



The Criteria Guide for the Risk Readiness Assessment

DRAFT FOR PUBLIC CONSULTATION

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The Responsible Minerals Initiative serves as an umbrella organization for the voice of progressive industry to support responsible mineral production, processing and sourcing. The RMI also convenes stakeholders to continually shape industry dialogue and practices. Working with its partners and stakeholders, the RMI promotes business practices that improve regulatory preparedness, align with international frameworks, and support industry and stakeholder expectations.

The Copper Mark is a credible assurance framework to promote responsible production practices in the copper, molybdenum, nickel and zinc industries and the commitment of such industries to the green transition.



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INTRODUCTION

Background

The Risk Readiness Assessment (RRA) is a tool of the Responsible Minerals Initiative (RMI), offered to promote a common understanding of due diligence practices and a means to consistently assess environmental, social and governance-related risks in mineral supply chain.

The RMI has collaborated with the Copper Mark to revise this Criteria Guide. This Criteria Guide is a joint publication of the RMI and the Copper Mark. By issuing the joint Criteria Guide, the RMI and the Copper Mark aim to ensure that the Risk Readiness Assessment Criteria are consistently interpreted, implemented and assessed across the minerals and metals covered by both organizations.

Purpose

The RRA is a voluntary set of 33 criteria that serve as a common standard of reference for environmental, social and governance (ESG) due diligence practices in mineral supply chains.

The RRA aims to support companies in mineral supply chains to achieve the following:

- responsibly manage environmental, social and governance issues associated with their operations and supply chains;
- define requirements against which their ESG due diligence practices can be assessed;
- communicate their ESG performance to customers, suppliers, investors, and other internal and external stakeholders.

The RRA Criteria Guide is a set of verifiable requirements that can be used as a self-assessment or for which conformance can be assessed by an independent third-party.

Scope

The RRA Criteria address environmental, social and governance issues associated to mining, processing, and manufacturing. The following aspects are covered:

Governance

Governance criteria are cross-cutting and constitute sets of practices that underpin the effective implementation of any social and environmental criterion.

Governance criteria include core aspects of due diligence systems and practices that enable accountability and predictability.

Social



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Social criteria refer to the respect and enhancement of the human rights and labour rights of workers, communities, and other affected stakeholders in line with internationally recognized frameworks.

Environment

Environmental criteria address alignment with global climate goals and circularity principles as well as the implementation of environmental management practices informed by the mitigation strategy.

Applicability

The RRA defines criteria and requirements for the management of ESG issues that apply to minerals and metals production, from mine, through metal processor (e.g. smelters and refiners) to downstream companies.

The RRA Criteria and Criteria Guide are designed to be mineral-agnostic and applicable across any mineral supply chain.

Some criteria may not be *applicable* to certain operations, depending on their nature or position in the value chain. Criteria applicability is summarized in the table below:

APPLICABILITY			
Criterion	Mining and co-located metal processing (e.g. smelting, refining, roasting)	Stand-alone metal processing (e.g. Smelting, refining and roasting)	Downstream processing and manufacturing
1. Management Systems	Yes	Yes	Yes
2. Impact Assessments	Yes	Yes	Yes
3. Business Integrity	Yes	Yes	Yes
4. Revenue Transparency	Yes	X	X
5. Legal Compliance	Yes	Yes	Yes
6. Sustainability Reporting	Yes	Yes	Yes
7. Grievance Mechanism	Yes	Yes	Yes
8. Stakeholder Engagement	Yes	Yes	Yes
9. Mine Closure & Reclamation	Yes	X	X



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10. Responsible Supply Chains	Yes	Yes	Yes
11. Climate Action	Yes	Yes	Yes
12. Child Labor	Yes	Yes	Yes
13. Forced Labor	Yes	Yes	Yes
14. Freedom of Association and Collective Bargaining	Yes	Yes	Yes
15. Non-Discrimination and Harassment	Yes	Yes	Yes
16. Diversity, Equity and Inclusion	Yes	Yes	Yes
17. Employment Terms	Yes	Yes	Yes
18. Occupational Health & Safety	Yes	Yes	Yes
19. Emergency Preparedness	Yes	Yes	Yes
20. Community Health & Safety	Yes	X	X
21. Community Development	Yes	X	X
22. Artisanal & Small-Scale Mining	Yes	Yes	Yes
23. Security & Human Rights	Yes	X	X
24. Indigenous Peoples' Rights	Yes	X	X
25. Land Acquisition & Resettlement	Yes	X	X
26. Cultural Heritage	Yes	X	X
27. Greenhouse Gas Emissions' Reductions	Yes	Yes	Yes
28. Water Stewardship	Yes	Yes	Yes
29. Waste Management	Yes	Yes	Yes
30. Circular Economy	Yes	Yes	Yes
31. Tailings Management	Yes	X	X



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32. Biodiversity and Land Management	Yes	Yes	Yes
33. Pollution	Yes	Yes	Yes

A more specific breakdown of applicability at the individual Criterion level is contained in RRA Criteria Guide chapters. Those provide explanations for the following:

- Criterion requirements that are applicable exclusively to **upstream** or **downstream** operations.
- Requirements to be met to demonstrate that a Criterion is not applicable given nature of operations, location or position in the **supply chain**. Where a claim is made that a Criterion is not applicable this must be verifiable. Unless otherwise specified, all requirements are applicable.

Version and effective date

This is version 3 of the RRA. Version 3 will come into effect on [date to be defined]. Existing RRA reports against Version 2 will maintain their validity until the end of the cycles established by RMI and the Copper Mark in their respective systems.

Development

Version 1 of the RRA, released in 2017, was developed based on a set of benchmarked industry norms derived from over 50 commonly used voluntary sustainability standards (VSS) and representative of good management practice for 31 environmental, social and governance risk areas.

Version 2 of the RRA, released in 2020, was reviewed using the RMI's [Risk Readiness Assessment Review Process](#). The review included an update of the benchmarked industry norms as well as the development of the first joint Criteria Guide of the RMI and the Copper Mark.

Version 3 of the RRA is the result of a two-year process of revision started in June 2021, designed to conform with the RMI's and the [Copper Mark's](#) standard setting processes. It included several elements:

- Benchmarking against industry norms derived from VSS;
- Periodic consultations with a Technical Committee composed of individuals with technical knowledge and expertise in standards development, auditing, mineral supply chains, and / or ESG issues;
- A formal and transparent process of stakeholder engagement guided by the ISEAL Standard-Setting Code of Good Practice Version 6.0, Section 5;
- *ad hoc* consultations with industry representatives and subject matter experts.



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The main changes to the RRA from V2 to V3 are the following:

- Revised Criteria formulation and thorough revision of requirements for enhanced alignment with recognized international frameworks and due diligence expectations articulated in regulations;
- Revised structure and unbundling of the requirements to increase consistency and auditability;
- Expanded applicability of the criteria to downstream companies.
- Updated glossary.

Reference frameworks

This revision of the RRA has been informed by international frameworks of responsible business conducts and accepted industry standards and methodologies.

Each RRA Criterion includes a *Key References* section which outlines the resources that have informed the formulation of the Criterion requirements.

Overarchingly, the following references were used in the revision of the RRA:

- OECD Guidelines for Multinational Enterprises, 2011 Edition
- OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas, Third Edition
- United Nations Guiding Principles for Business and Human Rights
- The Corporate Responsibility To Respect Human Rights, An Interpretative Guide
- ILO Fundamental Conventions:
 - Forced Labour Convention, 1930 (No. 29)
 - Abolition of Forced Labour Convention, 1957 (No. 105)
 - Minimum Age Convention, 1973 (No. 138)
 - Worst Forms of Child Labour Convention, 1999 (No. 182)
 - Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87)
 - Right to Organise and Collective Bargaining Convention, 1949 (No. 98)
 - Equal Remuneration Convention, 1951 (No. 100)
 - Discrimination (Employment and Occupation) Convention, 1958 (No. 111)
 - Occupational Safety and Health Convention, 1981 (No. 155)
- The Voluntary Principles on Security and Human Rights
- ISO 14001: 2015 Environmental Management System
- ISO 45001: Health and safety management
- Paris Agreement, 2015
- GHG Protocol
- Global Industry Standard on Tailings

Sites are not required to adopt a specific third-party standard unless specifically stated in the core requirements in the relevant criterion.



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How to use this document

Each criterion chapter is structured as follows:

- a. Criterion, which is a concise formulation of a **Site's** expected level of performance and associated due diligence
- b. Implementation which is divided into two sections:
 - Interpretative guidelines: this provides explanation with regards to the interpretation of the requirements depending on the operations, size, location, or function in the value chain;
 - Core Requirements: this formulates auditable requirements against the Criterion.
- c. References, which are divided into three sections:
 - Internationally Recognized Frameworks, which have informed the formulation of the requirements and can aid in their interpretation;
 - International Conventions and Treaties, which **Sites** should be aware of;
 - Additional Reading, which lists useful literature for additional context and guidance when implementing the Criterion.

All text in bold (for example **downstream**) is defined in the Glossary.

Performance Determination

A rating is attributed to each of the RRA Criteria based on an assessment of performance against the requirements outlined for each Criterion.

The assessment will evaluate the following:

- *Availability*: is a management system (including policies, procedures or processes, responsibilities and resources, governance) in place and conform to the requirements outlined in the Criterion?
- *Effectiveness*: are management system and practices outlined in the Criterion implemented and achieving the intended outcomes in terms of identification, prevention, mitigation and remediation of the risks and impacts in scope of the Criterion?

Overall performance evaluation is based on an aggregation of the rating attributed to each Criterion. The aggregation results in an overall performance determination, while the rating of each Criterion provides a path for continual improvement.

Additional guidance on performance evaluation will be made available by RMI and the Copper Mark.

Assurance

The RRA Criteria and requirements are designed for use by the Responsible Minerals Initiative to understand and assess a facility's ESG due diligence practices and for the Copper Mark to assure the performance of its participants.



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Details on the assurance process, validity rules and associated claims are specified in the procedures of the respective organizations.

Acknowledgments

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2023 RISK READINESS ASSESSMENT CRITERIA

GOVERNANCE	
TOPIC	CRITERIA
1. Management System	Implement a corporate or site-level management system for the effective prevention, mitigation and remedy of actual and potential environmental, social and governance risks and impacts.
2. Risk Assessment	Enable informed due diligence through the implementation of a risk assessment for the identification and prioritization of potential and actual risks and impacts to human rights and the environment.
3. Business Integrity	Minimize risks of corruption through the implementation of a system to prohibit, effectively prevent bribery, money laundering, and anti-competitive behavior.
4. Revenue Transparency	Contribute to greater corporate transparency and accountability through the public disclosure of all material payments to governments of taxes, royalties, signature bonuses, and all other forms of payments or benefits and support the Extractive Industries Transparency Initiative.
5. Legal Compliance	Ensure high standards of business conduct through compliance with applicable national regulatory requirements and applicable cross-jurisdictional obligations under international law
6. Sustainability Reporting	Enable corporate transparency and accountability and promote informed decision-making through the publication of annual reports on material environmental, social and governance issues.
7. Grievance Mechanism	Respect the rights of adversely affected stakeholders' access to remedy, through the implementation of an effective grievance mechanism.
8. Stakeholder Engagement	Enable stakeholders' early and continued participation in decisions that affect their health, well-being, safety, livelihoods, communities, and environment, through the implementation of an inclusive and effective engagement process.



