

## RJC Code of Practices 2019 Update - Comment Report on Round 1 Consultation

A summary of comments received on the Public Summary document of the COP 2019 update

### Purpose

In 2021, RJC started the process of updating the Responsible Jewellery Council (RJC) Code of Practices (COP) 2019 standard. The update addresses points of mining, precious metals, coloured gemstones, and laboratories. RJC is exploring expanding the coloured gemstone material scope. Public consultation opened in October 2021 for 60 days and was closed on December 10th, 2021. The purpose of this document is to share comments received during the first round of consultation.

### Comments

Our consultation on the public summary was carried out through an email campaign using the full RJC stakeholder list (over 2,300 recipients) and posting of the revised proposed changes to our website. Recipients include RJC members, audit firms, NGOs, industry press, trade associations, and government representatives. In response, we received over 180 written submissions.

Table 1 in the annex has each of the individual comments received from the first-round consultation, verbatim. We greatly appreciate the time and insightful contributions from the submitters.

### Next steps

These comments, in conjunction with internal research are being used to update the COP 2019. The RJC Standards Committee will be reviewing proposed changes December-January 2022, and a second round of consultation will commence in February 2022 for another 60-day period, as per ISEAL standard setting code.

**Comment, submissions and inquiries welcome:** Please contact

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## Annex

**Table 1 – Comments on the Code of Practices Standard from Round 1**

These comments were received between October and December 2021 and are copied here as they were received.

No.	COP Provision/Topic	Name	Comment	Response
1	Auditing process	Suhas Risbood ISOQAR	Members face numerous audits throughout the year (BPP, RJC and customer audits) facing close to 10 audits yearly. Scope of audits are more than 80% similar and few have specific requirements such as traceability. Same set of documents need to be shown to every auditor with no added value each time. Members need to maintain team of people dedicated to face audits. New initiatives need to be included (e.g., C footprint, C neutrality, ESG reporting, Product traceability). Many customers appreciate the Signet approach of considering RJC as sufficient for vendor selection.	RJC was created with the initiative to reduce audit burden for our members. As part of the update, we will work on recognition of other schemes so that members can use existing audits and certification as evidence of compliance.



No.	COP Provision/Topic	Name	Comment	Response
2	Auditing		From an auditing perspective, there seems to be more detail in the COP guidance than in the COP Standard, making it difficult for auditors using the standard and not the guidance when assessing members.	The guidance has more information available as this is its purpose. The guidance includes all the information of the standard, such as wording provisions as well as information on how member demonstrate compliance. There will also be auditor training provided with the COP update, we will include information on what each document contains.



No.	COP Provision/Topic	Name	Comment	Response
3	Auditing		Hoping for greater transparency of the audit process, clear requirements on how audits are conducted ensuring that HR and environmental issues are dealt with, and onsite visitation is happening.	RJC is currently in the process of consulting on greater transparency with the audit being one area of focus. Further information on this development will follow in 2022.

4	Certification/Tracking irradiated diamonds and coloured gemstones	Maurice Ostro	<p>There have been known cases between 2004-2006 where irradiated gems (IG) have been imported to America with significant levels of radiation: high enough to alert NRC causing their intervention. Problem is that industry as a whole does not have a routine process established in order to ensure full compliance and complete confidence. Many countries have radiation regulations that apply to Gems/jewellery but they leave it to industry to implement an appropriate process to ensure regulatory compliance. Too complex for companies to manage on their own and is undermining their confidence in irradiated gemstones.</p> <p>Signet for many years refused to sell any IG as there was no process for them to ensure that gems had been tested – 2007 number of labs began to offer testing and certification, and signet resumed selling them. These labs include ISQA and others. Although ISQA was one of first to be certified by NRC, it would not test for 3<sup>rd</sup> parties as there was no methodology to stop the re-use of its certificates. Most labs previously licensed by NRC stopped testing service as there was little demand. This is due to how easy it was to fake a certification of stones (paper certificates mean single certificates could be reused, leading to untested goods sold under pretence). This resulted in small % of gems being tested and only lab-international isotopes in the USA continued to test stones commercially.</p> <p>Late 2020, incident occurred which flagged that many gem dealers and jewellery manufacturers were misusing the certification process. In 2020 due to breaking of equipment combined with covid-19 issues, not much testing was done until 2021. Signet who receives irradiated diamonds, topaz and morganite kept receiving shipments regularly throughout although there being no lab to test them. Suppliers found to be using certificates repeatedly for non-tested diamonds and coloured stones.</p> <p>Signet entered conversations with ISQA to fix this issue, create a simple and workable system that tracks and keeps clear record of IG a company has tested. When sold to a retailer, ISQA sends a confirmatory email to retailer directly providing certificate number for each stone in the purchase order. This is then deducted from the company account balance. The numbers are not reusable, and they are each tracked and logged with a record of the stone they relate to.</p>	<p>Many thanks for your participation in the consultation process. The issues you have raised are incredibly important not only for our members, but for the wider trust and integrity our industry must maintain with consumers.</p> <p>RJC will explore the inclusion for testing, reporting and tracking for irradiated gemstones within the COP standard and work toward mitigating this risk for our industry. In round two of our public consultation we would welcome your comments on the draft approach to addressing this risk to ensure that RJC has mitigated appropriately.</p>
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No.	COP Provision/Topic	Name	Comment	Response
5	Scope expansion (In general)	Pandora	We welcome the expanded scope of materials covered by the COP (all coloured gemstones including pearls, coral and mother of pearl). We agree with the suggestion to do this in a phased approach, notably as it will carry significant implications for brands like ours that use these widely. We also agree with suggestion that RJC needs to work with experts on the various materials, as we know that many of the supply chains related to e.g. pearls are vastly complex and encompass new aspects of sourcing/practices such as farming.	RJC has commissioned support from key industry experts on developing a phased approach for the scope expansion, that will follow an approach that is workable for all members and addresses supply chain issues on a risk basis.

6	Expansion to coloured gemstones		<p>Regarding emeralds, rubies, sapphires its great we have larger mining companies producing, but there are many small-scale miners producing the same materials, it is our concern that somehow, and we are not sure how this falls into consideration here, how their supply chain can be traced and added to make sure they are ethically brought to market, we want to see a lot more interest in other colour gemstones, not just the big 3. We are thrilled to have larger corporations mining and we can trace back to mine source, but its smaller scale miners that are difficult, how to manage this? Tanzanite was all heat treated so no need to make disclosure at the counter, yet literature claims that possibility that 35% of the material is natural. Gem supplier splits inventory into heated and unheated, this is becoming a popular approach to selling tanzanite that has not been treated. Need for disclosure on anything, even if you believe 100% of the material has been treated. When you find something that hasn't been treated, this is considered special. FTC does not require disclosure if 100% of material is presented as such. In essence, we should ignore and require full disclosure.</p>	<p>For supply chain due diligence members would be required to apply the same approach of OECD due diligence framework for all coloured gemstones material that members handle. Whilst at the moment supply chains are opaque, RJC members must start the process of engaging their supply chains to obtain the necessary information. This will be under the expectations of continuous improvement and RJC does not expect members to obtain 100% supply chain information immediately.</p> <p>Member must disclose all treatments on all materials regardless</p>
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No.	COP Provision/Topic	Name	Comment	Response
				of whether this is considered industry normal processes, such as heating. RJC will require all members to disclose treatments even if 100% of material has been subjected to this. Member are currently required to disclose any concerns or known risks on the treatment of materials, even if they have not had this confirmed.
7	Expansion to coloured gemstones	Effie Marinos	Are you considering inclusion of semi-precious stones? How far does this go? Jade? Polished river pebbles (lots of H&S risks for workers)	The coloured gemstone scope will match that of recognised industry databases such as CIBJO and GIA. RJC will not include materials such as glass, ceramics or rocks.





No.	COP Provision/Topic	Name	Comment	Response
8	Expansion to coloured gemstones	Hertz Hasenfeld	Only precious gemstones. No semi-precious and certainly not lab grown or costume jewellery.	RJC will expand to all coloured gemstones used in our industry, however this will exclude costume jewellery, such as glass, ceramics and metals such as copper & brass.
9	Expansion to coloured gemstones	Domenica Piantedosi	All coloured gemstones is a very vast field. Provisions will need to be well thought out.	RJC will implement a phased approach for member to follow with their expansion of scope. As part of this consultation we are asking for input on specifics that may be applicable to certain coloured gemstones, however RJC notes that our provisions have a very broad applicability to most coloured gemstones with exceptions being the minority.



No.	COP Provision/Topic	Name	Comment	Response
10	Expansion to coloured gemstones	Bulgari	We recommend first precious stones per Country; then other ones	RJC has commissioned support from key industry experts on developing a phased approach for the scope expansion, that will follow an approach that is workable for all members and addresses supply chain issues on a risk basis.
11	Expansion to coloured gemstones	Richemont Maisons - Isabelle Hildebrand & Joëlle Ponnelle	In favour of introduction of all coloured gemstones, however guidance and phasing approach is needed according to criteria such as: volume, risk, cost, etc. Incremental approach is needed as a Maison cannot handle DD on all coloured gemstones at once.	RJC has commissioned support from key industry experts on developing a phased approach for the scope expansion, that will follow an approach that is workable for all members and addresses supply chain issues on a risk basis.



No.	COP Provision/Topic	Name	Comment	Response
12	Expansion to coloured gemstones		Limited screening instruments to economically test colour gemstones for natural / lab- grown separation increase the costs; Also, there limited economically viable instruments to test treatments of colour gemstones.	Current testing requirements on laboratory grown material are on a risk basis and will remain as such. RJC does not currently mandate testing for treatments only that they are disclosed to customers either when known or suspected.
13	Expansion to coloured gemstones	Florence Bouvier-Pereira	Being in the diamond industry, it sounds fair to include coloured gemstones in the scope, even though, the industry is not structured in the same way, and the actors are clearly different. Probably, difficult to meet the requirements on the go for the 1st time. Anyway, it is a good signal, to assess that all the participants of the jewellery and watches industry are being concerned by these exigences.	RJC needs to ensure that we represent the needs of the jewellery and watch industry. Expanding our scope of materials to include coloured gemstones is a logical progression and one that will continue to support our vision and mission.

No.	COP Provision/Topic	Name	Comment	Response
14	Expansion to coloured gemstones		Need to put a list together of most traded gemstones (20) and start from there. List by value of gemstones.	RJC has commissioned support from key industry experts on developing a phased approach for the scope expansion, that will follow an approach that is workable for all members and addresses supply chain issues on a risk basis.
15	Expansion to coloured gemstones		A phased approach is need because going from the 3 main gemstones within your scope, to 20 potential gemstones is a huge step for companies, especially smaller ones.	RJC has commissioned support from key industry experts on developing a phased approach for the scope expansion, that will follow an approach that is workable for all members and addresses supply chain issues on a risk basis.



No.	COP Provision/Topic	Name	Comment	Response
16	Expansion to coloured gemstones (disclosure and treatments)		Comment pertaining to how Tanzanite is made, and how it used to be treated. There is a need for disclosure on anything and everything, even if you believe 100% of the material has been treated, or bleached etc.	Member must disclose all treatments on all materials regardless of whether this is considered industry normal processes, such as heating. RJC will require all members to disclose treatments even if 100% of material has been subjected to this. Member are currently required to disclose any concerns or known risks on the treatment of materials, even if they have not had this confirmed.



No.	COP Provision/Topic	Name	Comment	Response
17	Expansion to coloured gemstones		We require testing of stones. Problem is that most jewellery has small stones, and testing is done stone wise, not per carat, thus cost of stone is X but cost of testing is much higher. Labs refuse to do it on sampling basis, want to test each stone individually. In India, few machines available. Testing facilities need to be looked at including the cost of testing. Adding on the cost of testing for the customer is not possible as they are not willing to pay the extra.	RJC currently has testing requirements for diamonds, if they are known high-risk stones. If low or medium risk, it may be done on a sampling basis. RJC will recommend that the same approach is applied to coloured gemstones in scope. We do not wish to burden members with increased operating costs via testing requirements and as such suggest only testing based on a risk basis.
18	Expansion to coloured gemstones		Flexibility or criteria needed where COP is concerned.	RJC will ensure any guidance given is workable for everyone and that it is appropriate to the risks presented.



