerable groups or susceptible members of affected communities</p> <p>d. Evaluate the significance of each impact with consideration of relevant public health and safety Applicable Law or in the absence of Applicable</p> | <p>Definition: Priority Ecosystem Services - Ecosystem services are considered priority under the following circumstances:</p> <p>i: Project operations are likely to result in a significant impact on the ecosystem service; the impact will result in a direct adverse impact on affected communities' livelihood, health, safety and/or cultural heritage; and the project has direct management control or significant influence over the service; or</p> <p>ii: The project directly depends on the service for its primary operations; and the project has direct management control or significant influence over the service.</p> <p>Source: IFC. 2012. Performance Standard 6.</p> |
|-------------|---|---|--|

| | | | |
|------|---|--|----------------------|
| | <p>d. Evaluate the significance of each impact, to determine whether it is acceptable, requires mitigation, or is unacceptable. Where deemed unacceptable, the activity shall cease until the impacts can be reassessed as acceptable.</p> | <p>Law, absence internationally recognised standards, to determine whether it is acceptable, requires mitigation, or is unacceptable. Where deemed unacceptable, the activity shall cease until the impacts can be reassessed as acceptable.</p> | |
| 43.2 | <p>Where there is an identified significant risk of community exposure to communicable infectious disease, the Member shall work with workers or their representatives, relevant stakeholders including health agencies and policy make to establish:</p> <p>a. Policies, practices, and prevention or mitigation initiatives to address the identified risks. This includes providing free and voluntary tuberculosis testing for its</p> | <p>No amendments</p> | <p>No amendments</p> |

| | | | |
|--------------------------|--|--|--|
| | workers where this is inaccessible to workers. b. Community health and safety monitoring programs. | | |
| 43.3 | Members with mining and/or refinery activities shall make information on community health and safety risks and impacts and monitoring results publicly available in line with COP 3.1 and 3.2 (Reporting). | No amendments | No amendments |
| CULTURAL HERITAGE | | | |
| 44.1 | Members with mining and/or refinery activities, in consultation and in cooperation with affected stakeholders and competent professionals shall identify sacred or cultural heritage sites and values. | Members with mining and/or refinery activities, in consultation and in cooperation with affected stakeholders and competent professionals shall identify and protect tangible forms of cultural heritage, unique natural features or tangible objects that embody cultural values and/or intangible forms of cultural heritage, whether these are legally protected or previously disturbed. | <p>Definition: Competent professional - A Member's staff or external consultants with relevant education, knowledge, proven experience, necessary skills and training to carry out the required work. Competent professionals would be expected to follow scientifically robust methodologies that would withstand scrutiny by other professionals. Other equivalent terms used may include: competent person, qualified person, qualified professional. For independent reviews competent professionals must not be in-house staff.</p> <p>Definition: Intangible cultural heritage - Knowledge, innovations and/or practices, including oral expressions of folklore, performing arts, rituals, festivals, that are inherited from past generations, maintained in the present and bestowed for the benefit of future generations.</p> <p>Definition: Tangible cultural heritage - A unique and often non-renewable resource that possesses cultural, scientific, spiritual, or religious value, and are considered worthy of preservation for the future. Includes moveable or immovable objects, sites, structures, groups of structures, natural features, or landscapes that have archaeological, paleontological, historical, architectural, religious, aesthetic, or other cultural value.</p> |