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9. Mine Closure & Reclamation	Ensure the long-term environmental, social, and economic stability of mining communities through the implementation of a system to manage mine closure and reclamation. .
10. Responsible Supply Chains	Respect regulatory requirements and promote responsible business conduct in supply chains through the implementation of corporate or site-level, comprehensive, integrated, iterative, and risk-based due diligence.
11. Climate Action	Contribute to the goals of the Paris Agreement to curb global temperature rising to 1.5oC above pre-industrial levels through the implementation of a corporate or site-level, comprehensive, integrated climate change mitigation and adaptation strategy.
SOCIAL	
TOPIC	CRITERIA
12. Child Labor	Respect children's rights through the implementation of a system to prevent and mitigate the risk of child labour and remedy adverse impact.
13. Forced Labor	Respect workers' rights to voluntary and freely chosen employment through the implementation of a system to prevent and mitigate the risk of any form of forced labour and to remedy adverse impact.
14. Freedom of Association and Collective Bargaining	Respect workers' rights to freedom of association and to collective bargaining in good faith, through the implementation of a system to prevent and mitigate risks and remedy adverse impact.
15. Non-Discrimination and Harassment	Respect workers' rights to equality of opportunity and treatment and mitigate all forms of discrimination and harassment in the workplace through the implementation of a system to prevent and mitigate risks and remedy adverse impact.
16. Diversity, Equity and Inclusion	Promote diversity, equity and inclusion in the workplace
17. Employment Terms	Respect workers' rights to fair and decent employment terms through the implementation of a system to prevent and mitigate risk and remedy adverse impact.
18. Occupational Health & Safety	Provide all workers with the means and conditions for safe and healthy work through a system to prevent, mitigate OHS risks and remedy adverse impacts.



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19. Emergency Preparedness	Enable workers and stakeholders to keep themselves and others safe in the event of an emergency through the implementation of a system to manage emergency responses and remedy adverse impact.
20. Community Health & Safety	Respect communities' rights to healthy and safe living conditions through the implementation of a system to prevent and mitigate health and safety risks and remedy adverse impact.
21. Community Development	Contribute to economic and social development of affected communities through the implementation of a system to positively contribute to meet community needs.
22. Artisanal & Small-Scale Mining	Respect the human rights, create economic opportunities and contribute to the formalization and professionalization of artisanal and small-scale mining operations (ASM) where it is safe, and legally and legitimately possible.
23. Security & Human Rights	Act diligently to ensure that the conduct of private and public security forces respects human rights through the implementation of a system to prevent and mitigate security-related risks and remedy adverse impact.
24. Indigenous Peoples' Rights	Respect Indigenous Peoples' rights, including the right to grant free, prior, and informed consent through the implementation of a system to prevent and mitigate risks on Indigenous Peoples' livelihoods, territories, resources, and cultural heritage and remedy adverse impact.
25. Land Acquisition & Resettlement	Respect the rights of stakeholders affected by physical and economic displacement through the implementation of a system to prevent and mitigate risks and remedy adverse impacts associated with land acquisition and resettlement
26. Cultural Heritage	Respect the cultural rights of affected stakeholders through the implementation of a system to prevent and mitigate risks to cultural heritage and remedy adverse impact.
ENVIRONMENT	
TOPIC	CRITERIA
27. Greenhouse Gas Emissions' Reductions	Avoid, minimize, and compensate for scope 1, 2 and relevant scope 3 emissions through the definition of science-based goals and targets in line with the Paris Agreement and the implementation of the mitigation strategy.



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28. Water Stewardship	Avoid, minimize, rectify, and compensate for adverse impacts on water balance, flow, quality, and access and needs of other water users and wildlife from operational activities through the implementation of the mitigation hierarchy.
29. Waste Management	Avoid, minimize and recover waste through the implementation of a waste mitigation hierarchy.
30. Circular Economy	Promote a circular economy through the collection, reuse and recycling of materials at Sites, the reduction of waste and increased resource efficiency
31. Tailings Management	Avoid, minimize, rectify, and compensate for adverse impacts from tailings through the implementation of a system to manage tailings facilities and tailings disposal systems in line with internationally recognized frameworks and good practice.
32. Biodiversity and Productive Land	Avoid, minimize, restore or replace, and compensate for adverse impacts on biodiversity and productive land, commit to a no net loss and consider a net gain of biodiversity through the implementation of a mitigation hierarchy.
33. Pollution	Avoid, minimize, rectify, and compensate for adverse impacts on human health and the environment from pollution from the introduction of poisonous and harmful substances to air, land, and water and from noise, light, and visual pollution through the implementation of the mitigation hierarchy.

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CRITERION 1: Management Systems

Implement a corporate or site-level management system for the effective prevention, mitigation and remedy of actual and potential environmental, social and governance risks and impacts.

I. Implementation:

a. Interpretative Guidance

Relevance

The breadth and depth of management systems will vary. Systems should be proportional to the size and complexity of the Site. Fit-for-purpose management systems at large industrial Sites with multiple operational activities and processes and employing hundreds of workers, will be significantly more complicated and require a higher degree of formalization and more staff to operate than systems designed for small and medium-sized Sites with few core operational activities.

Corporate versus Site-level

Sites' environmental, social and governance management systems may be at corporate or site-level; which means management systems may be designed and developed specifically for and by Sites, or Sites may participate in and apply the policies, procedures and practices of corporate management systems governed by a parent company or group.

Standalone or aggregated management systems

Sites may implement several stand-alone topic-specific management systems or combine several topics into one or a few management systems. While processes and responsibilities for the implementation of topic-specific management systems can be set up in a distributed manner, integration is expected at the level of articulation of a policy commitment, assignment of senior leadership and accountability, and continuous cycle of evaluation and improvement.

Saliency

The management systems should be grounded in the results of the **saliency** assessment in line with Criterion 2 on Risk Assessments. The level of management effort should be proportional to the severity and likelihood of the risks and the type of management



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practice depends on whether the risk and impacts are potential (prevention and mitigation) and/or actual (remedy).

b. Core Requirements

Sites are expected to implement and report on corporate or site-level environmental, social and governance management systems.

The management systems that govern the management – the prevention, minimization, reduction, and remediation – of potential and actual risks and impacts from Sites' operational activities, and those of its supply chains, is a core requirement of all Criteria.

Sites shall:

1. Demonstrate a policy that articulates the Site's environmental, social and governance commitments, which means that:

- Sites adopts and disseminates a policy on **ESG issues** associated with the operational activities and topics in this guidance, including those in its supply chain (in line with Criterion 10 on Responsible Supply Chains), and addressing the **salient ESG issues** identified in Sites' risk assessments.
- The policy is publicly available, approved at senior level and communicated internally and externally.
- Specific policies on identified **salient ESG issues**, outlining the Site's approach to manage them, are either part of the overall policy commitment or available separately.

2. Demonstrate appropriate governance of the policy, which means that:

- Senior management has oversight and accountability on the policy's implementation
- Roles and responsibilities are assigned to staff, according to their functions and competences, for the implementation of relevant management procedures and processes

3. Implement an action plan, which means that:

- Sites have **action plan(s)** in place which define measures to prevent and mitigate risks and remedy the impacts. Details on these **action plans** are to be found in the respective RRA chapters.

4. Effectively integrate and resource the action plan, which means that:



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- Procedures and processes are established to integrate the action plan into business operations
- Appropriate internal resources are allocated to implement the **action plan(s)**
- Training, procedural guidelines or other appropriate tools are available for staff engaged in the implementation of the **action plan(s)**

5. Monitor and track the implementation of the action plan, which means that:

- Indicators and data collection mechanisms are developed to determine how the Site is addressing **salient ESG issues** in its own operations and if those actions are effective.
- Periodic evaluations are conducted to assess the effectiveness of the **action plan(s)** and identify improvement needs

6. Review the implementation of the management system, which means that:

- Sites have a process in place to adjust the management system based on the results of their iterative risk assessment in line with Criterion 2 Risk Assessment

7. Remediate where appropriate, which means that:

- Sites have a defined approach to provide or cooperate for remediation, based on whether the Site has caused or contributed or is linked to an adverse impact.
- When the Site has caused an adverse impact, the approach includes: engagement with affected stakeholders to define effective remedy; trained personnel; financial resources; and senior accountability.
- When the Site has contributed to or is linked to an adverse impact in its supply chain, the approach includes the use of leverage on suppliers, and monitoring of the remediation process.
- Details on these measures to be found in the respective chapters.

8. Report publicly, which means to include in Sites', or Sites' parent or group's, sustainability or annual reports all relevant information needed to inform stakeholders clearly of Sites' environmental, social, governance management plans, actions, goals and targets, and progress in meeting goals and targets at least annually in line with Criterion 6 on Sustainability Reporting.

To demonstrate that they implement requirements (1) to (6) above in line with internationally recognized frameworks, when applicable to their operations, Sites shall:



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- a. Implement ISO 14001 on environmental management and management systems, or its functional equivalent, for the management of environmental impacts;
- b. Implement ISO 45001 on occupational health and safety (OH&S) management and management system

II. Key References:

Internationally Recognized Frameworks on Management Systems

The following international frameworks constitute key references for the interpretation and implementation of this Criterion:

- [United Nations Guiding Principles on Business and Human Rights \(UNGPs\)](#)
- [OECD Due Diligence Guidance for Responsible Business Conduct](#)
- [OECD Guidelines for Multinational Enterprises](#)
- [ISO 14000 Family of Standards](#)
- [ISO 4500 Family of Standards](#)

Additional Reading

The following international guidance may be useful for guidance purposes when implementing this Criterion:

- [Performance Standard 1 Assessment and Management of Environmental and Social Risks and Impacts](#)
- [The UN Global Compact](#)



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CRITERION 2: Risk Assessments

Enable informed due diligence through the implementation of a risk assessment for the identification and prioritization of potential and actual risks and impacts to human rights and the environment.

I. Implementation:

a. Interpretative guidance

Relevance

Risk assessment is the first step in the human rights and environmental **due diligence** process of a Site. It enables a Site to identify and prioritize **ESG issues**, and it is instrumental to inform decisions on the preventative, mitigation and remediation actions that a Site needs to take to manage those **risks** and **impacts** as well as associated resource allocation. The nature of human rights and environmental risks associated with a Site's operations will change over time, as its operating context, activities and **business partners** also change. Implementation of this criterion is therefore an ongoing process.

Risk assessments are relevant for all Sites, all operational activities, and for all levels of decision-making, from corporate policies to specific environmental, social, and governance topics. The breadth and depth of the risk assessments will vary and should be proportional to Sites' size and complexity. Large mining Sites occupying hundreds of acres, recovering minerals in hydrologically sensitive areas, and located near traditional communities remote from administrative centers, for example, will require risk assessments of far greater sophistication than mineral processing Sites in semi-urban settings where regulatory frameworks and oversight are clear and enforced.