No.	COP Provision/Topic	Name	Comment	Response
19	Expansion to coloured gemstones		How will the cost be affected? Any view on this? Are you currently doing a sampling method?	RJC is not able to comment on the costs of any testing. We would expand our sampling methodology to that of coloured gemstones to create a uniformed approach for all members.
20	Expansion to coloured gemstones		For smaller setting stones, can it be possible you put limit on what is tested based on stone value?	RJC will recommend that a risk approach is applied to coloured gemstones in scope. We do not wish to burden members with increased operating costs via testing requirements and as such suggest only testing based on a risk basis.
21	Expansion to coloured gemstones		Assumption that including gemstones into scope was an optional element. Could be audited opting out for the gemstone part. By adding gemstones to the scope increases requirements for RJC certification altogether?	The requirements stay the same RJC will apply them to more materials. If a member trades in coloured gemstones they will be included in RJC audits.



No.	COP Provision/Topic	Name	Comment	Response
22	COP 7 - Due Diligence		We focus a lot on natural or ASM products as being higher risk, yet the notion that something is natural or newly mined as being the only risky source is problematic, specific treatments and synthetic materials and recycled gold etc, these are not devoid of risk, heard indirectly especially with synthetics, risks of corruption. Ethical materials are not necessarily devoid of risks. No mineral or supply chain should be devoid of Due Diligence, always know the source.	RJC requires due diligence and approach risk mitigation be applied to all materials within RJC scope, additionally we also recommend that members apply the same due diligence framework for materials outside of scope.
23	COP 7 - Due diligence Gender Responsiveness		RJC did commit to gender responsive DD, where is that integrated here in the COP 2019 update?	RJC will review our recommendations through a gender lens for round 2 of our consultation. We will be working with experts to ensure that our standards are capturing gender related issues.





No.	COP Provision/Topic	Name	Comment	Response
24	COP 7 - Due diligence		Favourable and advocating for DD to apply more deeply, but big question of how this gets done needs to go hand in hand with expectation. Work collaboratively to figure out the how and pierce through the opaque nodes in supply chain needs to be done in a multi-stakeholder way, so people feel supported at all times, providing greater clarity on what expectations are.	RJC is working in areas to support our members engagement with their supply chains. RJC is also reviewing how we can support our members to work collaboratively on issues such as due diligence via our digital transformation.



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25	COP 7 - Due diligence		Due diligence is a tricky process especially for smaller members, as its difficult to gather information. Concept of continuous improvement, as long as they have engaged with the majority of suppliers and are following an action plan then this is supported. Dealing with how to do DD, cannot be done overnight but we need a thought-out plan to make sure members know how to do it. RJC materials on how to engage with suppliers beyond first tier.	RJC has developed materials for members to use when engaging with their suppliers and is available as part of the due diligence toolkit. Understanding the complexities and concerns with sharing and obtaining supply chain information, is why this is a continuous improvement requirement, however over time we expect the process and issues with collecting due diligence information to become less complicated.



No.	COP Provision/Topic	Name	Comment	Response
26	COP 7 – Human Rights Due Diligence		Important to think about how COP deals with questions around poor HRDD being reported outside RJC or at the RJC. What reaction would there be to this? And what would it say about sanction non-compliant members?	Any member reported to be non-compliant with the COP would be subject to our complaints and grievance mechanism. Sanctions can range from suspension of certification to removal of membership.
27	Transparency and disclosure		Transparency and disclosure. Desirable that RJC strengthens requirements and requires companies to make public summaries from audits, non-compliances, facilities visited, the audit process and steps to take to assess and mitigate risks. Somewhat strengthened use of language in update – companies asked to list and identify HR impacts, and remedy activities undertaken. We believe its important that companies disclose info about suppliers, and information about reports received on grievances, through grievance mechanisms.	RJC is currently in the process of consulting on greater transparency with the audit being one area of focus. Supplier information can be disclosed but, in a business, confidential manner, RJC will not ask members to publicly disclose their supply chains. Further information on this development will follow in 2022.

28	Transparency and disclosure		<p>When you ask for members to disclose supplier information, from a business perspective, competition is crucial. For transparency purposes this disclosure is key, however, from a business perspective competition needs to be considered. How do we deal with this without compromising competition and business?</p> <p>How do you suggest we get suppliers to share this information?</p>	<p>RJC does not expect members to provide this data in a way that puts them at a competitive disadvantage, we ask members to provide as much information as possible in a business critical way. It is written in such a way, as this will depend on a members location in the supply chain and the material that they handle.</p> <p>RJC has developed materials for members to use when engaging with their suppliers and is available as part of the due diligence toolkit. If suppliers are made aware that members are seeking due diligence information to address risks, not for business advantage, and that they are</p>
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No.	COP Provision/Topic	Name	Comment	Response
				equally exposed to the risks and by working together it is a benefit to all.
29	Transparency and disclosure		<p>Accountability is crucial, wider public and affected communities can access information and react. We have seen this in the garment sector where this has worked. Where we see most movement on this issue. Huge push with more and more companies disclosing this information.</p> <p>Garment industry – Index where companies reveal their suppliers. What it comes down to, is making it general practice so that single brands are not disadvantaged. Consortium of NGOs who have created a transparency pledge for the garment sector.</p>	RJC is currently in the process of consulting on greater transparency. Further information on this development will follow in 2022. We will look at the example provided by the garment industry and see what learning can be made from it.



No.	COP Provision/Topic	Name	Comment	Response
30	Transparency	Human Rights Watch	<p>Transparency</p> <ul style="list-style-type: none"><li>• We welcome the new, expanded reporting requirements which state that members are required to publicly report about sanctions for failure to comply with applicable law (3.1), their human rights due diligence efforts (6.1.d), and about their supply chain policy (7.2). We believe that regular public reporting is an essential element of transparency.</li><li>• Unfortunately, the updated version of the COP does not include an explicit requirement to make public summaries of COP audits, including information on all facilities visited, areas of non-compliance, a description of any identified risks and measurable steps taken to assess and mitigate the risks. It also does not include a requirement to make public data on grievances received through grievance mechanisms, such as the nature, time, and place of the grievance, and measures taken to resolve them. We recommend adding these (for example in provisions 3 and 6, and in guidance documents).</li><li>• We recommend requiring members to publicly disclose the names and locations of their suppliers (for example in provisions 3, 6, and 14, or in a new provision). Such supply chain transparency is important to ensure scrutiny by consumers, affected communities, trade unions, civil society, businesses, and anyone else. Information on the origin of material is instrumental to addressing risks and harms that have already occurred.</li></ul>	<p>RJC is currently in the process of consulting on greater transparency with the audit being one area of focus. Supplier information can be disclosed but, in a business, confidential manner, RJC will not ask members to publicly disclose their supply chains. Further information on this development will follow in 2022.</p>

No.	COP Provision/Topic	Name	Comment	Response
31	On-site visitation of mines		<p>Onsite visitation of mines – best practice for knowing what’s happening on the ground. For smaller companies this is a concern, but suggestion is for larger companies to have a limited number of suppliers so that number of mines to be visited is smaller, but this means ASM is less supported. There are existing joined initiatives that can be explored.</p> <p>Idea could be a funding pool to reduce audit costs for SME’s and ASM by having purchasers cover that cost or subsidize to make it more affordable. There are tripartite committees on the ground that could be enabled or relied upon to do this. RMI has a funding pool to offset costs of audits. IRMA now has one for the industrial scale mines who are still working at financial edge so that cost is not the barrier for the important value of being on site.</p>	<p>Onsite visitation of mines for SME members is a difficult requirement, but RJC can explore options to engage on issues in a collaborative way, one way this could be achieved is through RJC’s digital transformation and connecting our members. RJC will explore options for supporting small and medium sized mining members with the cost of audit or the auditing of supply chains.</p>
32	Expansion to pearls		<p>Fair amount of work done on pearls to get them to market, bleach, polish, so need to specify what requirements are for disclosure. Must look at AGTA disclosure guidelines, quite comprehensive for pearls. Pearl farm in Fiji (Justin Turner) – pearl farms, how they can be good for water health and oceans. Presented at CIBJO in the past, a useful contact to reach out to.</p>	<p>RJC will have requirements for the disclosure on pearl products so that consumers can make informed purchases. We will incorporate existing industry recognised requirements.</p>

No.	COP Provision/Topic	Name	Comment	Response
33	Expansion to pearls		<p>Pearls are a more recognised material and therefore expansion to pearls is more understandable. There are however many distinct environmental impacts to be considered from pearls. What constitutes a responsibly sourced pearl?</p> <p>Many comments pertaining to calculating the environmental impact of pearls and how this will be dealt with.</p>	RJC hopes that it will provide member guidance on how to ensure that they are not contributing to risks in the sourcing and trading of pearls, operating in a responsible way. RJC is also looking into broad environmental impact calculation guidance to be included in the updated COP or supplementary toolkits.
34	Expansion to pearls		<p>Important to distinguish between fresh water and marine pearls. Issues these pearls face is very different. Treatment of pearls and bleaching needs to be considered. Much is still to be learned on how pearls are sourced and the risks that pertain to pearls in the supply chain. Bahrain considered a hub of trading pearls.</p>	Product disclosure of treatments will be mandatory for all materials within the scope of the COP.
35	Expansion to pearls		<p>Mother of pearl, will this be included into the scope?</p>	Mother of pearl will be in scope for the COP standard.
36	Expansion to pearls and corals		<p>There is the issue of treatments on pearls and corals + CITES to be included in the COP. Difficult to agree producers on issues of responsible standards.</p>	CITES will be included in the COP for pearls and coral.





No.	COP Provision/Topic	Name	Comment	Response
37	Expansion to pearls	Richemont Maisons - Isabelle Hildebrand & Joëlle Ponnelle	It seems interesting to extend the scope of the RJC COP to pearls for the environmental issues that their supply chain covers. We request support on how to perform risk analysis and due diligence. In addition, we strongly recommend the inclusion of associations specialized in pearls. Labels like MSC (and others) should be considered as the reference.	Any applicable initiatives covering the responsible sourcing and trading of pearls will be included into the requirements of the COP where applicable. Guidance on how to conduct due diligence on pearl and coral will be provided.
38	Disclosure requirements for pearls		Same guarantees as for other scopes Information on provenance and environmental guarantees	If a member makes any provenance or marketing claims around any RJC scope material they will need to follow the COP requirements.



No.	COP Provision/Topic	Name	Comment	Response
39	Expansion to corals		With regards to coral, much misinformation that coral in jewellery is affecting the coral reef. Jewellery industry does not use that coral for jewellery. Must however investigate deep sea harvesting, dragging nets at bottom of ocean. But, responsible replenishing of Mediterranean corals, and making sure environment is protected, great thing to promote and look at for guidance. <i>Main point – include pearls and coral in scope expansion.</i>	RJC will look to include coral as a material within its scope, but this must be done in such a way that material sourced cannot be having a harmful or negative impact on the marine environments they were extracted from as well as other supply chain risks such as forced or child labour.
40	Expansion to corals		Should be brought onboard but put it on the backburner. Focus on 20/30 gemstones and pearls and leave coral down the track. Should be addressed at some point, but hesitant as to whether we have enough information on this now.	RJC has commissioned support from key industry experts on developing a phased approach for the scope expansion, that will follow an approach that is workable for all members and addresses supply chain issues on a risk basis.



No.	COP Provision/Topic	Name	Comment	Response
41	Expansion to corals	Effie Marinos	This will raise a number of issues if this applies to newly harvested/polished coral especially from an environmental harm perspective and could raise many questions on the sustainability credentials of RJC.	RJC will look to include coral as a material within its scope, but this must be done in such a way that material sourced cannot be having a harmful or negative impact on the marine environments they were extracted from as well as other supply chain risks such as forced or child labour.



No.	COP Provision/Topic	Name	Comment	Response
42	Expansion to corals	Domenica Piantedosi	Our company does not use coral. It is a choice because the coral reefs already have enough problems with global warming.	RJC will look to include coral as a material within its scope, but this must be done in such a way that material sourced cannot be having a harmful or negative impact on the marine environments they were extracted from as well as other supply chain risks such as forced or child labour.



No.	COP Provision/Topic	Name	Comment	Response
43	Expansion to corals		Will precious and tropical corals be covered? The stakes, especially in terms of biodiversity, are different. I think we need to include precious corals, especially those used in jewelry.	RJC will look to include coral as a material within its scope, but this must be done in such a way that material sourced cannot be having a harmful or negative impact on the marine environments they were extracted from as well as other supply chain risks such as forced or child labour.
44	Expansion to corals	Richemont Maisons - Isabelle Hildebrand & Joëlle Ponnelle	It seems interesting to extend the scope of the RJC COP to coral for the environmental issues that their supply chain covers. We request support on how to perform risk analysis and due diligence. The most important point will be the guidance to specify the implementation for coral. We strongly recommend the inclusion of associations specialized in coral like the GFCM, which is the organization attached to the FAO that oversees coral practices.	Any applicable initiatives covering the responsible sourcing and trading of pearls will be included into the requirements of the COP where applicable. Guidance on how to conduct due diligence on pearl and coral will be provided.