| | | | |
|-------------|---|----------------------|---|
| <p>44.2</p> | <p>Members shall:</p> <p>a. Avoid impacts, damage, removal or significant alteration of critical cultural heritage sites or values.</p> <p>b. Not remove any cultural heritage items unless, there are no technically or financially feasible alternatives to removal based on the overall benefits of the mining and/or refinery activities, removal is carried out by competent professionals, items are registered and information shared with affected communities and stakeholders.</p> <p>c. For new and significant changes to existing mines and/or refineries proposed within a legally protected cultural heritage area, areas proposed by host governments for such designation, or a legally defined protected area buffer zone, Members shall consult with agencies responsible for protected area governance and management, affected communities and other key stakeholders on the proposed project new or significant expansion project.</p> | <p>No amendments</p> | <p>Definition: Competent professional - A Member’s staff or external consultants with relevant education, knowledge, proven experience, necessary skills and training to carry out the required work. Competent professionals would be expected to follow scientifically robust methodologies that would withstand scrutiny by other professionals. Other equivalent terms used may include: competent person, qualified person, qualified professional. For independent reviews competent professionals must not be in-house staff.</p> <p>Definition: Critical cultural heritage - Consists of:</p> <p>(i) the internationally recognized heritage of communities who use, or have used within living memory the cultural heritage for long-standing cultural purposes;</p> <p>(ii) legally protected cultural heritage areas, including those proposed by host governments for such designation; or</p> <p>(iii) natural areas with cultural and/or spiritual value such as sacred groves, sacred bodies of water and waterways, sacred trees, and sacred rocks.</p> <p>Source: Adapted from IFC. 2012. Performance Standard 7. Para. 16; and Performance Standard 8, Para. 13.</p> <p>Definition: Protected Area / Protected Area Management Categories (IUCN) - A clearly defined geographical space, recognized, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values. The definition is expanded by six “protected area management categories” (one with a sub-division), summarized below:</p> <p>ia: Strict nature reserve: Strictly protected for biodiversity and also possibly geological/ geomorphological features, where human visitation, use and impacts are controlled and limited to ensure protection of the conservation values</p> <p>ib: Wilderness area: Usually large unmodified or slightly modified areas, retaining their natural character and influence, without permanent or significant human habitation, protected and managed to preserve their natural condition</p> <p>ii: National Park: Large natural or near-natural areas protecting large-scale ecological processes with characteristic species and ecosystems, which also have environmentally and culturally compatible spiritual, scientific, educational, recreational and visitor opportunities</p> <p>iii: Natural monument or feature: Areas set aside to protect a specific natural monument, which can be a landform, sea mount, marine cavern, geological feature such as a cave, or a living feature such as an ancient grove</p> |
|-------------|---|----------------------|---|

| | | | |
|------|---|---------------|--|
| | | | <p>iv: Habitat/species management area: Areas to protect particular species or habitats, where management reflects this priority. Many will need regular, active interventions to meet the needs of particular species or habitats, but this is not a requirement of the category</p> <p>v: Protected landscape or seascape: Where the interaction of people and nature over time has produced a distinct character with significant ecological, biological, cultural and scenic value: and where safeguarding the integrity of this interaction is vital to protecting and sustaining the area and its associated nature conservation and other values</p> <ul style="list-style-type: none"> • Protected areas with sustainable use of natural resources: Areas which conserve ecosystems, together with associated cultural values and traditional natural resource management systems. Generally large, mainly in a natural condition, with a proportion under sustainable natural resource management and where low-level non-industrial natural resource use compatible with nature conservation is seen as one of the main aims <p>Source: Dudley. 2008. Guidelines for Applying Protected Area Management Categories. IUCN.</p> |
| 44.3 | <p>Where sacred or cultural heritage sites and values have been identified, documented management plans with appropriate action and control measures that use internationally recognised practices for the protection of cultural heritage to avoid or remedy impacts, shall be developed and maintained. Management plans and control measures shall:</p> <p>a. Be developed by competent professionals in consultation with affected stakeholders, and controls</p> <p>b. Favour avoidance of impacts for all non-replicable cultural heritage sites, and where</p> | No amendments | <p>Include potential impacts to cultural heritage from contractors and visitors</p> <p>Definition: Competent professional - A Member’s staff or external consultants with relevant education, knowledge, proven experience, necessary skills and training to carry out the required work. Competent professionals would be expected to follow scientifically robust methodologies that would withstand scrutiny by other professionals. Other equivalent terms used may include: competent person, qualified person, qualified professional. For independent reviews competent professionals must not be in-house staff.</p> <p>Definition: Replicable Cultural Heritage - Tangible forms of cultural heritage that can themselves be moved to another location or that can be replaced by a similar structure or natural features to which the cultural values can be transferred by appropriate measures. Archaeological or historical sites may be considered replicable where the particular eras and cultural values they represent are well represented by other sites and/or structures.</p> <p>Source: IFC. 2012. Performance Standard 8. Guidance Note.</p> |