Mining Sites are commonly subject to regulatory requirements to carry out environmental impact assessment (EIA), social impact assessment (SIA) and / or human rights impact assessment (HRIA) for new projects or significant expansions of current projects.

A formal EIA, SIA and / or HRIA on its own, particularly when conducted several years prior, is not sufficient to meet the requirements of this criterion. This criterion does not require a Site to conduct a formal EIA, SIA and / or HRIA every time it identifies a new salient risk to an individual or a group of individuals' human rights.



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However, Sites are encouraged to integrate the results of EIAs, SIAs and / or HRIAs into both the risk assessment requirement and the impact assessment requirement.

Sites may have a risk register that is regularly updated, and which is used to assess and record risks. However, in most cases, that risk register is concerned with risks to the business, be it to revenue, share price, reputation or possibly a combination of the three. This criterion requires Sites to assess risks to human rights and the environment, irrespective of the potential impact those risks may have on the business.

Baseline

If baseline sampling was not completed before the start of operations, Sites should consider historical or synthetic data to establish an approximate baseline. If these are not available, the baseline may be taken from the time of the assessment.

b. Core Requirements

Sites are expected to implement two types of assessment.

- A high-level human rights and environmental risk assessment associated with the **ESG issues** covered in this guidance. The purpose of this risk assessment is to identify and prioritize for action the Sites' **salient ESG issues**, with salient issues defined as issues that are both likely and severe in scale, scope or irremediability.
 - The salient issues should be prioritized in Sites' due diligence and allocated resources that are proportionate to their severity.
 - The risk assessment should be ongoing, reviewed at least annually, and be an integral part of the Sites' management system.
- A specific, in-depth assessment for the identified and prioritized **salient ESG issues**. Multiple issues may be grouped under one assessment, for example a human rights impact assessment, or an environmental impact assessment.

Sites shall:

1. Develop and implement a clear and deliberate process to map and document potential and actual ESG risks and impacts that are associated to its operations in order to assess saliency.
 - Define the scope of the assessment,, which means to identify:
 - the **ESG issues** relevant to Sites' operational activities;



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- the **stakeholders** affected by these issues;
 - the types of operations and activities to be covered;
 - Establish a baseline, which means to generate, gather, and analyze baseline indicators that describe the (positive or negative) impact of the Site at the time of the assessment (unless defined otherwise in the Criteria) and against which the effectiveness of preventative, mitigation and remedy measures can be assessed.
 - Determine the most salient issues, which means to prioritize the identified risks primarily based on severity and secondarily on their likelihood
 - Have in place a process to determine the nature of the Site's involvement with identified **ESG issues** in order to determine whether the Site has caused or contributed to an adverse impact, or is directly linked to it.
 - Periodically review the results of the risk assessment
2. Conduct in-depth assessments on the identified **salient ESG issues**.
- Employ or contract qualified staff or firms with relevant human rights and / or environmental expertise to conduct the assessments.
 - Engage **stakeholders** in line with Criterion 8 on Stakeholder Engagement.
 - Incorporate information from other assessments, which means to consider the findings and conclusions of related and applicable plans, studies, reports, EIA, SIA, HRIA, assessments, or evaluations prepared by government authorities or other credible parties that are directly relevant to Sites.
 - Provide information for management systems, which means to:
 - identify **action plans** to prevent, mitigate and remedy potential and actual risks and impacts
 - ensure those **action plans** are allocated resources which are proportionate to the severity of the identified potential and actual risks and impacts
 - ensure the incorporation of those **action plans** into Sites' business policies, procedures, and processes in line with Criterion 1 on Management Systems.
3. In addition to the disclosure of any legally mandated impact assessments, Sites shall publicly disclose their identified ESG issues:



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- Annually subject to a materiality assessment in line with Chapter 6 Sustainability Reporting
- Timely and in an accessible and understandable manner to affected stakeholders in line with Chapter 8 Stakeholder Engagement

II. Key References:

Internationally Recognized Frameworks on and Including Impact Assessment

The following international frameworks constitute key references for the interpretation and implementation of this Criterion.

- United Nations Guiding Principles on Business and Human Rights (UNGPs)
- [OECD, Due Diligence Guidance for Responsible Business Conduct](#)
- OECD Guidelines for Multinational Enterprises

International Conventions and Treaties: the requirement for impact assessments is recognized by some international laws, for example:

- [Convention on Environmental Impact Assessment in a Transboundary Context](#) (Espoo convention 1991)
- [Protocol on Strategic Environmental Assessment](#) (Kiev, 2003)
- [Ramsar convention on wetland conservation](#)
- [UN Convention on the Law of the Seas](#) (Montego Bay, 1982)

Additional Reading

The following international guidance on impact assessments may be useful for guidance purposes when implementing this Criterion:

- [The Danish Institute for Human Rights Guidance and Practical Tools for Conducting, Commissioning, Reviewing and Monitoring Human Rights Impact Assessments](#)
- International Finance Corporation, Performance Standards, Guidance Note 1 on Performance Standard 1: Assessment and Management of Environmental and Social Risks and Impacts



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- [The International Association of Impact Assessment](#), various guidance on topic-specific impact assessments
- [The International Council on Mining & Metals, Good Practice Guidance on Health Impact Assessment](#)
- [The International Council on Mining & Metals, Integrating human rights due diligence into corporate risk management processes](#)



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CRITERION 3: Business Integrity

Minimize risks to business integrity through the implementation of a system to prohibit, effectively prevent bribery, money laundering, and anti-competitive behavior.

I. Implementation:

a. Interpretative Guidance

Relevance

Bribery, money laundering, and anti-competitive behavior are serious issues that can occur in all operational activities, irrespective of size, location, function in the value chain. While bribery may occur at any operational activity, mining is particularly vulnerable to this issue. Bribery may occur at various stages in the decision-making chain, from the allocation of licenses and contracts for exploration and production, to the procurement of goods and services, and the allocation of revenues and social and economic spending.

b. Core Requirements

Sites are expected to ensure business integrity risks are minimized. This means:

1. To demonstrate a commitment to business integrity, which means:

- to have, and to communicate to workers, staff, suppliers, customers, and business partners a policy in line with Criterion 1 on Management Systems, signaling that the Sites do not tolerate any form of bribery, money laundering and anti-competitive behavior.

2. To identify the risk of bribery, money laundering and anti-competitive behavior, which means to:

- conduct risk assessments in line with Criterion 2 on Risk Assessments.
- identify Sites' features, aspects, and operational activities that fall within the responsibility of Sites to manage, including those parts of the business and/or positions that are exposed to higher business integrity risks, workers directly and indirectly employed by Sites.



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3. To effectively prevent bribery, money laundering and anti-competitive behavior,

Sites should ensure that they take the necessary measures, in accordance with relevant local, national, and international laws and regulations, which means to:

- implement and communicate zero tolerance of bribery, money laundering and anti-competitive behavior, including facilitation payments and other corrupt practices;
- enforce the policy through clauses in contracts with direct business partners communicate the Sites' policy to indirect business partners and encourage them to comply with it;
- maintain books and records, financial statement disclosures and accounting and auditing standards;
- establish clear criteria and procedures for the approval of gifts offered and received, taking into account thresholds that are acceptable, given the local context of customary exchange;
- establish clear criteria and procedure for the approval of charitable donations and political contributions;
- train workers on the anti-bribery, anti-money laundering and anti-competition policies and procedures;
- implement a whistle blower mechanism to alert management to the risk of or incidence of bribery, money laundering and anti-competitive behavior.

4. To publicly disclose risks, action plans, progress and results, which means:

- to report at least annually all relevant information needed clearly to inform stakeholders of the steps taken by the Site to mitigate bribery and money laundering risks, in line with Criterion 6 on Sustainability Reporting.

II. Key References

Internationally Recognized Frameworks

The following international frameworks constitute key references for the interpretation and implementation of this Criterion

- [Transparency International, Business Principles for Countering Bribery](#)
- [ISO 37001: 2016](#)

International Conventions and Treaties



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- [UN Convention Against Corruption](#)
- [OECD Convention on the Bribery of Foreign Public Officials in International Business Transactions \(OECD Convention\)](#)

Additional Reading

The following international guidance for businesses on bribery may be useful for guidance purposes when implementing this Criterion:

- [OECD recommendation for Further Combating Bribery of Foreign Public Officials in International Business Transactions, including Annex II Good Practice Guidance on Internal Controls, Ethics and Compliance](#)
- [UN Global Compact, Transparency International, Reporting Guidance on the 10th Principle Against Corruption](#)
- [Transparency International, Anti-Corruption Toolkits for Business](#)
- [International Chamber of Commerce, Rules on Combating Corruption](#)



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CRITERION 4: Revenue Transparency

Contribute to greater corporate transparency and accountability through the public disclosure of all material payments to governments of taxes, royalties, signature bonuses, and all other forms of payments or benefits and support the Extractive Industries Transparency Initiative.

I. Implementation:

a. Interpretative Guidance

Relevance

This Criterion only applies to mining Sites.

EITI versus non-EITI implementing countries

Sites operating in an Extractive Industries Transparency Initiative (EITI) implementing country shall report in line with the EITI. The EITI is now supported by complementary laws in several jurisdictions requiring public disclosure of payments on a company-by-company, country-by-country and project-by-project basis. Sites that do not operate in an EITI- implementing countries shall report either in line with the EITI or with one of the aforementioned complementary laws.

b. Core Requirements

Sites shall publicly disclose all material payments to governments, including: taxes, royalties, signature bonuses and all other forms of payment of benefits. This means:

- 1. To demonstrate a commitment to support the EITI** through a public statement of support for the EITI principles.
- 2. To publicly disclose payments in line with the EITI if the Site is located in an EITI implementing country and, if not, to disclose payments in line with one of the following:**
 - [The EITI](#)
 - [The Canadian Extractive Sector Transparency Measures Act](#)
 - [The European Union's Accounting \(and Transparency\) Directives](#)



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- [Section 1504 of the US Dodd-Frank Wall Street Reform and Consumer Protection Act](#)

Additional Reading

The following international guidance for businesses on revenue transparency may be useful for guidance purposes when implementing this Criterion:

- [International Monetary Fund, Guide on Resource Revenue Transparency, 2007 Revised Edition](#)
- [The Extractive Sector Transparency Measures Act \(ESTMA\)](#)
- [EU Accounting Directive](#)



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CRITERION 5: Legal Compliance

Ensure high standards of business conduct through compliance with applicable national regulatory requirements and applicable cross-jurisdictional obligations under international law.

I. Implementation:

a. Interpretation Guidance

Relevance

This Criterion should be implemented for each topic in this guidance.