No.	COP Provision/Topic	Name	Comment	Response
45	Online trading platforms - COP 7 due diligence		There is a known problem where actors are presenting themselves as service providers, and therefore exempt of due diligence is a common thread that we see, so in terms of what my key message, no one is excluded. Message needs to be reinforced.	RJC will be looking to provide further guidance for member using / purchasing via online trading platforms.
46	Online trading platforms		With the impacts of covid, the use of online trading platforms has expanded rapidly. These platforms often act as a middle person, but they cannot provide customers with the necessary product information. Provide guidance to members on platforms.  Guidance should be given to members on online trading platforms, and how to obtain product information in the case where the platform is unable to do so.	RJC will be looking to provide further guidance for member using / purchasing via online trading platforms.
47	Online trading platforms		Need to ensure that everyone has access to the same level of standards and to ensure that companies are complicit with all RJC standards when using online platforms. All standards need to be applied to online trading sphere.	RJC will be looking to provide further guidance for member using / purchasing via online trading platforms.
48	Online trading platforms		This is a massively expanding area with huge growth over the last 18 months, therefore I suggest we provide clear guidance so that consumers are aware of re-occurring issues and have guidance in using them. All RJC documents are publicly available so even non-members may have access.	RJC will be looking to provide further guidance for member using / purchasing via online trading platforms.
49	Online trading platforms	Effie Marinos	Many requirements should be the same as for retailer and other traders however disclosure will need to be tightened as will consumer engagement and fair-trading practices, returns etc....	RJC will be looking to provide further guidance for member using / purchasing via online trading platforms.



No.	COP Provision/Topic	Name	Comment	Response
50	Online trading platforms		We consider that online traders should be treated just as traditional merchants.	RJC will be looking to provide further guidance for member using / purchasing via online trading platforms.
51	Online trading platforms		Lack of commonality and standardisation.	
52	Online Trading platforms		Interesting to include online trading platforms to have the full scope of stones sources. Really appreciated.	RJC will be looking to provide further guidance for member using / purchasing via online trading platforms for any RJC scope material.



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53	Online trading platforms		<p>GJEPC My KYC Bank. Can this not be linked to make things easier for all. To help members comply. Even the KP is looking for an online system to use. It would make life so much easier for members. Whether an international platform or not.</p> <p>'My KYC Bank' is good and is a platform to consider for RJC. We need something like this whether its RJC, ALROSA or GJEPS - but the whole trade should get a common benefit.</p> <p>Can we see if member is RJC certified and then bypass the due diligence on them?</p>	<p>All member companies must conduct due diligence on suppliers even if they are RJC certified as risk is subjective and it is the responsibility of each member company to mitigate their own risks.</p> <p>RJC will be looking to provide further guidance for member using / purchasing via online trading platforms.</p>





No.	COP Provision/Topic	Name	Comment	Response
54	Metal aggregators and collectors		They hold a unique position in supply chain. Looking to provide guidance to refiner members and those seeking origin information from upstream, or those dealing directly with collectors and aggregators. How they can support them in engaging with their suppliers and actors they deal with in seeking further information, especially regarding DD, origin etc.	RJC is considering as part of this update the guidance around sourcing from aggregators and collectors and the necessary due diligence information that they can provide. We will align with other industry initiatives working in this area to ensure that any guidance is appropriate and applicable.



No.	COP Provision/Topic	Name	Comment	Response
55	Metal aggregators and collectors		For companies who source gold mainly from banks it is not an issue. But, in India, many source from other reputable banks that are not LBMA certified. Many big companies have a buy back scheme for customers and no source or origin info is provided for the material. This is something we need to address.	If due diligence information is not available then members need to engage with their suppliers to start to collect and provide the necessary information. If they do not engage and are unwilling to provide the necessary information then member need to include this within their risk assessments and respond accordingly.



No.	COP Provision/Topic	Name	Comment	Response
56	Metal aggregators and collectors		Even small medium and large jewellers - each jeweller gets certain percentage of gold from customers. Recycling price then goes up. Small jeweller who collects and refines or sells in the market goes then to a large refiner - the only thing a retailer can do is get the name of customer who deposited the gold. Because a 5g ring may go into many kg's of gold. That's the only info you can get at this level.	RJC requires all members to trace their precious metals back to refiner level (at a minimum) they then must ensure that the refiner collect their material using OECD due diligence framework or another framework that aligns to OECD. RJC does not require a retailer to find out the origin of material used, just that it was sourced in a responsible manner and has not contributed to any identified risks.
57	Metal aggregators and collectors		Often customers demand the gold must be SCS certified. They also do recycle metal audit which can combine with RJC audit.	



No.	COP Provision/Topic	Name	Comment	Response
58	Metal aggregators and collectors		Example raised about internal manufacturing being used and being reused and defined as recycled.	RJC only permits Internal scrap to be considered recycled if it was originally from a recycled source (under the CoC standard). They must return their manufacturing scrap to a refiner or other manufacturer to return the material into a usable format.
59	Metal aggregators and collectors	Eduard Stefanescu	Precious metal aggregators and collectors should be required to perform the same KYC and due diligence as other business participants and supply chain actors. this market actors should be required to disclose origin of material.	All RJC members are required to conduct due diligence and KYC on their suppliers and customers.

No.	COP Provision/Topic	Name	Comment	Response
60	Mining exploration activities		Lots of issues. Engagement with community is crucial. Local mining companies fail to contribute to communities. Nowadays, there is now excuse. RJC needs to find a way to create a roadmap for governments to get a grip on how they can work with communities and allow responsible mining practices to take place and how the community can benefit, without central government taking their share, with no good filtering back to where the stone was mined. This is a known concept that lacks real action. If big companies aren't acting, then this sets bad practice example for smaller companies. Large companies have an image and reputation to maintain in comparison to smaller companies. It is possible to contribute back to the communities through schools, facilities, and day care options to improve living situations. Dragonfly project – brands buying from ASM to help women in their communities and give back. This to be expanded to mining and exploration sphere.	RJC will look into creating requirements and providing guidance for mining members could directly contribute to communities. Working with other initiatives RJC can support governments to learn how they can work with communities and allow responsible mining practices to take place and directly benefit the communities.
61	Mining exploration activities	Eduard Stefanescu	Specific requirements on mining exploration activities should be in line with SDGs, but also be balanced with regards to the scope of the business and not be a business stopper.	All mining exploration should be done in safe and responsible manner, if it cannot be conducted is such a way then RJC members should not be participating in those explorations.

No.	COP Provision/Topic	Name	Comment	Response
62	Mining exploration activities	Natalia Uribe	<p>We encourage a strong connection between COP and COC for promoting and facilitating and sourcing from ASM. While COP promotes the purchase of ASM, in the end, this does not mean much while CoC does not promote it more strongly. Now, the companies rely on the COC for their sourcing chain of custody and, especially recycled material, rather than ASM sources.</p> <p>Our suggestion is the COP 2019 and COC 2017 are more aligned to promote and strongly facilitate the engagement of the RJC members with the Artisanal and Small-Scale sector. It is a global demand that companies from the jewellery sector and other sectors make ESG impacts when they are sourcing from producing countries (particularly from small producers) and to produce local development. We find a concern because the ASM only appears as an indirect object in the relationships of the members in the COP 2019. For that reason, we encourage the COP to make a more direct connection to source ASM minerals and the respective links with the COC.</p> <p>For instance, we are glad that Fairmined material is recognized in COC; however, we propose the inclusion of the gold from ASM operations with a previous level of the best practice such as Fairmined, e.g. as CRAFT conformance and “Progressing towards Fairmined best practice” such as the sustainable mines program presented to RJC team. ARM is happy to cooperate closely with RJC to define the elements for facilitating the entry of more ASM gold and other minerals to RJC standards.</p>	RJC recognises a number of ASM initiatives under the CoC standard and provides members guidance on sourcing from ASM in the COP. We will also be working on member training and webinars in 2022 to further inform RJC member on the benefits of sourcing from ASM and show that there are existing approaches that can support more ASM gold into RJC member supply chains.
63	Mining exploration activities	MINERA YANAQUIHUA S.A.C.	In Peru, exploration and exploitation activities in mining are granted jointly, i.e., all legal, environmental and social permits must be obtained in order to carry out the activities.	Noted.



No.	COP Provision/Topic	Name	Comment	Response
64	Mining activities		Certified mining and gold mining... when will they be certified by the RJC?	RJC is a mine to retail standards. Mining and gold mining, mining explorations are already covered by the COP. Provisions 31 onwards are mining specific requirements.
65	Harmonisation		As we aware customers and big chains ask for SCS recycled metal. What is the required exactly and why is only SCS allowed to certify this? Will RJC be doing similar? This would help. Also, in Provence claim - customer asks SCS certified plus RJC provenance claim. If both can be done by RJC that would be much easier.	SCS is a standalone system that requires its own audit. Member can demonstrate their sourcing of recycled materials through the provenance claim provisions, which is verified by a third party.
66	Harmonisation		What are the styles or approaches taken to address hardships cast because of the various industry requirements? Good to see how stringent, but also have standards from WDC, GJEPC etc all requirements the same basically. When the basic requirements the same - compliance manager ask if can have harmonisation. Also, with KYC - which as cumbersome. Can't we have some consolidation? These requirements take away a lot of time when it comes to fulfilling requirements.	RJC already align with WDC requirements and do not require additional steps. For KYC, members can use existing systems as long as it demonstrates their compliance with the COP requirements.



No.	COP Provision/Topic	Name	Comment	Response
67	COP 19 - Child labour		We noted in the draft summary of initial changes there was an expansion to the child labour requirements. We were interested to know the references underpinning these changes. As it's something we can also look into.	Child labour requirements are in alignment with mining initiatives/ standards, such as MAC-TSM, ICMM, IRMA.
68	Provision 1 – legal compliance	Effie Marinos	Will need a lot of guidance for members and auditors on best endeavours where RJC exceeds the law and how to manage - will also relate to other provisions especially Freedom of Association and Forced Labour where legislation will likely be at odds with the Standard.	Noted.
69	Provision 1 – legal compliance		1.1 (b) Meet the most stringent requirement between the applicable law and the RJC Code of Practices, without violating the applicable law.  Comment: Between applicable law and RJC COP, more stringent could also mean more costly. Compliance with applicable law should be sufficient.	RJC is a standard that sets best practice for members. Applicable law is sometimes base line requirements, set that way to be achievable by all. RJC must ensure that it's member exceed base line requirements.



70	Provision 1 – Legal compliance	Domenica Piantedosi	<p>1.1 Draft amendments to provision requirements / Additional provision</p> <p>b. Meet the most stringent requirement between the applicable law and the RJC Code of Practices, without violating the applicable law.</p> <p>This is a very significant change, which should only be adopted after a comprehensive discussion with members, and these discussions should be documented appropriately. A severe blanket restriction such as this requires a detailed explanation to justify its adoption.</p> <p>This requirement is in part contradicted by the relative note under “Additions for COP guidance Documents”</p> <p>Additions for COP guidance Documents</p> <p>a. Endeavour to meet the intent of the RJC Code of Practices requirement, appropriate to their size and circumstances, if the requirement is more stringent but is in conflict with applicable law.</p> <p>Do we “meet” or “endeavour to meet”? Two very different things. “The requirement” or “the intent of the requirement”? I am not a lawyer, and this is confusing.</p> <p>Who decides what is “appropriate to their size and circumstances”? Different auditors might have different views. How can we know what is required if the wording is ambiguous and the interpretation will be subjective?</p> <p>IMPORTANT: Setting blanket rules without taking into account the very different environments that exist and demanding that all members anywhere in the planet comply with them, shows little understanding of the constraints of your members. In addition, the language is confusing and the definitions vague.</p> <p>In my career I have worked in half a dozen countries, and I have never found that problems were due to lack of proper laws and regulations. The problems are usually due to the fact that in some places it is all too easy to ignore, or bribe one’s way out of, following the law.</p>	<p>Noted on the issues around language, but RJC standards operates in over 70 countries, is a mine to retail standard and is written to be applicable to a company of any size. This is why provisions are written in such a way. Auditors are provided training to exercise their professional opinion on whether the actions of a company are sufficient, however if the member and auditor disagree on the outcomes, RJC has assurance procedures in place to address these on a case by case basis.</p>
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No.	COP Provision/Topic	Name	Comment	Response
71	Provision 1 – legal compliance	Bulgari	<p>1.1 ‘Maintain adequate records of compliance for either five years minimum or as long as required by applicable law, whichever is longer’.</p> <p>Comment: please detail / clarify the meaning of ‘adequate records of compliance’ considering the number of applicable laws worldwide.</p>	The evidence shown to an auditor to demonstrate compliance with applicable law should be kept for a minimum of 5 years or as long as required by applicable law, whichever is longer.
72	Provision 1 – legal compliance	De Beers Group	<p>The guidance in (a) (cell D2) is in conflict with the updated requirement (1.1. (b)), which refers to "without" violating, whereas (a) provides for an endeavours obligation, even where there is a conflict. We should also check that the RJC has received legal advice on standards that require going beyond applicable laws. It's important to ensure that this is not exclusionary/disproportionate on members/applicants.</p> <p>What is meant by "Endeavour"? Is it reasonable, best, commercial etc? This should be properly defined in the guidance,</p>	Noted that the language should be clarified.
73	Provision 2 – Policy and implementation	Effie Marinos	Provision 2.1 - is this not the time to move from endorsement by senior management to endorsement at highest level e.g., tone from the top?	Agreed.