| | | | |
|------|--|---|---|
| | <p>prevention is not possible measures to minimise adverse impacts</p> <p>c. Ensure continued rights of access to such sites or values subject to consultations with affected communities and overriding health, safety, and security risks.</p> | | |
| 44.4 | <p>Where impacts to sacred or cultural heritage sites and values have been caused by mining and/or refinery related activities mitigation and remedial action shall be carried out and documented by competent professionals, using internationally recognized practices for the protection of cultural heritage in consultation with relevant agencies responsible for protected area governance and management, affected communities and other key stakeholders: In addition:</p> <p>a. The Member shall establish in-situ restorative measures in keeping with the value and functionality of the cultural heritage, including supporting ecosystem</p> | <p>Where impacts to sacred or cultural heritage sites and values have been caused by mining and/or refinery related activities mitigation and remedial action shall be carried out and documented by competent professionals, using internationally recognized practices for the protection of cultural heritage in consultation with relevant agencies responsible for protected area governance and management, affected communities and other key stakeholders: In addition:</p> <p>a. The Member shall establish in-situ restorative measures in keeping with the value and functionality of the cultural heritage, including supporting ecosystem</p> <p>b. Where in-situ restorative measures are not possible, the Member shall adopt the value and functionality of the</p> | <p>Definition: Competent professional - A Member’s staff or external consultants with relevant education, knowledge, proven experience, necessary skills and training to carry out the required work. Competent professionals would be expected to follow scientifically robust methodologies that would withstand scrutiny by other professionals. Other equivalent terms used may include: competent person, qualified person, qualified professional. For independent reviews competent professionals must not be in-house staff.</p> <p>Definition: Protected Area / Protected Area Management Categories (IUCN) - A clearly defined geographical space, recognized, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values. The definition is expanded by six “protected area management categories” (one with a sub-division), summarized below:</p> <p>ia: Strict nature reserve: Strictly protected for biodiversity and also possibly geological/ geomorphological features, where human visitation, use and impacts are controlled and limited to ensure protection of the conservation values</p> <p>ib: Wilderness area: Usually large unmodified or slightly modified areas, retaining their natural character and influence, without permanent or significant human habitation, protected and managed to preserve their natural condition</p> <p>ii: National Park: Large natural or near-natural areas protecting large-scale ecological processes with characteristic species and ecosystems, which also have environmentally and culturally compatible spiritual, scientific, educational, recreational and visitor opportunities</p> |

| | | | |
|--|---|--|--|
| | <p>b. Where in-situ restorative measures are not possible, the Member shall restore the value and functionality of the cultural heritage, including supporting ecosystem in a different location</p> <p>c. Where relocation is not possible, the member shall comply with laws, covenants and standards for the removal and cataloguing of historical and archaeological artifacts and structures and make records available to local heritage agencies and affected stakeholders</p> <p>d. Offer compensation to affected stakeholders commensurate with the cultural heritage values</p> <p>e. Members shall provide training and information to relevant workers, contractors and visitors with respect to cultural awareness, cultural heritage site recognition and care, and its cultural heritage management plans and controls.</p> | <p>cultural heritage, including supporting ecosystem in a different location</p> <p>c. Where relocation is not possible, the member shall comply with laws, covenants and standards for the removal and cataloguing of historical and archaeological artifacts and structures and make records available to local heritage agencies and affected stakeholders</p> <p>d. Offer compensation to affected stakeholders commensurate with the cultural heritage values</p> <p>e. Members shall implement its cultural heritage management plans and controls and educate relevant workers, contractors and visitors with respect to cultural awareness, cultural heritage site recognition and adherence to the protection controls as documented in the management plans.</p> | <p>iii: Natural monument or feature: Areas set aside to protect a specific natural monument, which can be a landform, sea mount, marine cavern, geological feature such as a cave, or a living feature such as an ancient grove</p> <p>iv: Habitat/species management area: Areas to protect particular species or habitats, where management reflects this priority. Many will need regular, active interventions to meet the needs of particular species or habitats, but this is not a requirement of the category</p> <p>v: Protected landscape or seascape: Where the interaction of people and nature over time has produced a distinct character with significant ecological, biological, cultural and scenic value: and where safeguarding the integrity of this interaction is vital to protecting and sustaining the area and its associated nature conservation and other values</p> <ul style="list-style-type: none"> • Protected areas with sustainable use of natural resources: Areas which conserve ecosystems, together with associated cultural values and traditional natural resource management systems. Generally large, mainly in a natural condition, with a proportion under sustainable natural resource management and where low-level non-industrial natural resource use compatible with nature conservation is seen as one of the main aims <p>Source: Dudley. 2008. Guidelines for Applying Protected Area Management Categories. IUCN.</p> |
|--|---|--|--|