National versus international legal and regulatory requirements

If discrepancies or inconsistent requirements exist between national and international legal and regulatory requirements, Sites should follow the stricter requirements. In cases where the domestic law of a country sets different standards of protection than international legal and regulatory requirements, Sites should seek ways to honor the principles that provide the highest protection to human rights and the environment, without contradicting national regulatory requirements.

b. Core Requirements

Sites are expected to comply with applicable national and cross-jurisdictional international laws, standards, and regulatory requirements. This means:

1. To identify applicable national and international laws, standards and regulatory requirements, which means:

- develop and maintain a legal register;
- conduct a comparative analysis of national and cross-jurisdictional international regulatory requirement to identify discrepancies or contradictions
- monitor continuously for legal and regulatory developments on national and international levels and remain up to date;
- identify emerging areas where a legal risk exists and their potential impacts on the Sites' operational activities;



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2. To comply with applicable national and international laws, standards and regulatory requirements, which means to manage the risk of legal non-compliance in line with Criterion 1 on Management Systems. As well as the requirements in Criterion 1, this means to:

- Provide periodic training (at least every 2 years) on applicable legal and regulatory requirements to management and workers, depending on the Sites' internal responsibilities and the relevant and applicable laws to that department;
- Require management, workers and suppliers to implement policies, procedures and processes that ensure legal compliance in line with this Criterion;
- Maintain evidence of compliance with legal requirements pertaining to applicable RRA Criteria;
- maintain detailed records of all required permits and licenses that is required for operational activities;
- maintain a record for the re-application and expiration timeline for each permit and license;
- maintain financial accounts related to fair and transparent business transactions under the applicable laws and in accordance with national and/or international accounting standards. All financial accounts should be verified by an independent qualified auditor who is not under any undue influence or bias;
- maintain detailed records of all instances where the business has identified non-compliance with laws or regulations, including details of corrective measures the business implemented to mitigate or correct non-compliance;
- establish internal control systems which aim to prevent and detect legal offences.

3. To implement a whistleblower mechanism that

- alerts management to the risk of or incidence of legal non-compliance
- Protects the confidentiality of the whistleblower and
- Provides measures of protection against the risk of retaliation.

II. Key References:

Additional Reading

The following databases may be useful for guidance when implementing this Criterion:

- [ILO, NATLEX database](#)
- [ILO, LEGOSH database](#)



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- [ILO, TRAVAIL database](#)

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CRITERION 6: Sustainability Reporting

Enable corporate transparency and accountability and promote informed decision-making through the publication of annual reports on material environmental, social and governance issues.

I. Implementation:

c. Interpretative Guidance

Relevance

Criterion 6 on Sustainability Reporting is relevant to all Sites, irrespective of size, business or organizational type, value chain function, country of operation and reporting experience.

Site level versus corporate level

Formal sustainability reporting may be implemented at Site or corporate level, and it may include reporting of salient issues. However, additional reporting of salient impacts to affected stakeholders must be implemented at Site level in line with Criterion 8, Stakeholder Engagement.

Sustainability reporting may be through stand-alone dedicated sustainability reports or be integrated as part of Sites' financial reports. Reporting may be designed and developed specifically for and by Sites, or Sites' data may be incorporated into corporate-level reports in aggregated form. Where Sites incorporate site-level reporting into corporate-level reporting and where corporate level reports aggregate site-level information, Sites are expected to generate, analyze data, and document results for all the requisite aspects of all Criteria in this guidance.

d. Core Requirements

Sites are expected to enable corporate transparency and accountability and promote informed decision-making through the publication of annual reports on environmental, social and governance performance. A Site shall:



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1. **Identify material impacts** for the Site and its supply chain based on the principle of **double materiality** i.e. **financial materiality** and **impact materiality**.
2. **Report on the Sites' material impacts** externally at a frequency that is relevant to the intended audience and at least annually **in line with internationally recognized reporting standards**, such as:
 - the Global Reporting Initiative (GRI) Standard, including its Sector Standards where applicable;
 - the Sustainable Accounting Standards Board (SASB) Standard;
 - International Integrated Reporting Council (IIRC) Integrated Reporting Framework;
 - the Carbon Disclosure Project (CDP);
 - the Task-Force on Climate-related Financial Disclosures (TCFD);
3. **Collect, measure, analyze and communicate** information that is:
 - Accurate: Collected and analyzed through robust methodologies;
 - Balanced: Fairly reflects both the positive and Sites' adverse impacts;
 - Disclosed with care: Carried out with due regard for commercial confidentiality and other competitive or security concerns;
 - Clear: Available in a manner that is accessible and publicly available to stakeholders;
 - Comparable: Presented in a way that allows for an assessment of the Sites' performance over time as well as in relation to its peers
 - Verifiable: Able to be demonstrated to be true by the Site.
4. Sites subject to sustainability disclosure based on specific countries' regulatory requirements shall:
 - Be aware of such requirements in line with Criterion 5, Legal Compliance
 - Ensure alignment between applicable regulatory frameworks and the reporting standards they invoke

II. Key References:

Internationally Recognized Frameworks

The following international frameworks constitute key references for the interpretation and implementation of this Criterion.

- [The Global Reporting Initiative \(GRI\) Standard](#), including its Sector Standards where applicable
- [The Sustainable Accounting Standards Board \(SASB\) Standard](#)



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- [International Integrated Reporting Council \(IIRC\) Integrated Reporting Framework](#)
- [The Carbon Disclosure Project \(CDP\)](#)
- [The Task-Force on Climate-related Financial Disclosures \(TCFD\)](#)

Additional Reading

The following literature may be useful for guidance when implementing this Criterion:

- [GRI, The double-materiality concept. Application and issues](#)
- [EFRAG, Draft European Sustainability Reporting Guidelines 1 Double materiality conceptual guidelines for standard-setting, 2022](#)
- [OECD Guidelines for Multinational Enterprises](#)
- [GRI Reporting support tools](#)



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CRITERION 7: Grievance Mechanism

Respect the rights of adversely affected stakeholders' access to remedy, through the implementation of an effective grievance mechanism.

I. Implementation:

a. Interpretative guidance

The requirements of this Criterion apply to the management of any grievance concerning a Site's impact on human rights and environment associated to its operations and supply chain and adversely affecting workers, communities or other stakeholders. Depending on their size, complexity and context of operations, anticipated users, Sites may establish one or multiple types of grievance mechanism.

Sites can meet this requirement by means of participation in a multistakeholder or institutional initiative that provides a grievance mechanism, if the mechanism is in line with Principle 31 of the UN Guiding Principles on Business and Human Rights.

b. Core requirements

Sites are required to implement effective grievance mechanisms in line with Principle 31 of the UN Guiding Principles on Business and Human Rights on non-judicial grievance mechanisms and in accordance with Criterion 1 on Management Systems; and to provide or enable access to remedy for adverse human rights and environmental impacts that they have caused, contributed to or been linked with.

Sites shall:

1. Determine the scope of the Grievance Mechanism to include:

- Adverse impacts on human rights
- Adverse impacts on the environment including consideration for human rights impacts caused by environmental damage
- A Site's own operations and its supply chain

2. Implement effective grievance mechanisms in line with the effectiveness criteria defined in UN Guiding Principle 31 (see explanatory note), which means to design,



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communicate, evaluate and document formalized, operational-level mechanisms which are:

- legitimate,
- accessible,
- predictable,
- equitable,
- transparent,
- rights-compatible,
- a source of continuous learning and
- based on engagement with stakeholders.

3. Provide or enable access to remedy for adverse human rights and environmental impacts that Sites have caused, contributed to, or been linked with. In addition to the requirements set out in Criterion 1, Management System, this means:

- have a process in place to ensure that affected stakeholders are consulted meaningfully in the definition of an effective remedy and that prevents their victimization
- have a process and resources in place to provide for financial and non-financial compensation (e.g. acknowledgement and apology, or rehabilitation and support), as required
- provide for or support legitimate remedy processes, or contribute to the actions of others providing remedy through State-based judicial, non-judicial or other mechanisms
- engage affected rights holders to assess whether remedy measures are achieving the desired effect.

Explanatory note

Interpretation of Effectiveness Criteria

- **Legitimate:** to meet this requirement, the Site shall:
 - Identify and consult with stakeholders on the design and periodic reviews of the grievance mechanisms, in line with Criterion 8 on Stakeholder Engagement



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- Define clear timelines and milestones to assess and investigate a grievance
- Establish processes that safeguard the impartiality of grievance management and enable escalations
- Train relevant staff on the grievance mechanism and on escalation processes
- **Accessible:** to meet this requirement the Site shall
 - Identify potential barriers to access and design the mechanism taking into consideration factors such as language, educational level, gender-diversity, local and cultural context
 - Communicate the availability of the grievance mechanism publicly and make it known to potentially affected stakeholders
- **Predictable:** to meet this requirement the Site shall:
 - Have a clear process around submission, investigation and resolution of grievances
 - Make information on each step of the process available to stakeholders submitting a grievance
- **Equitable:** to meet this requirement the Site shall
 - Develop a policy or commitment to non-retaliation and confidentiality to protect stakeholders making a submission
 - Develop a process to appeal decisions
 - Assign staff to investigate and communicate on the grievance who is unbiased
 - Enable affected stakeholders to access advice and expertise necessary to engage in a grievance process on fair, informed and respectful terms
 - Engage with affected parties to determine if they are satisfied with the outcome of the grievance management process
- **Transparent:** to meet this requirement the Site shall
 - Provide affected parties with regular updates on the status of a grievance
 - Communicate outcomes to affected parties in clear and appropriate ways
 - Report externally on grievances and actions taken in response
- **Rights-compatible:** to meet this requirement the Site shall
 - Manage grievances in a way that is compatible with the respect of international human rights



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- **A source of continuous learning:** to meet this requirement the Site shall:
 - Assess the root causes of submitted grievances
 - Seek feedback from affected stakeholders on the outcomes of the grievance process
 - Have a process in place to revise the grievance mechanism at least every 5 years, after any changes to the business that may change risks, or upon any indication of a control gap in the process
- **Based on engagement and dialogue:** to meet this requirement the Site shall:
 - Involve affected stakeholders in the resolution of a grievance
 - Regularly engage stakeholders on the to gain feedback on the grievance mechanism

II. Key References:

Internationally Recognized Frameworks

The following international frameworks constitute key references for the interpretation and implementation of this Criterion.

- [The UN Guiding Principles on Business and Human Rights](#)
- [OECD Guidelines for Multinational Enterprises](#)

Additional Reading

The following literature may be useful for guidance when implementing this Criterion:

- [BSR, Access to Remedy](#)
- [Compliance Advisor Ombudsman Grievance Mechanism Toolkit](#)
- [Global Perspectives Project, Doing Business with Respect for Human Rights: Chapter 3.8 Remediation and Grievance Mechanisms](#)
- [International Council on Mining & Metals, Community Development Toolkit: Tool 5 Grievance Mechanism](#)
- [International Council on Mining & Metals, Handling and Resolving Local-level Concerns and Grievances: Human rights in the mining and metals sector](#)
- [IFC, Addressing Grievances from Project-Affected Communities](#)



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- [IFC Performance Standards on Environmental and Social Sustainability Guidance Notes](#)
- [Harvard Kennedy School of Government's Corporate Social Responsibility Initiative, Embedding Rights Compatible Grievance Processes for External Stakeholders Within Business Culture](#)
- [Harvard Kennedy School of Government's Corporate Social Responsibility Initiative, Rights Compatible Grievance Mechanisms: A guidance tool for companies and their stakeholders](#)
- [Shift, Remediation, Grievance Mechanisms and the Corporate Responsibility to Respect Human Rights](#)
- [Transparency International, Internal Whistleblowing Mechanisms – Topic Guide](#)
- [UN Office of the High Commissioner for Human Rights, The Corporate Responsibility to Respect Human Rights: An Interpretive Guide](#)

CRITERION 8: Stakeholder Engagement

Enable stakeholders' early and continued participation in decisions that affect their health, well-being, safety, livelihoods, communities, and environment, through the implementation of an inclusive and effective engagement process.