No.	COP Provision/Topic	Name	Comment	Response
74	Provision 2 – Policy and implementation	Natalia Uribe	2.1: we recommend including communication with key providers and clients.	RJC requires communication with significant business partners, which could be described as key providers. However we can amend to sharing with everyone is recommended but at a minimum it should be significant business partners, key providers and clients.
75	Provision 3 – reporting		The COP doesn't recognize the circumstance that some companies do not issue annual reports on their own, because of their organizational structure, i.e., if company is part of a highly diversified group reporting on each of the sectors without awareness of sector relevant requirements, such as RJC-COP, RJC-COC, etc.	Member in such instances would then be required to ensure that their reporting on RJC standards requirements are included in the relevant company reporting on an annual basis.



No.	COP Provision/Topic	Name	Comment	Response
76	Provision 3 – reporting	Eduard Stefanescu	RJC should specify the form of reporting. Some refiners are part of multinationals or groups which report only on group level.	Member in such instances would then be required to ensure that their reporting on RJC standards requirements are included in the relevant company reporting on an annual basis.
77	Provision 3 – reporting		Provision 3.1: We oppose a blanket obligation to publish exhaustive information about fines and litigations without considerations of their significance (for information French Law already includes provisions on that topic).	If it is already a part of French law then compliance would be covered by provision 1. For companies operating in countries without such requirements, provisions such as this would be necessary.
78	Provision 3 – reporting	Natalia Uribe	3.1 Why only sanctions? Maybe to include outcomes of positive results (formalization of ASM miners, engagement with communities). 3.2 Is this requirement applicable for all sizes of companies? Maybe it is too ambitious for small companies in the whole supply chain.	Reporting can also include positive outcomes we can include this in the requirements as well.

No.	COP Provision/Topic	Name	Comment	Response
79	Provision 3 – reporting	MINERA YANAQUIHUA S.A.C.	<p>Mysac believes that it is only fair that fines, sanctions and lawsuits should only be reported when they have been confirmed by the authority, and after the member has exercised its right of defense.</p> <p>In addition, Mysac proposes that other reporting schemes, or national standards, comparable to the GRI and adjusted to the size and scope of the members' operating activities (large, medium, small and artisanal mining) should be allowed for the preparation of sustainability reports.</p>	Any reporting will need to comply with the legal structure and only once final, RJC does not expect members to report about on-going legal matters.
80	Provision 3 – reporting		<p>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</p> <p>Comment: The need for public reporting of penalties or inadvertent errors that classify as non-compliance is not a convincing proposition. At times, appeals against notices or alleged non-compliance take time to be adjudicated upon by regulatory authorities.</p>	Any reporting will need to comply with the legal structure and only once final, RJC does not expect members to report about on-going legal matters.
81	Provision 3 – reporting	Florence Bouvier-Pereira	Not in line with this requirement. What about disclose if there is a dispute in court in progress? Pretty sensitive in a country where rules are drifting and piling up. The French Administration has already entered the process of “name and shame”. Go too far since it can bias judgments according in which country you operate.	Any reporting will need to comply with the legal structure and only once final, RJC does not expect members to report about on-going legal matters.



No.	COP Provision/Topic	Name	Comment	Response
82	Provision 5 – Business Partners	Pandora	COP 5 guidance, Page 35: The guidance technically asks the certified member to verify compliance of all relevant RJC standards (through audit) for e.g., on-site service providers. This is good in theory, but very hard to carry out in practice for larger retail operations. E.g., in a selected market one can have various cleaning service provided by the mall, meaning we need to audit these 3rd party service providers to comply with the COP and go via the mall to carry out verification of compliance. It's an extensive exercise to do this across 100 different markets and many different retail set-ups (malls, free-standing stores etc.) with more than one cleaning provider. With 100 markets in play, we need to take a risk-based approach with the highest risk markets prioritised, and this is not acknowledged in the COP guidance. Furthermore, advice on good industry standards to use for service industry would be appreciated – asking them to fill out a COP self-assessment for example is too time-consuming.	Noted. Requirements could be enforced by adaption of legal contracts and compliance in then based on a sampling or risk basis depending on the country of operation.
83	Provision 6 – Human Rights	Effie Marinos	Provision 6.1 - the new version has joined the old b and c? not sure that helps. addition of new c (should be d) is helpful but will be difficult to assess especially for SMEs Provision 6.2 - is the text for the standards guidance intended to be in the provision itself? believe it should be if it is to be audited Provision 6.3 - how far back is this looking? Given the current various debates on slavery etc and the fact that activists are looking back to the 18th century is there a timeframe on this?	Notes. Timeframes will be as per legal frameworks in the applicable countries.



No.	COP Provision/Topic	Name	Comment	Response
84	Provision 6 – Human Rights	Natalia Uribe	<p>6.2 We propose some changes in the points b, d and i. of the Guidance:</p> <ul style="list-style-type: none"><li>-Specify: ASM communities and include traditional local authorities and consider gender balance in the consultations.</li><li>b. Draws on internal and/or external human rights expertise, and consultations from affected communities (e.g., ASM), traditional local authorities, stakeholders, and rights holders under gender balance.</li><li>-Indicate what are the prevailing standards. For instance, indicate for ASM such as CRAFT Code, Fair mined Standard.</li><li>d. Covers relevant human rights laws and prevailing standards.</li><li>-Include the word “support” in the item i.</li><li>i. Use best endeavours based on a member’s ability to influence or support other business partners prevent or mitigate their contributions to the human rights risks and impacts.</li></ul>	Noted.

No.	COP Provision/Topic	Name	Comment	Response
85	Provision 6 – Human Rights	Richemont Maisons - Isabelle Hildebrand & Joëlle Ponnelle	<p>6.1 New proposal:</p> <p>Should be divided in two separate bullet points (as in scope 2019)</p> <p>Add cease: Have a human rights due diligence process through the conduct of a human rights risk assessment appropriate to their size and circumstances to identify, cease, prevent, mitigate, and account for actual and potential adverse human</p> <p>6.2 What does “including those with refining activities” mean? Does it mean “mines including mines that run refining activities”? Does it mean “refiners without any mining activity”? - general comment to be reported on each occurrence</p> <p>Please complement as such:</p> <p>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, when business partners (e.g. joint-venture partners) have been involved in human rights issues or abuse; when entering a new country context with known human rights issues, when an NGO or CSO or other whistle-blower raises concerns about human rights impacts arising from the business project or activities; when the project or activities are or will be located on protected land or areas occupied by vulnerable populations, when a project or business activity will affect common property resources used by an entire community.</p> <p>6.3.b. Add the obligation to conduct a human rights impact assessment as described in COP 6.2.</p> <p>They should conduct a Human Rights impact Assessment as described in COP 6.2</p>	<p>It is member who are participating in mining, refining or mining and refining.</p> <p>Noted.</p>



No.	COP Provision/Topic	Name	Comment	Response
86	Provision 6 – Human Rights	Florence Bouvier-Pereira	Ok. Question however on the c. sounds like more intention than action. What can be the audit proof?	Audit proof can be copies of annual reporting encouraging and using influence, it can be written into contracts, agreements or documents via emails or meetings.
87	Provision 6 – Human rights (Risk assessments)	Human Rights Watch	<p>Human Rights Risk Assessments</p> <ul style="list-style-type: none"> <li>• We recommend requiring members to ensure that their third-party audits are conducted by human rights and environmental experts, and where relevant, include on-site visits to mines (for example in COP 6).</li> <li>• We recommend requiring mining members to establish reliable, accessible, and independent grievance mechanisms at the community level (for example in COP provision 18), allowing affected community members who are not workers to file grievances in addition to worker-level grievance mechanisms, which are part of the COP. Non-mining members should be required to ensure that their grievance mechanisms are accessible to communities impacted by companies in their supply chain, and to take steps to resolve the grievance on its own or by working its suppliers. Data on grievances should be reflected in human rights risk assessments and complement third-party audits.</li> </ul>	<p>Onsite visits to mines for anyone but the biggest of organisations is difficult. But we will look into how we can encourage or support collaboration between RJC member and local actors who can support such activities.</p> <p>The requirement under grievance mechanisms is noted.</p>



No.	COP Provision/Topic	Name	Comment	Response
88	Provision 6.1	De Beers Group	You seem to have merged (b) and (c) from the 2019 COP into one provision unintentionally in the 2021 COP. Clear guidance needs to be provided for the new provision on using best endeavours and should reflect that it is commensurate to the relationship between the Member and their business partner/s	B & C were combined to ensure that the risk assessment results were followed up with and not confused as being a stand alone action. However as this is not the only reference to this, it will be separated again in the subsequent draft version.
89	Provision 6.2	De Beers Group	How is this new proposed provision different to the existing COP provision 34.1 '34.1 When planning and approving new mining projects or significant changes to existing projects, members in the mining sector shall complete an environmental and social (including human rights) impact assessment (ESIA), and develop an associated environmental and social management system.' Is the differential between HuRi 'risk assessment' as is proposed here, vs the wording in 34.1 which reads as a HuRi 'Impact Assessment'?	Provision 34 is only applicable to mining members, 6.2 refers to mining and refining members. As noted the requirements for mining members under COP 34 cover this and could be used as evidence of conformance.

No.	COP Provision/Topic	Name	Comment	Response
90	Provision 6.3	De Beers Group	This provision appears to emphasise the Human Rights impacts of activities (directly or indirectly) undertaken by business partners, but what about the member itself? How does this requirement link into the Responsible Mining section. Also need to consider how you use the word 'impact' as there can be positive impacts also so should probably be qualified with words like 'overall adverse impact'....	The wording notes that this is applicable to the member and their combined actions with business partners. Noted on the inclusion of 'adverse' impacts.
91	Provision 7- Due Diligence	Eduard Stefanescu	Provision 7.4 b states: gold refiners shall additionally collect and, with due regard to business confidentiality, share annually information with the RJC on the mine of origin of mined gold received. While the requirement totally makes sense, it doesn't specify how to do so, i.e., what form of report. Are there forms for reporting on the mine(s) of origin?	Yes, this has been a requirement since the 2019 launch and documents are shared with refiners members of the RJC.
92	Provision 7- Due Diligence	Effie Marinos	Provision 7.1 - references gold and diamonds - should there not be requirements for the other precious metals and gemstones/new materials - as it stands it is enough to check legal registration, AML, and sanctions? Guidance - believe there is a typo as it references suspending trade if "not" on sanctions list? Again, should there not be further guidance in relation to the other materials? Also, for point d please provide more guidance on "periodically" reviewing the due diligence - there should be a minimum surely? we have members arguing that every 3 years (or more) is enough if they have not changed suppliers!  Provision 7.4 - guidance may need to look at recycled in more detail. Lots of post-consumer materials, jewellery manufacturing scrap etc..... if we consider small refining operations in Europe this is a significant proportion of the material they handle - and then of course there is Dubai!	7.1 refers to gold, silver PGM, diamonds and coloured gemstones, but noted. Members should review on an annual basis this can be as simple as suppliers verifying that they information they have is still valid and not needing to provide the same information again.



No.	COP Provision/Topic	Name	Comment	Response
93	Provision 7- Due Diligence	Eduard Stefanescu	Considering existing multistakeholder initiatives and/or projects with the goal to facilitate responsible sourcing from CAHRA, RJC's CoP level of conformance is way too high for responsible actors to join such initiatives.	RJC is setting a benchmark of best practices with its requirements over due diligence. We already acknowledge other organisations on this specific provision but will review to see if further initiatives can be included as well.
94	Provision 7- Due Diligence	Bulgari	7.1 We recommend expanding the scope to all coloured gemstones, allowing a phased approach for the implementation of the Due Diligence in line with the OECD Due Diligence Guidelines. We highlight the need to develop, at Industry level, responsible sourcing Standards specific for coloured gemstone / mining country, to support the implementation of Due Diligence processes across the supply chain	Noted.