I. Implementation:

a. Interpretative guidance

Relevance

Criterion 8 on stakeholder engagement is relevant to all operational activities, irrespective of size, location, or its function in the value chain.

Inclusive and effective stakeholder engagement is a cross-cutting expectation for all salient ESG issues and applies to all other Criteria. This Criterion defines how stakeholder engagement needs to be conducted in all areas where it is required.

Site versus government responsibilities

Where stakeholder engagement is the responsibility of the government, Sites should collaborate with the responsible government agency and play an active role during the



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948 planning, implementation, and monitoring of the stakeholder engagement process and,
949 where needed, conduct a complementary process, and identify additional actions.

950
951 *b. Core Requirements*

952
953 **1. To identify and map (potentially) affected stakeholders and their legitimate**
954 **representatives, which means to:**

- 955 • Identify and map the main **stakeholders** that can be directly and indirectly
956 impacted by ESG issues associated with the Sites' **operational activities** at all
957 stages of the life-cycle (including exploration, closure and rehabilitation where
958 applicable) through a systematic approach and ensure that this process is
959 regularly updated.
- 960 • The mapping should include but not be limited to workers, affected communities,
961 government representatives, suppliers, customers, investors and trade
962 associations.
- 963 • Particular attention should be paid to vulnerable stakeholder groups such as
964 **Indigenous Peoples** and other rights holders, ethnic minorities, migrants,
965 women and girls.

966
967 **2. To implement a system to ensure inclusive and effective engagement**
968 **processes, which means to:**

- 969 • Engage with identified stakeholders early in decisions that affect their health,
970 well-being, safety, livelihoods, communities, and environment.
- 971 • Involve affected stakeholders in identifying, understanding and responding to
972 project-related decisions and concerns.
- 973 • Promote a multi-stakeholder approach to stakeholder engagement whenever
974 possible
- 975 • Ensure sufficient time for stakeholders to fully understand how decisions may
976 affect them and to consider how they may respond or engage in the decision-
977 making process.
- 978 • Conduct ongoing engagement with the purpose of collating stakeholder inputs
979 and influence decision-making on the Site's strategy to address salient ESG
980 issues throughout the lifecycle of the operational activities, including earliest
981 planning and design stages of the project.
- 982 • Provide information in advance of consultation activities and decision-making in a
983 format and language that is readily understandable, accessible and tailored to
984 the needs of the target stakeholder(s).



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- Engage honestly, frequently and collaboratively with affected stakeholders within the stakeholder mapping through a good faith consultation process that is fair; representative; free of intimidation, manipulation, interference or coercion; and non-discriminatory.
- Ensure respect for local traditions, languages, timeframes, and decision-making processes.
- Ensure two-way dialogue that gives all parties the opportunity to exchange views and information, to listen, to have their concerns heard and addressed.
- Hold a separate engagement process for Indigenous Peoples where relevant, respecting their right to FPIC, in line with Criterion 28 on Indigenous Peoples' Rights which requires Sites to implement an Indigenous Peoples' engagement plan.
- Provide a mechanism that enables stakeholders to initiate engagement with the Site on ESG issues
- Ensure the implementation of an accessible and robust grievance mechanism in line with Criterion 7 on Grievance Mechanisms.

3. To publicly disclose identified impacts on stakeholders and the measures taken for their mitigation, which means to:

- Report at least annually in line with Chapter 6 Sustainability Reporting on the results of engagement processes, including how stakeholders are identified; how and how often the Site engages with stakeholders on salient ESG issues and for what purpose, the Site decisions on salient ESG issues and how those were communicated to stakeholders;
- Proactively and timely report salient ESG issues to affected stakeholders or their legitimate representatives. The communication shall:
 - a. Explain actual and potential impacts on affected stakeholders with sufficient information to enable stakeholders to take decisions in their own interest
 - b. Be accessible to the intended audience taking into account literacy, language and cultural communication barriers
 - c. Explain how the Site plans to address the impacts
 - d. Pose no risks to affected stakeholders, personnel or to legitimate requirements of commercial confidentiality.

II. Key References:

International Operating Frameworks



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The following international frameworks constitute key references for the interpretation and implementation of this Criterion.

- [The UN Guiding Principles on Business and Human Rights](#)
- [UN Guiding Principles Reporting Framework](#)
- [AccountAbility Stakeholder Engagement Standard](#)

International Conventions and Treaties

- UN Human Rights Treaties and their Protocols, including:
 - [International Covenant on Civil and Political Rights](#)
 - International Covenant on Economic, Social and Cultural Rights
- [Universal Declaration of Human Rights](#)

Additional Reading

The following literature may be useful for guidance when implementing this Criterion:

- [BSR, Five-Step Approach to Stakeholder Engagement Toolkit](#)
- [Global Perspectives Project, Doing Business with Respect for Human Rights: Chapter 3.7 Stakeholder Engagement](#)
- [International Finance Corporation, Stakeholder Engagement: A Good Practice Handbook for Companies Doing Business in Emerging Markets](#)
- [International Institute for Environment and Development, Meaningful Community Engagement in the Extractive Industries](#)
- [International Council on Mining & Metals, Community Development Toolkit](#)
- [International Council on Mining & Metals, Stakeholder Research Toolkit](#)
- [ISO 26000 Guidance on Social Responsibility](#)
- [OECD, Due Diligence Guidance for Meaningful Stakeholder Engagement in the Extractive Sector](#)
- [Network for Business Sustainability, Community Engagement: A Getting Started Toolkit for Exploration and Development Companies](#)
- [Next Generation, How Stakeholder Engagement Improves Community Development Projects and Programmes](#)
- [OHCHR: Frequently Asked Questions about the Guiding Principles and Human Rights](#)
- [OHCHR: The Corporate Responsibility to Respect Human Rights: An Interpretive Guide](#)



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- 1058 • [PDAC, Community Engagement Guide](#)
- 1059 • [UN Global Compact, Community Engagement and Investment to Advance Human](#)
- 1060 [Rights in Supply Chains](#)
- 1061 • [UN Guiding Principles Reporting Framework with Implementation Guidance](#)
- 1062 • [World Resources Institute, Breaking Ground: Engaging Communities in](#)
- 1063 [Extractive and Infrastructure Projects](#)
- 1064
- 1065
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1067 CRITERION 9: Mine Closure and Reclamation

1068
1069 **Ensure the long-term environmental, social, and economic stability of**
1070 **mining communities through the implementation of a system to manage**
1071 **mine closure and reclamation.**
1072

1073 I. Implementation:

1074 a. Interpretative guidance

1075 Relevance

1076 While the relevance of mine closure and reclamation becomes more accentuated towards
1077 the final phases of Sites' operational lives, planning for closure is a continual exercise
1078 throughout all phases. Therefore, this Criterion is relevant for mining at every phase of
1079 mining.
1080

1081 This Criterion's application should be proportional to the size, complexity, location, and
1082 strength of the economic linkages of its situation, but it is relevant across all types and
1083 locations of mining Sites.
1084

1085 b. Core Requirements

1086 Sites are expected to ensure the long-term environmental, social, and economic stability
1087 of mining communities, which means:
1088

1089 1. To identify risks and opportunities from mine closure and reclamation in line 1090 with [The ICMM Integrated Mine Closure, Good Practice Guide, 2nd Edition](#).,

1091 As well as the requirements in Criterion 2, where applicable to their operational
1092 activities, Sites shall:

- 1093 • Assess potential and actual impacts of the Site's operational activities including but
1094 not limited to:
 - 1095 ○ land controlled and facilities managed by Sites.
 - 1096 ○ rivers, streams, lakes, other water bodies, and coast lines affected by
1097 operational activities;
 - 1098 ○ surface and sub-surface water sources managed or affected by operational
1099 activities;
 - 1100



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- workers, communities, households, and individuals affected by operational activities, including transport routes, warehousing and dock facilities, and auxiliary industries, and service providers;
 - equipment, machinery, and installed infrastructure that might remain at Sites post closure;
 - all potential and actual direct and indirect adverse impacts across all environmental, social, and governance aspects;
 - opportunities for where closure can create benefits for affected stakeholders;
 - all legal and regulatory requirements and potential liabilities related to mine closure;
 - Establish a baseline, which means to generate, gather, and analyze relevant data and information on the status of Sites' features, aspects, operational activities, and stakeholders in scope including but not limited to:
 - emissions and discharges to air, soil, water, and ecosystems and especially those that might continue post closure;
 - the physical and psychological health of neighboring communities and other affected stakeholders;
 - the traditions and cultural heritage of neighboring communities and other affected stakeholders;
 - the business viability and economic linkages of outsourced auxiliary services to Sites;
 - the level of tax revenue and other economic rent received from authorities from Sites.
- 2. To implement an action plan to manage mine closure and reclamation aligned with [The ICMM Integrated Mine Closure, Good Practice Guide, 2nd Edition](#),**
- Sites' plans should include, but not be limited to:
- a vision for post-closure that is supported by affected stakeholders, which means to articulate what the Sites and its stakeholders agree to achieve after decommissioning and the legacy it will leave behind. This vision should serve as an overarching guide for the decisions and their implications throughout the Site's life. It should be developed as early as possible in the process and as a part of early and ongoing stakeholder engagement, with the intention of preventing, mitigating or remediating adverse impacts of mine closure;
 - a land use opportunity assessment;



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- the continual involvement of stakeholders potentially affected by the activities and legacy of the closure plan in the development and implementation of the plan in line with Criterion 8 on Stakeholder Engagement;
 - where possible, mitigation measures to avoid, reduce, restore, and compensate for impacts on the environment and to respect and remediate rights of people affected by Sites' closure and by Sites' closure and reclamation activities. These mitigation measures should address but not be limited to potential and actual impacts associated with:
 - physical and economic displacement from land acquisition and divestment and **resettlement**, in line with Criterion 25 on Land Acquisition and Resettlement;
 - water use and quality in line with Criterion 28 on Water Stewardship;
 - hazardous and non-hazardous waste disposal in line with Criterion 29 on Responsible Waste Disposal;
 - biodiversity and high value conservation and protected areas in line with Criterion 32 on Biodiversity and Land Management.
 - opportunities to contribute to the creation of benefits for post-mining communities including the provision of support for mine workers and suppliers through engagement with local stakeholders to identify reskilling options and procurement opportunities from other regional mine sites and non-mining sector buyers;
 - make financial provision for closure and reclamation, which means to estimate and regularly review the costs associated with the closure and reclamation plan and provide adequate financial, human, and other resources to meet these costs. To assure financial provision, the Sites should ensure that they have sufficient funds to cover the reclamation and closure costs that have been identified in an appropriate financial vehicle that is independently guaranteed, reliable, and readily liquid. The size of the financial provision and how funds are segregated and secured should comply with all legal and regulatory requirements identified in impact assessments and in line with Criterion 5 on Legal Compliance;
3. **To implement a management system for mine closure and reclamation.** As well as the requirements in Criterion 1, the Site shall:
- Establish procedures to ensure compliance with all relevant legal and regulatory obligations related to mine closure and reclamation in line with Criterion 5 on Legal Compliance;
 - develop and document a forward-looking program detailing goals and measurable targets for success and corresponding activities and a timeline to mitigate the



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negative and capture the positive impacts of closing mine Sites, and to implement the plan

- Generate a level of detail that is commensurate with the life of mine timeline i.e. the closer to closure the mine is, the greater the level of detail required;
- conduct continued monitoring of the performance of the closure and reclamation plan, which means to establish a system of controls and the implementation of indicators and protocols for collecting and analyzing information to evaluate the performance of the plan in achieving its objectives;
- Conduct annual reviews and, where necessary, continual amends and updates to adapt to changes in mine plans and to the social and economic circumstances of affected stakeholders.

4. **To disclose performance against implementation of the mine closure and reclamation plan**, which means to disclose all relevant information needed to clearly inform stakeholders of the Sites' related impacts, and benefits from mine closure and reclamation in line with Criterion 6 on Sustainability Reporting.

II. Key References:

Internationally Recognized Frameworks

The following international frameworks constitute key references for the interpretation and implementation of this Criterion.

- [The ICMM Integrated Mine Closure: Good Practice Guide, 2nd Edition](#)

Additional Reading

- [Australian Government, Department of Industry, Tourism and Resources; *Mine Closure and Completion, Leading Practice Sustainable Development Program for the Mining Industry*](#)
- [Initiative for Responsible Mining Assurance Standard for Responsible Mining – Guidance Document, Version 1.0, Criteria 2.6.2](#)
- [International Council on Mining & Metals Integrated Mine Closure: Good Practice Guide, 2nd Edition](#)



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1213 CRITERION 10: Responsible Supply Chains

1214
1215 **Respect regulatory requirements and promote responsible business**
1216 **conduct in supply chains through the implementation of corporate or**
1217 **site-level, comprehensive, integrated, iterative, and risk-based due**
1218 **diligence.**
1219

1220 I. Implementation:

1221 a. Interpretative Guidance

1222 Relevance

1223 The mineral supply chain involves a variety of actors from the extraction, transport,
1224 handling, trading, processing and manufacturing of a mineral to the delivery of the final
1225 product to end users.

1226 **Due diligence** is expected of all supply chain actors and is an ongoing process to ensure
1227 business activities respect human rights and the environment and do not contribute to
1228 conflict, through proactive prevention and management of adverse risks and impacts in
1229 supply chain relationships and supply chain partners' operations.

1230 Part 1 (Core Requirements) of this section applies to all actors of a Site's supply chain,
1231 including direct and indirect **business partners**. Part 2 (Responsible Minerals Sourcing)
1232 applies only to the mineral supply chain with direct inputs into the end product, and
1233 includes information regarding the enhanced due diligence procedures required if red
1234 flags are present in the mineral supply chain.

1235 b. Part 1: Core Requirements

1236 Sites are expected to respect regulatory requirements and promote **responsible**
1237 **business conduct** in supply chains through the implementation of corporate or site-level,
1238 comprehensive, integrated, iterative, and risk-based due diligence processes.

1239 Sites shall:

- 1240
1241 i. **Embed responsible business conduct into supply chain due diligence policy**
1242 **and management systems**, which means that:



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- Sites adopt and disseminate a responsible supply chain policy on environmental, social, and governance issues associated with the activities and topics in this guidance (in line with Criteria 1 and 2). The policy is publicly available and communicated internally and externally to relevant stakeholders. Where relevant, the policy should be made available in local languages, and should be accessible and understandable to all relevant workers.
- The supply chain policy includes a commitment to identify, mitigate, prevent, monitor, communicate and remedy the potential and actual **ESG issues** in the Site's supply chains.
- The policy is developed and periodically reviewed to be responsive to the findings of: each Site's issue monitoring and issue assessments; engagement with supply chain partners and potentially affected stakeholders in the company's supply chains; and the efforts made to monitor the effectiveness of the Site's responsible supply chain management system.
- Sites incorporate supply chain **due diligence** expectations and policies into engagement with suppliers, including, where applicable, contracts and written agreements.
- Within written agreements or contracts with suppliers, Sites have a documented process to follow in cases of non-compliance, including a supplier escalation process in the event of non-compliance.
- Where sites have a policy dedicated to managing a specific issue in its supply chain, the policy outlines the Site's specific approach to manage the issue either as part of its overall responsible supply chain commitment or available separately.
- Sites demonstrate appropriate governance of the supply chain policy, which means that:
 - Senior management approves the policy and has oversight of and accountability for its implementation.
 - Roles and responsibilities for the implementation of relevant management procedures and processes are assigned to staff, according to their functions and competences.
- Each site's operational-level grievance mechanism is publicly available and communicated to suppliers as part of supplier onboarding. The mechanism is accessible and understandable to suppliers and potentially affected people. A whistleblower system and protection of whistleblowers should also be available.
- Appropriate internal resources, financial and otherwise, are allocated to implement the supply chain policy and relevant action plan(s).

ii. **Identify and assess salient issues in supply chains**, which means that:

- Sites carry out a high-level scoping exercise to identify all areas of the supply chain where issues are most salient. The result is an initial prioritization of the most **salient ESG issues** for further assessment.



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- 1289 • Starting with the areas of **salient ESG issues** identified above, carry out in-depth
1290 assessments of prioritized suppliers, services and business relationships to
1291 identify and assess specific actual and potential adverse impacts.
1292

1293 **iii. Implement an action plan for prevention and mitigation of adverse impacts,**
1294 which means that:

- 1295 • Sites have in place a process to determine the nature of their involvement with
1296 the actual or potential adverse impacts identified in order to determine whether
1297 the Site has caused or contributed to an adverse impact, or is directly linked to
1298 an adverse impact, through its supply chain.
1299 • Sites have action plan(s) in place to address the prevention or mitigation of the
1300 most salient risks and impacts for action, based on severity and likelihood. These
1301 plans include but are not limited to actions that help address the root causes of
1302 harms to people and nature.
1303 • Sites respond to risks and impacts associated with suppliers through:
1304 continuation of the relationship through ongoing prevention, mitigation and
1305 remedy efforts; temporary suspension of the relationship while pursuing ongoing
1306 prevention, mitigation and remedy efforts; or disengagement with the supplier or
1307 business relationship after failed attempts at prevention or mitigation, or where
1308 prevention or mitigation is not feasible, or because of the severity of the adverse
1309 impact.
1310 • Where relevant, Sites proactively include the enablement of participation by small
1311 and medium-scale enterprises (SMEs) and artisanal and small-scale miners in
1312 their risk prevention and mitigation plans.
1313

1314 **iv. Monitor and track the implementation of the responsible supply chain action**
1315 **plan(s)**, which means that:

- 1316 • Sites track the implementation and effectiveness of measures to identify, prevent
1317 and mitigate impacts. This may include, but not depend upon, audits. Lessons
1318 learned are used to improve future processes.
1319 • Sites have a process in place to adjust the supply chain management system
1320 based on the results of their iterative risk assessments, consultations with
1321 relevant supply chain stakeholders and system effectiveness assessments.
1322

1323 **v. Report formally and publicly on Sites' plans, actions, goals, and targets for**
1324 **managing environmental, social and governance issues in their supply chains, in line**
1325 **with Criterion 6 on Sustainability Reporting.**
1326

1327 **vi. Remediate where appropriate, which means that:**



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- Sites have a defined approach to provide or cooperate with remediation in its supply chain, based on whether the Site has caused or contributed, or is linked to, an adverse impact.
- When the Site has caused or contributed to an adverse impact, the approach includes: consultation and engagement with affected stakeholders to define effective remedy, including seeking to restore the affected person(s) and/or environment to the situation they would be in had the adverse impact not occurred, where possible, and enabling remediation that is proportionate to the significance and scale of the adverse impact; trained personnel; adequate financial resources; and accountability from senior management.
- When the Site is linked to an adverse impact in its supply chain, the approach includes: using and building leverage with suppliers to prevent and mitigate impacts, and monitoring the remediation process.
- Sites encourage or require suppliers to put in place both: a defined approach to provide or cooperate with remediation in their operations or supply chain, and a complaints mechanism and procedure in line with the UNGP effectiveness criteria.

c. Part 2: Responsible minerals sourcing

It is of paramount importance for Sites to conduct **due diligence** to determine whether the minerals in their supply chain originate from or are transported through **conflict-affected or high-risk areas (CAHRAs)**, thereby triggering the obligation for enhanced due diligence and reporting procedures. Guidance for determining CAHRAs may be defined per OECD-aligned standards.

Part 1 (Core Requirements) above applies to all elements of a Site's supply chain, including direct and indirect business partners. Here, Part 2 (Responsible Minerals Supply Chain Policies and Procedures) applies only to the mineral supply chain with direct inputs into the end product, and includes information regarding the enhanced due diligence procedures required if red flags are present in the mineral supply chain. For Sites to whom Part 2 applies, the responsible minerals supply chain policy and related processes shall include all the requirements of Part 1, as well as the additional requirements outlined below.

The section below is a non-exhaustive summary of requirements applicable to Sites producing or sourcing minerals, directly or indirectly. The provisions defined in this chapter should not be construed as comprehensive guidance and do not represent an OECD-aligned standard. It is the Site's responsibility to determine the appropriate



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standard(s) to enable it to meet regulatory and market expectations. Sites are encouraged to contact the standard owners directly for information on their applicability, alignment with the OECD Guidance, and their specific compliance requirements.

For additional information, visit the [RMI](#) or [The Copper Mark](#), both of which have developed OECD-aligned standards.

In addition to implementation of Part 1, Sites shall:

i. **Embed responsible business conduct into mineral supply chain due diligence policy and management systems**, which means that:

- Sites adopt and disseminate, to suppliers and the public, a responsible minerals supply chain policy associated with the activities and topics in this guidance (in line with Criteria 1 and 2). This can be the same policy as the one described in Part 1. Coverage must include the Annex II risks found in the OECD Minerals Guidance along with the salient issues identified through application of Part 1 of this chapter.
- Sites establish systems of control or transparency over the mineral supply chain, including identification of upstream actors. This may be implemented through the company or with the support of upstream mechanisms.
- Where possible, Sites assist suppliers in building their capacities to improve their due diligence performance.

Upstream Sites:

- In addition to the requirements above, Sites shall have a chain of custody or traceability system if red flags have been identified. Information generated should be available on a disaggregated basis. Details on the relevant data are typically defined in the OECD-aligned standards in greater detail.

ii. **Identify and assess risks and impacts in mineral supply chains**, which means that:

- Sites conduct a risk assessment annually, or whenever there is a change of circumstances in the Site's supply chain.
- Sites determine whether the minerals in their supply chain are extracted, traded, transported or exported from a conflict-affected or high-risk area. Resources exist for Sites to identify CAHRAs, and they may also contact [RMI](#) or [The Copper Mark](#) for further information.
- Sites identify whether red flag locations of mineral origin or transit or supplier red flags are present in their supply chain, per the OECD-aligned standards.