95	Provision 7- Due Diligence	Natalia Uribe	<p>7.1 Define differentiated measures for members engaging with ASM and industrial mining, LSM.</p> <p>We recommend modifying some elements of the item d.:</p> <p>d. Members in the gold value chain shall implement the OECD Guidance Supplement on Gold as applicable to their operations and supply chains. Use tools when they source from ASM to facilitate the application of the OECD Guidance (e.g., CRAFT Code).</p> <p>The following item did not include security forces presence risks</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>Finally, the due diligence did not consider a gender approach to identify and mitigate the risks. Maybe to suggest tools such as Women’s Rights and Mining resources: <a href="https://womenandmining.org/resources/">https://womenandmining.org/resources/</a></p> <p>7.2 We acknowledge the importance of including further risks in the COP; however, it should define differentiated expectations for ASM, LSM, and recycled gold. Otherwise, it will be a threat to exclude legitimate ASM miners in the formalization route without fully mitigating all risks. CRAFT Code may serve as a guidance because the risks out of the OECD Due Diligence Guidance are “aspirational” and not compulsory. We called it Module 5- High risks requiring improvement and they are not passed and fail criteria to offer the possibility to define the priorities and emphasizes progressive improvement. It should not always be the goal to have a risk "controlled" at good practice level. On some issues a focus on continuous improvement (i.e., progressing) may be more valuable and may help AMPs to advance towards best practice (CRAFT Code, page 35). <a href="https://www.craftmines.org/wp-content/uploads/2021/03/CRAFT_2.0_VOL-2A_Ingles_v2.pdf">https://www.craftmines.org/wp-content/uploads/2021/03/CRAFT_2.0_VOL-2A_Ingles_v2.pdf</a></p>	<p>RJC will be conducting a gendered lens review as part of round 2 of the standard.</p> <p>Noted.</p>
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No.	COP Provision/Topic	Name	Comment	Response
			<p>Additionally, ARM implementation of the CRAFT Code through the Sustainable mines program may provide examples of the importance to have a differential risks management approach with artisanal and small-scale miners in the early engagement from ASM.</p> <p>7.3 The importance to define mining members to facilitate the comprehension of the role of these companies. Use tools when the mining members are coexisting with ASM miners the application of the OECD Guidance (e.g., CRAFT Code)</p> <p>i. Ensure that affected communities have access to and are informed about rights-compatible complaints and grievance mechanisms at the operational level for raising conflict-related concerns and grievances.</p> <p>Communities should have access and be informed but it is necessary to measure the actions taken from the complaint's mechanisms.</p>	



96	Provision 7- Due Diligence	Richemont Maisons - Isabelle Hildebrand & Joëlle Ponnelle	<p>COP 7.1: due diligence to be exercised on the listed supply chains only =&gt; "Members in the gold, silver, PGM, diamonds and coloured gemstones supply chain shall exercise due diligence over these supply chains in accordance with the..."</p> <p>Standard 7.1. a): Redundant with COP12 KYC As proposed: excessive workload as auditors will seek for evidence for all topics (ticked boxes will surely not be enough) / not feasible for small members =&gt; should remain in the guidance</p> <p>Guidance: suspension of business should be limited to what is described in the current guidance (direct/indirect support to non-state armed groups or serious abuses associated with extraction, trade, transport of minerals)</p> <p>OECD requests to use business relationship to mitigate and improve the situation – a clear definition should be provided of the situations which requires disengagement and which situations are "tolerable" proving there is a 6-month action plan.</p> <p>To be added in the Guidance: 1/ step 5 of due diligence process: Where the member is part of a larger Group (for example [Cartier] is part of the Richemont group of companies), it will be a burden for each member to report publicly on an individual basis. It would be preferable for such members to use a link on their own website to the relevant Group website page containing due diligence policies and frameworks. =&gt; Proposed change: Step 5: Report annually on supply chain due diligence, either on an individual basis or, if part of a Group, then on a consolidated basis.</p> <p>2/ For SMEs Since due diligence may be exercised in ways appropriate to the member's size and circumstances, guidance should define more precisely efforts to be provided by low risk / small downstream companies that don't buy precious materials but only handle gold, silver, PGM, diamonds and coloured gemstones consigned to them by their customers. In this case, due diligence efforts are mainly done by their customers. These low risk / small downstream</p>	<p>Noted.</p> <p>7.1a can be conducted at the same time as KYC (COP 12), evidence can be used to demonstrate compliance with both. Important 7.1a remains due to OECD requirement on impact of affected communities if trading ceases.</p> <p>There is existing guidance in the COP on situations where disengagement is needed.</p> <p>Template reporting for COP 3,6,7,27 are available on the RJC website. Members can use individual or group level / consolidated reporting as long as this includes the necessary COP requirements.</p>
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No.	COP Provision/Topic	Name	Comment	Response
			<p>companies may not have the resources or skill to request for / digest information such as due diligence method or risk evaluation method used by their customers. =&gt; proposed change in guidance: "Regarding low risk / small downstream companies that don't buy precious materials but only handle gold, silver, PGM, diamonds and coloured gemstones consigned to them by their customers: if the customers are RJC COP certified, due diligence efforts may be limited to KYC and reporting should be limited to statement "All precious materials are consigned by our RJC-COP certified customers".</p> <p>7.2 Template to be provided collection of the confirmation from the suppliers = additional administrative workload (not realistic) Confirmation that the suppliers has understood the constraint of the policy: not feasible, except a tick-box (which does not prove anything)</p> <p>7.4.b – Formally against publicly sharing any information about quantity and origin. It is a question of security and business confidentiality.</p> <p>7.4.c –Would prefer not to share information about mined gold.</p> <p>Rather than possible sources of information, it would be appropriate for the RJC itself to maintain a list of ZCHRs on which to draw.</p>	<p>For SMEs whilst may have limitations to resources, every company is responsible for conducting due diligence and cannot be deferred to suppliers or upstream stakeholders. Individual responsibility for conducting due diligence is an OECD requirement.</p>
97	Provision 7- Due Diligence	Asahi Pretec Corp.	<p>(7.4) Refiner members shall: b. Collect and publicly report, with due regard to business confidentiality, annually information on the quantity, source and characteristics of the materials handled. 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>As you mentioned in this provision, it is hard to disclose information on the quantity and origin of material to the public due to the NDA with our counterparty.</p>	<p>All reporting requirements are expected to be done with due regard to business confidentiality.</p>



No.	COP Provision/Topic	Name	Comment	Response
98	Provision 7- Due Diligence		<p>7.1 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>Comment: There are limitations in the process of document-based verification and due-diligence. Best endeavour undertaking is workable.</p>	Due diligence is a continuous improvement provision with requirements around setting action plans for improvement.
99	Provision 7.1	De Beers Group	Suggest, in line with the OECD Due Diligence Guidance, that if the supplier isn't legally registered to operate (which is difficult and sometimes impossible for artisanal miners, often through no fault of their own) that evidence of good faith efforts are furnished by the supplier. Immediate disengagement from an ASM supplier for this reason is not encouraged by the OECD DDG. See the Definitions section of the Gold Supplement, p69 of the Guidance: <a href="https://www.oecd.org/corporate/mne/GuidanceEdition2.pdf">https://www.oecd.org/corporate/mne/GuidanceEdition2.pdf</a> . Also, please consider how the new point (a) overlaps or is distinct from KYC requirements so that members are clear on differences/overlaps.	Noted. RJC does not want to negatively impact ASM communities.
100	Provision 7.3	De Beers Group	Why is this only applicable to Mining members, and is this not already covered within COP 7?	The affected communities is a mining specific requirement as LSM has such wide ranging impact with its operations.
101	Provision 7.4	De Beers Group	point (a) in new COP wording is very unclear; do you mean that that the member must uniquely identify the origin at the date, quantity and assay it was received? Interpretation can be multiple/misleading - needs review and rewrite	Noted.
102	Provision 8 - Sourcing directly from artisanal and small-scale mining	Effie Marinos	Provision 8.1 - scope of external assessment - should this not include risks of critical issues on all COP provisions (or COP critical provisions)?	The assessment refers to some of the most significant risks for ASM, but noted that this list should be more exhaustive.

No.	COP Provision/Topic	Name	Comment	Response
103	Provision 8 - Sourcing directly from artisanal and small-scale mining	Swiss Better Gold	<p>Suggested wording: 35.1 b. "Actively participate in initiatives, including multi-stakeholder and ASM responsible sourcing initiatives, that support the professionalisation, formalisation and when possible, certification of ASM, to improve safety, environmental and social performance of ASM activities for the benefit of ASM entities and host communities, as appropriate to the situation".</p> <p>Explanation: RJC certification of a small ASM producer as a standalone entity is very unlikely to happen (standard is too complex for them). However, members in the mining sector may cover these producers under their certification scope. Alternatively, ASM may be enrolled in recognised responsible ASM sourcing initiatives.</p>	We refer to ASM initiative such as ARM, SGBA and Fairtrade. We do not expect members to support ASM to formalise with the intention of joining the RJC.
104	Provision 8 - Sourcing directly from artisanal and small-scale mining	Natalia Uribe	<p>8.1 We suggest considering the CRAFT Code for supporting the risk assessment</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 seek opportunities for ASM community development in line with COP 10 (Community development).</p> <p>Is it possible to consider recognition of Fairmined in this item?</p> <p>iii. Actively participate in initiatives, including multi- stakeholder ones, that enable the professionalisation, formalisation and/or certification of ASM such as Fairmined, etc, as appropriate to the situation.</p>	Noted.

No.	COP Provision/Topic	Name	Comment	Response
105	Provision 8 - Sourcing directly from artisanal and small-scale mining	De Beers Group	<p>If we're using the OECD DDG as a reference document, the purpose of the independent third-party assessment is to assess the member's own due diligence management system, not the ASM risks directly - that should be covered by the member. Of course, the member can also commission a risk assessment study to aid them in their Step 2 commitments, but the audit is of their management system, not just of the ASM operations.</p> <p>It would be helpful to provide examples of significant environmental impacts and how organisations might go about understanding fair commercial terms. Can this be added to the guidance documents? Also suggest splitting human rights impacts from environmental impacts, as the former is higher risk - (section i). Also in section i, suggest changing the wording from 'significant improvement' to 'progressive improvement'. It would be good to detail in the guidance document some tangible examples for 'development opportunities for ASM' as this is also quite vague in COP 10</p>	<p>Yes, it is the RJC members assessment for those who are sourcing directly from ASM, not the ASM source itself. The reference to OECD is only for the risks, not the framework.</p> <p>Information regarding significant environmental impacts are listed in provisions 24-27, and information on fair commercial terms are included within the existing COP 8 guidance.</p> <p>Noted.</p>
106	Provision 10 – Community Development	Natalia Uribe	10.1 We recommend developing a CRS policy with clear objectives, indicators, and actions.	Noted however this can be included in other RJC policy requirements.



No.	COP Provision/Topic	Name	Comment	Response
107	Provision 10 – Community Development	Richemont Maisons - Isabelle Hildebrand & Joëlle Ponnelle	10.2 - mining facilities - Please clarify the subject as per 6.2	10.2 requires mining and refining members to specifically develop positive impact initiatives with local communities, whilst 6.2 requires the human rights risk assessment for new business projects or significant changes to existing ones.
108	Provision 11 - Bribery and facilitation payments	Bulgari	11.1 Members shall establish and publicly disclose policy/policies and procedures.  Comment: we understand that policy/policies on 'Bribery and facilitation payments' have to be publicly disclosed. However, it could be complex for companies to publicly disclose internal procedures.	Unless there is significant lack of information within the policy document, reporting of procedures may not be necessary.
109	Provision 11 - Bribery and facilitation payments	Richemont Maisons - Isabelle Hildebrand & Joëlle Ponnelle	11.1 Policies can be disclosed, not procedures as they are part of the internal documentation of a company  Overly administrative burden for SMEs	Noted but transparency and availability are important aspects, which RJC members should strive towards.



No.	COP Provision/Topic	Name	Comment	Response
110	Provision 11 - Bribery and facilitation payments		<p>11.1 Members shall establish and publicly disclose policy/policies and procedures that: (c) Set the criteria and approval procedures for employees to follow when offering and/or accepting gifts to or from third parties.</p> <p>Comment: Publicly disclosing allowable limits of gifts may prove to be counter-effective</p>	Companies demonstrating that they have internal controls on gifts, highlight to stakeholders that they are not subject to bribery in a non-financial manner. RJC does not see this as counter-effective.
111	Provision 11.1	De Beers Group	In proposed requirement (a) (cell C33), it would make more sense to refer to "prohibit all forms of corruption, including bribery, in all business...."	Noted.
112	Provision 11.3	De Beers Group	I suggest that the introductory wording in cell C35 is changed to "Where (a) facilitation payments are allowed by applicable law; and (b) members do not prohibit facilitation payments as a matter of policy...."	Noted.