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Downstream Sites:

- Sites develop a process to undertake assessments at strategic points in the mineral supply chain, referred to as “identified points” or “pinch points.” Identified points typically meet the following criteria, and are usually the smelters, refiners or mineral processors in the supply chain:
 - Key points of transformation in the supply chain.
 - Stages in the supply chain that generally include relatively few actors that process a majority of the commodity.
 - Stages in the supply chain with visibility and control over the circumstances of production and trade upstream.
 - Stages in the supply chain that present the greatest points of leverage of downstream enterprises.
- Sites support independent third-party audits of identified points’ due diligence practices.
- Sites assess the due diligence practices of identified points in its supply chain.
- The implementation of **due diligence** is the responsibility of a Site. Sites may implement one or more elements of this chapter through collective efforts involving supply chain **stakeholders** and other relevant **stakeholders**, this does not release companies from being responsible for the scope and quality of **due diligence** in their own supply chains.

Upstream Sites:

- Sites determine the scope of the risk assessment of the mineral supply chain, targeting minerals and suppliers triggered by the red flag locations of mineral origin or transit or supplier red flag analysis along with the salient issues identified through application of Part 1 of this chapter.
- Sites map out the factual circumstances of supply chains where red flags have been identified, clarifying mineral chain of custody and identifying the locations and conditions of the extraction, trade, handling and export of the minerals, for the purpose of informing the mineral supply chain risk assessment.
- Sites carry out on-the-ground risk assessments for CAHRAs or red-flagged suppliers or supply chains.

iii. Implement an action plan for prevention and mitigation of risks and impacts, which means that:

- Sites report findings of the mineral supply chain risk assessment to designated senior management.
- Sites take necessary steps to build leverage over suppliers or upstream actors who can most effectively prevent or mitigate identified risks and impacts.



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- Sites consult with suppliers and potentially affected stakeholders to agree on the appropriate prevention or mitigation strategy.
- Sites track the implementation and effectiveness of risk mitigation measures. Risk mitigation should be adjusted to the Site's specific suppliers and the contexts of their operations, state clear performance objectives within a reasonable timeframe, and include qualitative and/or quantitative indicators to measure improvement.
- Regarding Annex II risks, Sites should refer to OECD Minerals Guidance Annex I Model Policy to guide their risk management.
- Sites conduct ongoing risk monitoring, including undertaking additional fact and risk assessments for risks requiring prevention or mitigation. After implementing a risk prevention and mitigation strategy, Sites repeat Step 2 (risk assessment) to monitor effectiveness of the risk management plan.

Downstream Sites:

- Where appropriate, Sites assist suppliers in capacity-building to improve risk management.

Upstream Sites:

- Sites implement, monitor and track performance of risk prevention and mitigation in cooperation and/or consultation with local and central authorities, other upstream Sites, international or civil society organizations, and affected stakeholders.
- Sites are encouraged to engage with relevant stakeholders towards progressive minimization and elimination of adverse impacts within a reasonable time frame.
- Sites carry out actions to prevent or remediate identified risks, through, for example, participation in relevant programs, support for vocational training or formal education, awareness-raising campaigns, other forms of education, and/or psychosocial support.
- Sites engage in multi-stakeholder efforts to assist vulnerable populations, directly or through participation in a relevant program. Where this includes artisanal and small-scale miners, see Criterion 22 Artisanal and Small-Scale Mining.

iv. Carry out independent third-party audit of mineral supply chain due diligence at identified points in the supply chain, which means that:

- Sites ensure companies at identified points in the supply chain (e.g. smelters and refiners or mineral processors) have their due diligence practices audited by independent third parties. Audits may be used to inform the effectiveness tracking required in Part 1.

Upstream companies:



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- Sites publish the summary audit reports of identified points, including the details and dates of the audit report, and the audit activities and methodology, with due regard to business confidentiality or other competitive or security concerns. The report includes audit conclusions.

v. **Report formally and publicly** on mineral supply chains due diligence, in line with Part 1. Different levels of detail are expected with disclosure, whether or not red flags have been identified in Sites' supply chains.

- In addition to the requirements above, Sites disclose actual or potential risks identified, including Annex II risks and any other risks identified.
- Sites describe the steps taken to manage risks. This should include a summary of the strategy for risk mitigation in the risk management plan, including how Sites responded to specific risks or incidents.
- Sites outline their mitigation and prevention actions, including those addressing Annex II risks and others.
- Sites disclose the implementation and effectiveness of risk mitigation efforts.
- Sites describe the involvement of affected stakeholders.

Downstream Sites:

- Sites explain the methodology of its supply chain risk assessments.
- Sites disclose the published list of "identified points" (smelters and refiners or mineral processors) in its supply chain that are qualified through industry schemes.

Upstream Sites:

- Sites outline the steps taken to map out the factual circumstances of supply chains where red flags have been identified.
- Sites disclose the risks and impacts identified and publish the results of on-the-ground risk assessments.
- Sites disclose capacity-building and training of suppliers and relevant workers, if any, in the last 12 months.
- Sites disclose involvement with affected stakeholders in the last 12 months.
- Where relevant, Sites disclose information on payments made to governments.

vi. **Remediate where appropriate**, in line with the requirements of Part 1.

I. **Key References:**

Internationally Recognized Frameworks



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The following international frameworks constitute key references for the interpretation and implementation of this Criterion.

- [OECD, Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas](#)
- [OECD, Due Diligence Guidance for Responsible Business Conduct](#)
- [United Nations Guiding Principles on Business and Human Rights \(UNGPs\)](#)
- [OECD, Artisanal and small-scale gold mining](#)
- [The European Partnership Responsible Minerals Due Diligence Hub](#)
- [The UN Guiding Principles Reporting Framework](#)
- [Doing Business with Respect for Human Rights: A guidance tool for companies](#)
- [The Responsible Minerals Initiative, Responsible Minerals Assurance Process \(RMAP\): Documents and Tools](#)



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1545 CRITERION 11: Climate Action

Contribute to the goals of the Paris Agreement to curb global temperature rising to 1.5°C above pre-industrial levels through the implementation of a corporate or site-level, comprehensive, integrated climate change mitigation and adaptation strategy.

1546

1547 I. Implementation:

1548 a. Interpretative guidance

1549 Relevance

1550 The relevance of this Criterion is related to the carbon intensity of a Site's business
1551 processes and to the physical effects of climate change where they are located. For that
1552 reason, this Criterion requires Sites to develop and implement a climate action strategy
1553 that is proportional to their size and complexity and incorporates both mitigation and
1554 adaptation measures.

1555

1556 Corporate or site-level

1557 Strategies and plans may be designed and developed specifically for and by Sites, or
1558 Sites may participate in and apply the policies, procedures and practices of corporate
1559 strategies and plans governed by a parent company or group.
1560

1561 b. Core Requirements

1562

1563 Sites are expected to implement a comprehensive integrated **climate change mitigation**
1564 and **adaptation** strategy and plan. This means:

1565 1. Demonstrate a commitment to taking climate action that includes

- 1566 • Avoiding and reducing **greenhouse gas** emissions linked to Sites' operational
- 1567 activities at a pace and scale consistent with mitigation pathways that meet the
- 1568 goals of the Paris Agreement to curb global temperature rise to 1.5°C above
- 1569 pre-industrial levels



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- Protecting facilities, workers and **affected stakeholders** from the adverse impacts of climate change.

2. Identify and assess all material causes and effects of climate change linked with the Sites' operational activities. As well as the requirements in Criterion 2, Sites' risk assessments shall:

- assess the direct and indirect material causes and effects of climate change, including consideration of the effects on the **human rights of affected stakeholders**
- document and centralize a full inventory of identified climate-related impacts
- regularly update the impact assessment
- enable **affected stakeholders'** early and continued participation in the assessment of material effects and in formulation of the action plan, which means to engage stakeholders whose traditions, livelihoods, rights, and knowledge will be, or risk being impacted by climate change and Sites' strategies in line with Criterion 8 on Stakeholder Engagement.

3. To communicate commitment and assign responsibilities for implementation in line with Criteria 1, which means:

- To communicate climate commitments and plans to relevant staff, suppliers, customers, business partners and engaged key stakeholders.
- To define clear roles, responsibilities, and senior management accountabilities for implementation of the commitment and action plans, and assign resources to support implementation.
- To define procedures and processes for the implementation of climate plan and train relevant personnel

4. Design and implement a Site-wide plan to mitigate and adapt to the adverse biogeophysical and social impacts of climate change. Sites may implement several stand-alone climate-related plans or combine all climate-related measures into one plan. The plan shall be:

- **comprehensive**, which means address all the potential and actual climate-related impacts identified in Sites' impact assessments
- **integrated**, which means to include all operational activities, and all management and operating functions and levels. An integrated approach embeds topic-specialist or personnel with training or experience in management teams, which enables appropriate oversight of measures to mitigate and adapt to all potential or actual climate-related impacts;



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- **designed to manage the effects** of climate change across all relevant functions, policies, processes, operations, and business and stakeholder relationships, and in business decisions, at all levels of the organization.

The plan shall include:

- mitigation measures, including but not limited to the:
 - reduction of **greenhouse gas** emissions and use of carbon offsets in line with Criterion 27 on Greenhouse Gas Emissions Reductions;
 - reduction and management of waste and recycling of natural resources and materials in line with Criterion 30 on Circular Economy;
 - protection of biodiversity in line with Criterion 32 on Biodiversity Management;
 - incorporation of expectations for **greenhouse gas** emission reductions into **supplier** agreements in line with Criterion 10 on Responsible Supply Chains
- adaptation measures, including but not limited to the:
 - consideration of the impacts of climate change in the location and design of Sites and operational activities in line with Criterion 28 on Water Stewardship, 31 on Tailings Management, 32 on Biodiversity Management, and 33 on Land Management;
 - consideration of the impacts of climate change on worker health and safety in line with Criterion 18 on Occupational Health and Safety;
 - consideration of the impacts of climate change in mine closure and reclamation plans in line with Criterion 9 on Mine Closure and Reclamation.



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Carbon offsets are an acceptable mitigation measure when compensating for significant residual greenhouse gas emissions that cannot be avoided. The decision to use offsets to mitigate greenhouse gas emissions should be considered only when all other possible pathways to avoid or reduce emissions directly have been exhausted. The mitigation hierarchy should always be applied, which means Sites should avoid producing emissions at the source from the outset of activities and reduce the intensity of emissions that cannot be completely avoided before planning to make offsets. Where Sites are left with no other plausible option to mitigate for residual greenhouse gas emissions other than to offset, selecting the appropriate intervention should be considered carefully and with reference to international best-practice standards. Where possible, such offsets should prioritize interventions that help preserve and enhance existing terrestrial carbon stocks, including through the protection of biodiversity in line with Criterion 33 on Biodiversity Management.

- 5. To publicly disclose** impacts, action plans, targets, progress and results related to climate change at least annually in line with Criterion 6 on Sustainability Reporting.

II. Key References

Internationally Recognized Frameworks

The following international frameworks constitute key references for the interpretation and implementation of this Criterion.