No.	COP Provision/Topic	Name	Comment	Response
113	COP 12 - KYC		In COP 12, KYC is to many considered part of AML program, and the way it's currently written seems like it is reversed. Why not refer directly to AML, and have KYC a part of it? Arguably, the reason KYC and AML are kept separate in the RJC COP is because KYC is related to COP 6 and 7 where the requirements are focused on KYC and not AML.	COP6,7,12 have significant overlaps in their data collection methods, with KYC being a part of the wider AML requirements. We can detail in the guidance how KYC is part of AML, but for ease of understanding and implementation with other RJC provisions, its separate provision structure will remain.
114	Provision 12 - Know Your Counterparty (KYC): Money laundering and finance of terrorism	Bulgari	12.1 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.  Comment: please clarify the meaning of counterparty in the context of KYC policy and procedure.	A counterparty is any supplier or customer of gold, silver, PGM, diamonds, coloured gemstones or jewellery products containing these materials with whom you do business. This is defined in the COP guidance document: P.116.



No.	COP Provision/Topic	Name	Comment	Response
115	Provision 12 - Know Your Counterparty (KYC): Money laundering and finance of terrorism	Richemont Maisons - Isabelle Hildebrand & Joëlle Ponnelle	12.1 - exact and thorough definition of "counterparties" and "others" is mostly needed	A counterparty is any supplier or customer of gold, silver, PGM, diamonds, coloured gemstones or jewellery products containing these materials with whom you do business. This is defined in the COP guidance document: P.116. Other can be politically exposed person, beneficial owner, but noted that this will need to be defined in the guidance.

116	Provision 12 - Know Your Counterparty (KYC): Money laundering and finance of terrorism	Natalia Uribe	<p>12.1 For the KYC, RJC members buying from Fairmined certified mines can rely on the Fairmined certification for the KYC RJC members buying Fairmined gold may request the CRAFT report, the Fairmined audit report and the Fairmined ASMO application and assessment. All these reports contain in-depth KYC information (Fairmined Standard requirement 1.1.2) that may be used for the KYC procedures of the RJC members.</p> <p>The Fairmined application for the miners includes the following information as KYC:</p> <ul style="list-style-type: none"> <li>• ARM carries out a location risks analysis and the potential risks of the location to the Fairmined supply chain. ARM maps the characteristics of the territories, the local stakeholders, the commercial dynamics, and the potential risks of violation of human rights, conflicts, public and private security forces, between others according to the OECD Due Diligence Guidance and CRAFT Code.</li> <li>• Fairmined requires full compliance with the country regulations, including the legal registration of the ASMO, land contracts, exploitation contracts and environmental licenses of the certified mining operations.</li> <li>• Additionally, the Application Form is requested the number and I.D. document of the mine legal representative(s) and a complete list of the mineworkers indicating name, id, date of birth, and job.</li> <li>• For a mining organisation to start and renew (each year) the process towards the Fairmined Certification, ARM carries out a background review using the Compliance tool provided by the company Risk International. The following background information is checked on national and international lists of representatives, board members and majority shareholder partners of mining groups. The resources are the following list which is not limited to European Union External Action Sanction List, Clinton list, DEA, Interpol, Panama papers, Consolidated United Nations Security Council Sanctions List, ICE USA WANTED-, Liste Unique France - Sanctions List, Most Wanted USA ATF, Mugshots, U.S. MARSHALS SERVICE, Interpol, OCMAL, Protected Planet, World Database of Key Biodiversity Areas, RAMSAR, UNESCO, IUCN, ICCA, Ministry of Mines, Ministry of Environment, Taxation Authority databases, National Police, Chamber of Commerce, Ombudsmen office reports, Media.</li> <li>• Fairmined requests a sketch map of the ASMO's mining area, and neighbouring communities, a flowchart and an organisation chart of the ASMO (Fairmined Standard 0.2.3)</li> </ul>	Noted. If all of the information necessary for RJC members to conduct KYC within the Fairmined audit report then this can be used as evidence of compliance against the provision requirements.
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No.	COP Provision/Topic	Name	Comment	Response
			<ul style="list-style-type: none"> <li>Fairmined requests to have legal procedures and financial control with national regulations (Fairmined Standard 1.2.4)</li> </ul> ARM has a Fairmined certification complaints mechanism designed to monitor any alert of a certified mining organisation not complying with the Fairmined standard. Additionally, the mines are audited annually.	
117	Provision 13 – Security	Effie Marinos	13.4 – information in guidance should be in the COP if it is to be audited against	Noted.
118	Provision 13 – Security	Richemont Maisons - Isabelle Hildebrand & Joëlle Ponnelle	13.3 - again please clarify the definition of “members with mining facilities including those with refining activities.	Mining members who also conduct refining of their and other mined source of materials, who are within their RJC certification scope.
119	Provision 13 – Security	Natalia Uribe	13.3 The provision should also reflect the interest and the commitment to respect human rights to the communities and vulnerable stakeholders such as the ASM miners. It is in the guidance, but it is preferable to be in the provision.	As noted this is already within the guidance.
120	Provision 14 – Provenance claims	Pandora	COP 14: The requirement on grievance mechanisms in COP14 on provenance claims says we should keep records for 5 years. EU law doesn’t allow this, so we suggest amending. From our legal team: Personal data included in a whistleblowing report must be deleted when no longer needed for investigation and enforcement purposes and usually within one month (30 days) of completion of the investigation. Documentation from the investigation must be rendered anonymous. Name and address must be removed together with any other information which directly or, in conjunction with other data, indirectly could identify the person. This regulation is based on EU law and applies, in general, in all EU member states.	Personal data (unless necessary or has a legitimate business reason) can be deleted when necessary. All members should follow applicable law, if / when RJC requirements raise a conflict.



No.	COP Provision/Topic	Name	Comment	Response
121	Provision 15 – General employment terms	Effie Marinos	15.1 – additions relating to CBA and right to associate – why is this here and not under FoA provision? Surely this risks double reporting NCS? 15.4 – add reference to stakeholder groups where relevant to make clear that this is over and above worker representatives	It is listed here to ensure that this is part of employment contracts, which FoA provision is kept separate. But their combination will be considered.  Noted.
122	Provision 15 – General employment terms	Richemont Maisons - Isabelle Hildebrand & Joëlle Ponnelle	15.1 Procedure seems heavy for an SME  Advice: current standard is sufficient.  15.2.a - OK but “where applicable, depending on local law” needs to be added	Informing employees about their working rights by applicable law should be a minimum requirement.



No.	COP Provision/Topic	Name	Comment	Response
123	Provision 15 – General employment terms	MINERA YANAQUIHUA S.A.C.	Mysac does not agree with the proposed changes and is of the opinion that the current cop 2019 provision should be maintained as is, as it represents a fair balance in the relationship between the company and its employees.	The updated requirements are designed to protect employee rights and for RJC members to demonstrate that they consider employment rights. As per COP 1 member must comply with legal requirements, therefore this update is only an adaption to steps RJC members should be already conducting.

No.	COP Provision/Topic	Name	Comment	Response
124	Provision 15 – General employment terms		<p>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:</p> <p>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).</p> <p>Comment: Adhering to applicable law in spreading awareness about workers' rights is absolutely fine. However, communication in writing before start of employment about freedom to join workers' organisation is not a mandatory requirement and can complicate matters. This is completely avoidable.</p> <p>15.2 Members shall not: 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 are maintained during a legal strike</p> <p>Comment: As long as applicable law is adhered to, such matters must be left to respective businesses.</p>	<p>RJC is proposing that communicating with possible employees about their rights and options to participate in workers organisations should not complicate matters as it indicates all options to the employee before they sign their contract.</p> <p>RJC must sometimes go above the requirements of applicable law and member companies should work to engage with their workforce to address their concerns in a open and collaborative way.</p>



No.	COP Provision/Topic	Name	Comment	Response
125	Provision 16 – Working hours	Effie Marinos	16.1 – ILO is encouraging a reduction to 40 hours per week with no reduction in pay – should this be referenced somewhere? 16.2 – c contradicts the first part..... e.g., if total hours limited to 60, overtime could be 20 if normal hours are 40. The way this is written encourages normal hours staying at 48 and therefore disadvantages workers on pay rates. 16.4b – need to define “rare” should not be open to interpretation	Noted. Whilst ILO is encouraging RJC cannot make this a mandatory requirement. It would also be confusing for members to have two approaches to working hours and overtime so it will remain at 48/12 and be reviewed again in 2024.



No.	COP Provision/Topic	Name	Comment	Response
126	Provision 16 – Working hours	Richemont Maisons - Isabelle Hildebrand & Joëlle Ponnelle	<p>16.1 - Which official texts are at the origin of this addition?</p> <p>It is too restrictive to limit the day work to 8h. We recommend sticking to the 48h per week limitation.</p> <p>Example: If a company works 7 days a week, it is common for weekend shifts to be the same and for people on weekend shifts to work 3x12 hours the first weekend and 2x12 hours the following weekend. Which exceeds 8-hour day average over a 3-week period -</p> <p>The reference to “workers” should be explicit: does it refer to “white collar”, “blue collar” or both?</p> <p>16.2 -Which official texts are at the origin of this addition?</p> <p>An overall limitation of 60 hours (c.) should be sufficient. Adding an overtime limit of 12 hours is too restrictive</p> <p>Example: If a part time worker (I.e., 50%) works full time during one week, it will exceed 12h.</p> <p>16.4 - Additional provision seems excessive: too difficult to undergo a consultation &amp; risk management process for each production peak. Should be also indicated “depending on applicable law</p> <p>16.5 -14 weeks maternity leave is not part of ILO convention 132 =&gt; sentence should be modified to fit with ILO Convention while keeping the 14 weeks maternity leave</p>	<p>The International Labor Organisation (ILO) is the origin of this recommendation as well as alignment with other initiatives.</p> <p>Noted.</p> <p>ILO convention 183 notes the requirements of 14 weeks maternity leave, this has been adapted.</p>

127	Provision 16 – Working hours	Domenica Piantedosi	<p>16.2</p> <p>Draft amendments to provision requirements / Additional provision</p> <p>If overtime work is required for business needs, it is limited to 12 hours per week.</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 circumstances (such as production peaks, accidents, or emergencies), which will be assessed as outlined in the guidance for COP 16.</p> <p>- This is unrealistic for a jewellery manufacturer like us. Our business is seasonal, with little work in the first half of the year, and a lot more in the second half. During the first half of the year our workers have free time, so we keep them occupied with training; different courses and seminars ranging from English language to how to use Excel. During the second half of the year they have a lot of work, and increasing overtime work, which they welcome because through this they can earn substantially more. We would much prefer an even workload throughout the year, but that is not what our clients request.</p> <p>- The overtime is governed by local laws and regulations, with which we comply. A limit of 12 hours per week by the RJC is too restrictive and unrealistic. We cannot work with this rule.</p> <p>16.4 Draft amendments to provision requirements / Additional provision</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;</p>	<p>Noted. Similar to certain operational requirements in countries RJC would consider overtime as long as when averaged does not exceed the requirements noted in the provision. We must be able to find a balance between employee protection and business needs.</p>
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No.	COP Provision/Topic	Name	Comment	Response
			<p>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>- “so long as the longer work time is rare” is unrealistic for a jewelry manufacturer like us, because as I explained above, the business is seasonal, and there is overtime in the second half of the year. i.e. it is not “rare”.</p>	
128	Provision 16 – Working hours	Asahi Pretec Corp.	<p>(16.2) If overtime work is required for business needs, it is limited to 12 hours per week. Members shall ensure that:</p> <p>In Japan, overtime work is limited to 45 hours per month under applicable law and it is not designed for “per week”. Please design in the average number of overtime hours over a 3-week or 4-week period.</p>	Noted.
129	Provision 16 – Working hours		<p>16.1 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>16.2 If overtime work is required for business needs, it is limited to 12 hours per week.</p> <p>16.5 Special leave or working-time arrangements for employees with family responsibilities shall apply to all employees regardless of gender.</p> <p>Comment: As long as applicable law is adhered to, casting prescriptive requirements must be avoided and such matters must be left to respective businesses.</p>	In certain countries applicable law permits for working hours and overtime, which can lead to unsafe working practices and poor employee health and wellbeing. RJC can exceed applicable law where it does not conflict with it.
130	Provision 16.1 - Working hours	De Beers Group	Is the 3-week period stipulated by an industry leading standard e.g. ILO?	Yes ILO Hours of Work convention, 1919





No.	COP Provision/Topic	Name	Comment	Response
131	Provision 16.2 - Working hours	De Beers Group	Are you assuming a 6-day week? Otherwise the very first sentence does not align with point c. How does this apply to a 5-day week?	This is following a 6 day week model with associated requirements for 1 rest day in 7.
132	Provision 17 - Remuneration	Effie Marinos	<p>17.1 – first sentence does not make sense – a “living wage” by definition is always the same or higher than legal min wage + benefits! Then piece rate is based on only legal min wage? Why not also based on the above?</p> <p>17.2 – why not adopt the minimum of 1.25 x base wage per ILO guidance? This leaves it open to 1p above if that is the prevailing industry standard!</p> <p>17.3b – need to provide guidance on what institutions are acceptable as being for benefit of employee – could lead to malpractice</p> <p>17.4d – system for monitoring the agencies? Make clear that this is required in guidance at least</p> <p>17.5 – need to define what type of freely negotiated agreement is acceptable for disciplinary deductions – some “worker committees” are largely dictated to by management and would allow this without due process and fairness</p>	Noted.
133	Provision 17 - Remuneration	Richemont Maisons - Isabelle Hildebrand & Joëlle Ponnelle	<p>17.1 -“living wage” to be defined. If definition is not possible, “living wage” to be removed</p> <p>17.2 - Actual provision is clear enough, stick to it.</p> <p>If modified as proposed, please rewrite for more clarity: a premium rate above the regular wage AND at least equal....</p> <p>17.3 - What does “appropriate institutions” refer to ? Provide examples in the guidance</p> <p>17.5- Stick to current version as the amendment weakens the conditions of workers, especially in countries where regulation is weak</p>	Noted.

No.	COP Provision/Topic	Name	Comment	Response
134	Provision 18 - Harassment, discipline, grievance procedures and non-retaliation	Effie Marinos	18.4d why only gender balance?	Noted. The requirement could be explicitly more inclusionary for persons of protected characteristics, but gender can be a point to begin from.
135	Provision 18 - Harassment, discipline, grievance procedures and non-retaliation	Bulgari	18.2 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. Comment: we recommend adopting a broader focus on the topic not limiting it to gender-based violence. The training can be on Violence and Harassment, with a focus also on gender-based violence	Noted.
136	Provision 18 - Harassment, discipline, grievance procedures and non-retaliation	Richemont Maisons - Isabelle Hildebrand & Joëlle Ponnelle	18.1 - explicit in the guidance the notion of "vulnerable workers or groups" as well as the different contexts	Noted.
137	Provision 18 - Harassment, discipline, grievance procedures and non-retaliation	De Beers Group	18.1 - Is there are reason why other protected characteristics have not been specifically added - such as race, religion, age etc, but only gender has? It is probably worth reviewing the language to be more inclusive?	Completely agree. Gender can be a starting point, especially for smaller members who are unfamiliar with such concepts, but it should be broader.



No.	COP Provision/Topic	Name	Comment	Response
138	Provision 21 - Freedom of association and collective bargaining	Effie Marinos	21.1 should refer back to 1.1	Compliance with COP 1 and 21 should be considered mandatory. Under COP 21.3 which notes approaches were freedom of association and collective bargaining are prohibited by law, therefore explicit reference back to COP 1 (legal compliance) is considered.
139	Provision 26	Natalia Uribe	26.1 It is necessary to identify the environmental impacts of the operation to the surrounding communities.	Not feasible for SMEs who work in large populated areas, this requirement for mining members is already included in the COP.
140	Provision 26	Richemont Maisons - Isabelle Hildebrand & Joëlle Ponnelle	26.2 -Guidance: if chain of custody is introduced, a clear definition and description of the concept must be developed	As 26.2 D notes a requirement for full documentation for waste transported offsite, therefore references to a chain of custody have been removed.



No.	COP Provision/Topic	Name	Comment	Response
141	Provision 27 – Use of natural resources	Natalia Uribe	27.4 The members shall coordinate with other users of the resources such as water to find sustainable actions to use and protect the resources.	Noted.
142	Provision 27 – Use of natural resources	MINERA YANAQUIHUA S.A.C.	Minera yanaquihua's position is to accept the new regulations as described in the rjc proposal, as they are in line with the obligations imposed by current Peruvian legislation.	Noted. RJC members must always follow applicable law if there is a conflict with RJC requirements.
143	Provision 27 – Use of natural resources	De Beers Group	<p>27.4 Please check the wording in the first sentence. "sector that with significant". Supportive of the additions and aligned. Identify water users, water rights holders and other stakeholders that may potentially affect or be affected by its water management practices - this will be available as a result of preparing Water Use Licences and Environmental Impact Assessments.</p> <p>27.5 Supportive of amendments, which broaden the scope of requirements and complement the water references in this COP.</p> <p>Could be extended to include the consideration of natural capital derived/supported by land and soil. For example, timber products. Land management is not very clear on its own.. is this the management of natural resources on land, or access/use of land itself?</p>	<p>Noted.</p> <p>Land management is for both the management and the access/use of the land. Under 27.5 d notes that this must be in collaboration with stakeholders so covering the access/use of the land. Adjusted wording of 27.5b to the management of natural resources on the land.</p>



No.	COP Provision/Topic	Name	Comment	Response
144	Provision 28 – product disclosure	Pinkusewitz Diamond Traders NV	<p>in section 28.3 about avoidance of buying or selling undisclosed synthetic diamonds</p> <p>Could the following be added: e. only natural diamonds confirmed by testing will be purchased or sold, all stones referred by the testing protocols will be further tested to determine their naturality</p>	<p>If RJC were to make only stones subject to testing valid for sales this would be significantly expensive and difficult to achieve. RJC's current approach for testing based on risk is appropriate.</p>

No.	COP Provision/Topic	Name	Comment	Response
145	Provision 28 – product disclosure	Bulgari	<p>28.2</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 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>Comment: we recommend providing additional guidelines on the point; specifically on how to deal with the disclosure of colored gemstones routinely treated (especially for small stones that are not accompanied with a gemmological certificate). This is particularly important if the scope of the RJC COP will be expanded to all colored gemstones. We recommend opening a consultation on this point and our Gemmological Center is available to support.</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>Comment: we recommend providing additional guidelines for melee and small colored gemstones (We understand that to date guidelines are reporting ‘For small diamonds (melee) or coloured gemstones that are set in jewellery, you have to provide summarised descriptions for all stones. provide summarized description for all stones’). This is particularly important if the scope of the RJC COP will be expanded to all colored gemstones. We recommend opening a consultation on this point and our Gemmological Center is available to support.</p>	<p>RJC current guidance notes that if a members suspect treatment has occurred to disclose as much information as available, therefore ensuring consumers can make informed decisions regardless of whether a gemmological certificate is available.</p> <p>Noted. RJC already has requirements for the group description of melee diamonds and coloured gemstones in products.</p>
146	Provision 28 – product disclosure	Richemont Maisons - Isabelle Hildebrand & Joëlle Ponnelle	28.2 - 28.2.j) where are information on pearls & coral available ?	As these materials are still not confirmed to be included in the scope of the RJC product disclosure requirements have not been developed.
147		Richemont	28 - 3 - Standard or guidance: “The testing protocol must be disclosed to buyers (but not end customers), including the procedure for managing test referrals”	Noted.

No.	COP Provision/Topic	Name	Comment	Response
148	Provision 30 - Gemmological Laboratories and Businesses Issuing Grading, Research, Analysis and Appraisals reports	Effie Marinos	useful additional data	Noted.
149	Provision 30 - Gemmological Laboratories and Businesses Issuing Grading, Research, Analysis and Appraisals reports	De Beers Group	<p>Provision 30.2 - The cut and paste of the current COP wording is incorrect. Instead of clause 30.2, clause 30.5 has been pasted here. The draft amendment is however correct.</p> <p>Provision 30.4 - The cut and paste of the current COP wording is incorrect. Instead of clause 30.4, clause 30.7 has been pasted here. The draft amendment is however correct.</p> <p>Provision 30.5 - The cut and paste of the current COP wording is incorrect. Instead of clause 30.5, clause 30.8 has been pasted here. The draft amendment is however correct.</p>	Noted.
150	Provision 32 - Stakeholder engagement	Effie Marinos	32.3 – as before for text in guidance!	Noted.
151	Provision 32 - Stakeholder engagement	Natalia Uribe	<p>32.1 Members must establish dialogue with traditional and local authorities. The ASM should be clearly mentioned or included in the affected communities or stakeholders in the provision. The transparent coexistence arrangement between industrial mining operations and ASM are quite necessary in different elements: formalization, commercial, processing, human rights, security forces, etc. The RJC Committee may consider the Principles of Peaceful Coexistence between Mining Titleholders and ASM Miners developed by ARM: <a href="https://www.responsiblemines.org/wp-content/uploads/2020/11/FINAL_Posicionamiento-MAPE-Gran-Mineria-ENG_09.11.pdf">https://www.responsiblemines.org/wp-content/uploads/2020/11/FINAL_Posicionamiento-MAPE-Gran-Mineria-ENG_09.11.pdf</a></p> <p>32.3 We propose including b. Consult with affected communities (e.g. ASM)</p>	Noted.

No.	COP Provision/Topic	Name	Comment	Response
152	Provision 32 - Stakeholder engagement	De Beers Group	Provision 32.2 – wording is not complete. Repetitive.	Noted.
153	Provision 34 – Impact assessment and management	De Beers Group	<p>Provision 34.1 - you have removed the COP provision that requires companies to implement a social and env mgmt system; please can you add it back in? we note it is in the guidance, but we think it is important to reflect it directly in the COP itself.</p> <p>Provision 34.4 - if the ESIA has been done and there is no change to the operation, presumably that is sufficient, and that monitoring needs to be undertaken on an ongoing basis. Please see edit in red for the guidance, and note that the bullets need to be amended for grammatical logic</p>	Noted.
154	Provision 35 - Artisanal and small-scale mining and large-scale mining	Natalia Uribe	<p>35.1 b. It is important to participate with initiatives but it is also necessary that members must make a good faith effort to engage with ASM entities including, efforts to support formalization and improvement of their conditions. It is necessary that the mining facilities also play a role to support formalization to the ASM miners.</p> <p>Here, we recommend listing the recognized certifications by RJC such as Fairmined. D .Define clear indicators regarding these engagement actions and measure the progress over time.</p> <p>We do not find provisions to establish clear and transparent commercial and technical arrangements when the ASM miners carry out processing activities in the mining facilities.</p>	Noted.



No.	COP Provision/Topic	Name	Comment	Response
155	Provision 35 - Artisanal and small-scale mining and large-scale mining	De Beers Group	<p>Provision 35.1 –</p> <p>On point A, is this to assist the ASM with risk mgmt/closure planning, or applicable to the operation itself and its own risk mgmt and closure planning? The wording is ambiguous. Our understanding is that the COP should be written in respect of the latter - recommend that this is re-worded to address the ambiguity. On point C, it should be clear that the grievance mechanism for stakeholders to raise concern about the operation, and NOT about the ASM.</p> <p>On Point B, suggest the wording be changed to 'implement and / or actively participate in initiatives...'. There will likely, in many contexts, not be a presence of existing initiatives to support ASM formalisation and professionalisation and if the member has an ASM presence on their concession, it will help tremendously with relationship management if the member provides miners with incentives (E.g. training, a buying scheme, a co-existence programme, etc.) whilst taking account of local regulations.</p>	<p>To assist local ASM with risk management and closure planning. Noted.</p> <p>Noted.</p>
156	Provision 36 – Resettlement	Natalia Uribe	36.1 If the resettlement is of ASM Miners, then the Industrial Mine should guarantee at least the same ore grade, characteristics and reserves.	Noted.
157	Provision 36 – Resettlement	De Beers Group	<p>Provision 36.3 –</p> <p>Why the date of 30 April 2006? And why should monitoring take place into perpetuity? It should be until the close out report that demonstrates that the resettlement process has been completed appropriately in alignment with IFC PS5</p>	Noted.
158	Provision 38 – Biodiversity	Natalia Uribe	<p>38.3 To consider the inclusion of the practices of forest smart mining. For instance, forest smart ASM standard which was recently develop by Levin Sources, Flora and Fauna International and The Alliance for Responsible Mining (<a href="https://www.responsiblemines.org/en/project/forest-smart-mining/">https://www.responsiblemines.org/en/project/forest-smart-mining/</a>). It also exists forest smart LSM standard under the World Bank Project: <a href="https://www.worldbank.org/en/topic/extractiveindustries/brief/climate-smart-mining-minerals-for-climate-action">https://www.worldbank.org/en/topic/extractiveindustries/brief/climate-smart-mining-minerals-for-climate-action</a>.</p>	Noted.

No.	COP Provision/Topic	Name	Comment	Response
159	Provision 38 – Biodiversity	De Beers Group	<p>Provision 38.1- Support the extension of scope to include refinery, aligns with De Beers approach to establishing the footprint of impact.</p> <p>Provision 38.2 - Support the extension of scope to include refining activities, aligns with De Beers approach to establishing the footprint of impact. Compliance with COP 38.2 is linked with COP 34 Impact Assessment. Reviewed amendments and no implications for compliance.</p> <p>Provision 38.3 - Support the extension of scope to include refining activities, aligns with De Beers approach to establishing the footprint of impact Compliance with COP 38.3 is linked with COP 34 Impact Assessment. Reviewed amendments and no implications for compliance</p> <p>Provision 38.4 -Support the extension of scope to include refining activities, aligns with De Beers approach to establishing the footprint of impact. Compliance with COP 38.4 is linked with COP 34 Impact Assessment. Reviewed amendments and no implications for compliance</p> <p>Provision 38.5 - Support the extension of scope to include refining activities, aligns with De Beers approach to establishing the footprint of impact.</p>	Noted.
160	Provision 40 - Cyanide	Asahi Pretec Corp.	<p>(40.1) 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> <p>In Japan, cyanide is designated as a poisonous substance under the Poisonous and Deleterious Substances Control Act and we are required to manage such substances in compliance with Japanese law. To be certified by the ICMC is an excess regulation for Japanese refiner.</p>	Noted. If applicable law requirements align with the requirements of the ICMC then this can be seen as appropriate evidence of compliance.
161	Provision 42 – Site rehabilitation and closure	De Beers Group	Provision 42.2 - propose you separate out exploration as a separate provision. Coupling with closure is not logical	Noted.



No.	COP Provision/Topic	Name	Comment	Response
162	Provision 43 – Community Health & Safety	Asahi Pretec Corp.	(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). We will be able to disclose information to the related community, but it is hard to disclose to the public.	Public reporting can be done by sharing by email, available on website, social media, sharing with identified stakeholders or significant business partners.
163	Provision 43 – Community Health & Safety	De Beers Group	Provision 43.1 - on point D, 'acceptable' needs to be defined in the context of applicable legal requirements.	Noted and changes to the requirements have been made.
164	Provision 44 – Cultural Heritage	De Beers Group	<p>Provision 44.1 - IFC PS8 should be referenced here. In addition, both tangible and intangible (e.g. language, story-telling, music) cultural heritage must be referenced. Sacred is part of cultural, is there a reason why it is being out separately to cultural?</p> <p>Provision 44.2 - clarify use of the word 'value'. Please align with the PS8 on this topic.</p> <p>Provision 44.3. - ref point above on 'values' and its intent</p> <p>Provision 44.4. - please review the wording. Point 'b' is very unclear. Point 'e' &gt;&gt; should not be training focused but make it a requirement that contractors and visitors adhere to the same performance requirements (not just making them aware).</p>	<p>Noted and IFC PS8 referenced in the requirement. Sacred has been removed as it is a subset.</p> <p>Context for value has been provided.</p> <p>44.4b and 44.4d have been rephrased.</p>
165	General comment		Has been suggested that RJC can use IRMA standard at mine level, to deal with much of the discussed issues. IRMA audits are publicly noticed ahead of time. They provide a detailed report. Governed by multi-stakeholders. Love to see RJC using the IRMA standard. Because there is overlapping private sector members, for them to use RJC standard, would need to cross-recognise. This would be a large shift but worth engaging on. Using the IRMA system but in a way that deals with jewellery industry risks.	RJC would look to cross-recognition with other standards where possible.

166	General comment		<p>1. "The sectors covered by the COP include exploration and mining; refining and alloying; cutting and polishing; trading, hedging and wholesaling; manufacturing; retailing; and service industries, such as gemmological laboratories"</p> <p>The COP does not specify in the SCOPE the size of the businesses, for instance, in the mining sector, what is COP appointing: artisanal and small-scale mining vs Industrial mining (medium and large-scale mining)?</p> <p>For clarity, we recommend including the definition of MINING. For instance, "the process of digging in the ground to obtain naturally occurring minerals, precious materials, substances, etc". In the same definition to specify the different scales or sub-sectors such as ASM, Industrial mining. For the purpose of this code, gold mining operations that are not considered to be artisanal or small-scale mining. »</p> <p>2. The COP covers exploration and mining but it does not say the size of mining. Then, can a small-scale mining operation can apply it? It might be quite ambitious. What will be the difference with other standards such as Fairmined, Fairtrade? We propose to define clearly mining or to indicate it is for industrial mining. We find RJC COP is applicable for industrial mining because many criteria will not be applicable or very difficult for the application in the ASM. For instance, the following requirements:</p> <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.</p> <p>34.1 When planning and approving new mining projects or significant changes to existing projects, members in the mining sector shall complete an environmental and social (including human rights) impact assessment (ESIA), and develop an associated environmental and social management system."</p> <p>40.1 Members in the mining sector using cyanide in the recovery of gold and silver shall ensure applicable sites are certified to the International Cyanide Management Code.</p> <p>3. Did the review of the COP include a revision between other similar standards, for instance, IRMA, ICMM. For instance, what is the difference between RJC and IRMA criteria? Does it exist any recognition between initiatives?</p>	<p>Noted. RJC defines applicable companies during the application process, therefore any member granted membership is required to demonstrate compliance with the COP.</p>
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No.	COP Provision/Topic	Name	Comment	Response
167	General comment	Richemont Maisons - Isabelle Hildebrand & Joëlle Ponnelle	<p>There are redundancies between several provisions, not necessarily useful. For example:</p> <ul style="list-style-type: none"> <li>- promoting our responsible business and operational practices is described in COP5 and repeated in other provisions, including COP7 and COP12.</li> <li>- COP6: Communicate annually with stakeholders about their efforts related to human rights due diligence and remediation activities in accordance with COP 3, found in COP5 and COP7</li> <li>- COP 12 KYC and COP29 KPCS are found in COP7 Due diligence</li> <li>- etc.</li> </ul> <p>Simplify the questionnaire by removing all redundancies</p> <p>Rather than possible sources of information, it would be appropriate for the RJC itself to maintain a list of ZCHRs on which to draw.</p>	<p>Noted.</p> <p>RJC will defer to recognised sources of CAHRA information. RJC does not have the resources or capacity to maintain such lists.</p>
168	General comment	MINERA YANAQUIHUA S.A.C.	<p>The code of practices 2019 is a complete standard, as it is applied to all areas of a company, such as our small mining company. However, in some cases the provisions are not aligned with the reality of the industry, we think the rjc should have more field information in hand to refine its compliance requirements.</p>	<p>The ISEAL standard setting code that RJC follows includes this consultation process, with the intention to hear from industry to ensure that our provisions are applicable.</p>
169	General comment		<p>The RJC CoP 2019 itself is a relatively new standard yet to be fully followed cent-percent. While evolving the standard is a welcome proposition, making it stricter beyond the locally applicable law appears unreasonable. Particularly, while dealing with matters of people / human resources, the variances in local culture as well as business environment need to be recognised.</p>	<p>Noted.</p>
170	General comment	Florence Bouvier- Pereira	<p>The COP 2019 update goes deeper in some areas. It also helps on some requirements being more precise. Some actions are good and strong signals (cf. child labour). Some updates seem to be more intentions than actions (of human rights). These requirements are to be fair and pragmatical. This update is nevertheless really appreciated since it helps to me more accurate in the answers and the actions.</p>	<p>Noted.</p>

No.	COP Provision/Topic	Name	Comment	Response
171	General comment	Hertz Hasenfeld	<p>I understand that the RJC is considering allowing manufacturers of lab grown diamonds to be admitted to the RJC.</p> <p>I would advise against that. It is a dangerous road towards misinformation and misuse of the RJC brand. It currently stands for integrity of the real jewellery industry. Admitting LGD's would diminish the name and confuse the public.</p> <p>In a few years, LGD's will be the same price as costume jewellery, and has no place alongside real diamonds</p>	RJC must represent the entire jewellery industry from mine to retail and strive to achieve our vision and mission. This cannot be done by omitting the presence of laboratory grown diamonds and coloured gemstones.
172	General comment	Eduard Stefanescu	In view of the changing landscape of the industry (see SDGs and ESG matters), all amendments to the provision requirements make sense.	Noted.
173	General comment		Overall, the COP 2019 update is comprehensible and recognizes the challenges of the industry(ies).	Noted.
174	General comment	Bulgari	Some integrations are fine, other are not related to the industry of manufacturers	RJC is a mine to retail standard and provisions are written to be applicable to all.
175	General Comment	Pandora	<p>Emergency circumstances should be more properly reflected since COVID has taught us what is and is not possible.</p> <p>More considerations for companies with large global operations:</p> <p>COP 2 and 5: Requiring all policies to be communicated to all colleagues is sometimes a bit excessive, as we have colleagues in 100 countries, and don't all have access to the same systems or where policies are not relevant for their area. E.g., supplier policy/code of conduct for retail staff.</p>	Noted.

No.	COP Provision/Topic	Name	Comment	Response
176	General Comment	Pandora	It is unclear if self-assessment is a mandatory element of the COP audit or not. Pandora finds it to be a useful tool, however requirements/expectations should be clearly stated to members and auditors as we often are getting questions from local markets on this.	The self-assessment is a voluntary tool, although highly recommended. This will be made more explicit.
177	General comment	Human Rights Watch	<p>Human Rights Watch welcomes the opportunity to provide comments on the Responsible Jewellery Council Code of Practices (COP) 2019 update. Our comments below are based on extensive research and recommendations on human rights abuses in jewelry supply chains and on the human rights responsibilities of jewelry companies.</p> <p><a href="https://www.hrw.org/report/2020/11/24/sparkling-jewels-opaque-supply-chains/jewelry-companies-changing-sourcing">https://www.hrw.org/report/2020/11/24/sparkling-jewels-opaque-supply-chains/jewelry-companies-changing-sourcing</a></p> <p><a href="https://www.hrw.org/sites/default/files/supporting_resources/open_letter_ric_july_2019_0.pdf">https://www.hrw.org/sites/default/files/supporting_resources/open_letter_ric_july_2019_0.pdf</a></p> <p>Adherence to International Instruments</p> <ul style="list-style-type: none"> <li>• We recommend that the updated COP requires adherence to the United Nations Declaration on the Rights of Indigenous Peoples. Mining members should be required to “obtain free, prior and informed consent of affected indigenous peoples,” as the current wording (“work to obtain...” in COP provision 33.2) is not in line with the international norm.</li> <li>• We recommend including explicit reference to several key international human rights instruments, notably the conventions on forced labor (ILO Convention 105), freedom of association (ILO Convention 87) and collective bargaining (ILO Convention 98), and the UN Basic Principles and Guidelines on Development-Based Evictions and Displacement (for example in COP provisions 6, 20, 21, and 36).</li> </ul>	Noted.

No.	COP Provision/Topic	Name	Comment	Response
178	General comment	Human Rights Watch	<p>Traceability</p> <p>We recommend requiring members to map their supply chain and achieve full traceability for all minerals, back to the mine of origin (for example in COP provision 14 or a new provision). Traceability is vital to ensure human rights risks can be assessed and addressed properly.</p>	Noted.
179	General comment	Human Rights Watch	<p>Certification</p> <p>We recommend including details on the certification process, including how the certification decision is made (in a new provision).</p> <ul style="list-style-type: none"> <li>• We recommend requiring members to reach full certification against the Code of Practices before they reference RJC membership in their communications, including reports, websites, or other published materials.</li> <li>• The updated COP should include a date from which onwards it will be in force for all members, and from that date onwards, members should be assessed against the updated COP. There should not be a slower rollout for any industry, as has been the case with the 2019 update for members of the diamond and gemstone supply chain.</li> </ul>	Noted.
180	General comment	Human Rights Watch	<p>Investigations and Sanctions Regarding Non-compliance of Members with the COP</p> <ul style="list-style-type: none"> <li>• We recommend adding a provision to the COP on the RJC’s complaints mechanism, and making changes to the complaints mechanism to ensure effectiveness and transparency. In particular, complaints should not be dismissed because an alleged incident occurred more than one year prior to submission, and the results of the investigation process should be published by the RJC.</li> <li>• We recommend adding a section on sanctions in case of non-compliance of members, as outlined in the complaints mechanism. It should make clear that the RJC can withdraw certification and membership from members in cases of non-compliance. Information about these steps should be made public by the RJC.</li> </ul>	Noted.





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