- [Paris Agreement, 2015](#)
- [GHG Protocol Corporate Accounting and Reporting Standard](#) and [Calculation Tools](#)
- [ISO 14064-1: 2018 Greenhouse gases – Part 1: Specification with guidance at the organisation level for quantification and reporting of greenhouse gas emissions and removals](#)
- [Science Based Targets Initiative](#)

International Conventions and Treaties

- [United Nations Framework Convention on Climate Change \(UNFCCC\)](#)



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Additional Reading

The following literature may be useful for guidance when implementing this criterion:

- [CPD Climate Change Disclosure](#)
- [SASB / Value Reporting Foundation Metals and Mining Standard](#)
- [Task Force on Climate-Related Financial Disclosures \(TCFD\)](#)
- [International Council on Mining and Metals, Adapting to a Changing Climate: Building resilience in the mining and metals industry](#)
- [International Panel on Climate Change \(IPCC\) Assessment Report 6.](#)
- [ISO 14091: 2021 Adaptation to climate change – Guidelines on vulnerability, impacts and risk assessment](#)
- [TCFD Knowledge Hub](#)
- [UN Sustainable Development Goals \(SDGs\): Goal 13 Climate Action](#)
- [UN Global Compact Blueprint for Business Leadership on the SDGs: 13 Climate Action](#)
- [World Economic Forum: How to Set Up Effective Climate Governance on Corporate Boards; Guiding principles and questions](#)



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CRITERION 12: Child Labor

Respect children's rights through the implementation of a system to prevent and mitigate the risk of child labor and remedy adverse impact.

I. Implementation:

a. Interpretative guidance

While child labor is a serious issue that can occur in all businesses, irrespective of size, location, or function in the value chain, the occurrence of child labor varies considerably by mineral and by country and region.

Child labor is mostly evident in supply chains that rely on unskilled cheap labor. Most minerals and metals are extracted and processed at industrial mining operations and facilities that are increasingly mechanized and depend mostly on highly-skilled labor. However, there is a risk of child labor being present in indirect employment contracts, such as outsourced auxiliary functions of an operation or in supply chains serving industrial mining, processing, and manufacturing facilities. For example, apparel and uniform suppliers, employment agencies, and food vendors are outside the direct control of Sites' employment policies and might not apply similarly high standards. The risk of child labor is also particularly known to be present in artisanal and small-scale mines (ASM). Sites should consider these less obvious parts of their business to ensure they are not associated with child labor and, where there is a risk of association, take measures for its prevention and remediation.

ILO exceptions

The ILO Minimum Age Convention (ILO C138) recognizes that certain countries have, due to exceptional circumstances, set their minimum age of work at 14 years old. The ILO explicitly permits this in certain narrow circumstances. This guidance also recognizes those same ILO exceptions.

b. Core Requirements:

Sites are expected to respect children's rights and address adverse impacts with which



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they are involved by conducting due diligence in line with the UN Guiding Principles on Business and Human Rights. This means:

To demonstrate a commitment to respecting children's rights that includes:

- Not employing, directly or indirectly, children below 15 years, unless the exceptions recognized by the ILO apply,
- Prohibiting hazardous work for workers under 18 years of age and protecting young workers from conditions of work which are prejudicial to their health, safety, morals, and development

1. To identify risks of child labor. As well as the requirements in Criterion 2, risk assessment shall:

- Assess potential and actual impacts of the Site's operational activities including
 - workers directly and indirectly employed by Sites; and,
 - business partners and suppliers operating in areas considered to be at risk of employing child labor in line with Criterion 10 on Responsible Supply Chains.
- Communicate impacts to affected stakeholders in ways that are physically accessible and understandable

2. To communicate the commitment and assign responsibilities for implementation, which means:

- Commitments to respect children rights and action plans have been communicated to relevant staff, suppliers, customers, business partners and stakeholders.
- Roles, responsibilities, and accountabilities for implementation of the commitment and action plans are clear, and resources have been assigned to support implementation.
- Protection of children and young workers is included in the training of relevant personnel

3. To implement an action plan to prevent and mitigate risks of child labor which means to:

- identify areas and activities of hazardous work in its operations, with reference to the country of operation's list of hazardous activities, its labor laws and regulations, to define which work can be performed by young workers;
- Establish a robust age verification mechanisms to ensure children are not being contracted to work on companies' Sites;



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- Provide Occupational Health and Safety training specific to young workers
- Define working hours and scope of work that do not harm young workers and allow attendance of school or training programs
- where companies engage contractor workforces providing services on Sites – such as construction, engineering, operating a business process or activity, cleaning, catering and security – ensure that the policies, procedures or processes are applied in full to these workforces.
- consult with engaged key stakeholders (e.g., governments, communities, and civil society organizations) regarding salient risks identification and action planning.

4. To implement a management system to prevent and mitigate risks of child labor.

As well as the requirements in Criterion 1, the Site shall:

- Establish procedures or processes to implement the action plan and track its effectiveness;
- maintain copies of documentary evidence of workers' ages where legally allowed;
- where companies identify the risk of association of child labor with businesses in their supply chain, take enhanced measures to ensure the policy and procedures are applied.

5. To remediate child labor means to include in the management system procedures to remediate cases of child labor. As well as the requirements in Criterion 1, the Site shall:

- implement or participate in a grievance mechanism to alert management to the risk of or incidence of child labor in line with Criterion 7 on Grievance Mechanisms
- Train young workers on how to use the grievance mechanism
- Establish a procedure to provide for or participate in remedy if a child labor incident arises in its operations or supply chain, including investigating the root causes of the incident
- define and evaluate effective remediation steps in case child labor is found, with the ultimate objective of protecting the welfare of the child
- provide access to qualified independent third parties and to a legitimate escalation channel (e.g. to a State-based judicial or non-judicial grievance mechanism) to which the victim can recur if the Site is not able to provide effective remedy.

6. To publicly disclose impacts, action plans, progress and results, in line with Criterion 6 on Sustainability Reporting, taking care that children's safety, privacy and identities are protected throughout reporting



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II. Key References

Internationally Recognized Frameworks

The following international frameworks constitute key references for the interpretation and implementation of this Criterion.

- [The UN Guiding Principles on Business and Human Rights](#)
- [ILO Convention C138 on Minimum Age](#)
- [ILO Convention C182 on Worst Forms of Child Labour](#)

International Conventions and Treaties

- [United Nation's Convention on the Rights of the Child](#)
- [ILO Declaration on Fundamental Principles and Rights at Work](#)

Additional Reading

The following literature may be useful for guidance when implementing this Criterion:

- [ILO, Checkpoints for Companies – Eliminating and Preventing Child Labour](#)
- [ILO, International Organisation for Employers \(IOE\) – Child Labour Guidance Tool for Business](#)
- [OECD, Practical Actions for Companies to Identify and Address the Worst Forms of Child Labor in Mineral Supply Chains](#)



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CRITERION 13: Forced Labor

Respect workers' rights to voluntary and freely chosen employment through the implementation of a system to prevent and mitigate the risk of any form of forced labor and to remedy adverse impact.

I. Implementation:

a. Interpretative guidance:

To assess the saliency of forced labor risks in its operations and supply chain, the Site should consider the full range of right holders that can be impacted by its operations and business relations. Those include the Site's own workforce, indirect employment contracts, outsourced auxiliary functions such as construction workers, apparel and uniform suppliers, employment agencies and food vendors. Sites should consider these less-obvious parts of their business to assess the risk of association with forced labor and, where there is a risk of association, take measures for its prevention and remediation.

b. Core Requirements:

Sites are expected to respect workers' right to voluntary and freely chosen employment and address adverse impacts with which they are involved by conducting due diligence in line with the UN Guiding Principles on Business and Human Rights. This means:

1. To demonstrate a commitment to respect workers' right to voluntary and freely chosen employment that includes:

- Not engaging, directly or indirectly, tolerating, or supporting forced labor, bonded labor or involuntary or exploitative prison labor in line with both ILO Conventions No. 29 and No. 105
- Adhering to internationally recognized responsible recruitment principles

2. **To identify risks of forced labor.** As well as the requirements in Criterion 2, the Site shall include:

- workers directly and indirectly employed by Sites;
- business partners and suppliers in line with Criterion 10 on Responsible Supply Chains.



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3. To communicate the commitment and assign responsibilities for implementation, which means:

- Commitments and action plans have been communicated to relevant staff, suppliers, customers, business partners and stakeholders.
- Roles, responsibilities, and accountabilities for implementation of the commitment and action plans are clear, and resources have been assigned to support implementation.
- Prohibition of forced labour is included in the training of relevant personnel

4. To implement an action plan to prevent and mitigate risks of forced labor, which means to:

- not allow the use of physical coercion, abuse, or inhuman treatment practices;
- not allow the restriction of the freedom of movement of workers in the workplace or in on-site housing;
- not allow unlawful retention of wages, benefits or illegal deductions, including under so called 'debt bondage' agreements;
- not allow withholding of original copies of workers' personal documentation, such as identity papers or passports, and valuables;
- not allow the requiring of any form of deposit, recruitment fee, or equipment advance from workers, either directly or through recruitment agencies;
- pay wages on time and to each worker directly;
- allow workers to leave work and freely terminate their employment upon due notice.
- consult with engaged key stakeholders (e.g., governments, communities, and civil society organizations) regarding salient risks identification and action planning.

5. To implement a management system to prevent and manage risks of forced labor. As well as the requirements in Criterion 1, the Site shall:

- Establish procedures or processes to implement the action plan and track its effectiveness;
- provide clear and transparent recruitment contracts, prior to employment, in a language understood by the worker
- Maintain valid work permits for all workers
- require implementation of due diligence on counterparties when recruiting workers through agents or subcontractors and only use counterparties with formal business licenses or certification by the relevant authority;



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6. To remediate the use of any form of forced labor means to include in the management system procedures to remediate cases of forced labor. As well the requirements in Criterion 1, the Site shall:

- implement a grievance mechanism to alert management to the risk of or incidence of forced labor, in line with Criterion 7 on Grievance Mechanisms.
- Establish a procedure to provide for or participate in remedy if a forced labour incident arises in its operations or supply chain, including investigating the root causes of the incidents
- immediately terminating practices that result in forced labor;
- implement procedures to evaluate effective remediation steps in case forced labor is found, with the ultimate objective of protecting the welfare of the victims
- define the remediation measures in consultation with impacted workers and their representatives and other stakeholders such as civil society organizations that can represent and advocate for the interests of workers;
- provide access to qualified independent third parties and to a legitimate escalation channel (e.g. to a State-based judicial or non-judicial grievance mechanism) to which the victim can recur if the Site is not able to provide effective remedy.

7. To publicly disclose impacts, action plans, progress and results of salient risks and measures taken by the Site to prevent, mitigate or remedy adverse impacts, in line with Criterion 6 on Sustainability Reporting, taking care that victim's safety, privacy and identities are protected throughout reporting

II. Key References

Internationally Recognized Frameworks

The following international frameworks constitute key references for the interpretation and implementation of this Criterion.

- [The UN Guiding Principles on Business and Human Rights](#)
- [OECD Guidelines for Multinational Enterprises](#)
- [ILO Convention C029 on Forced Labour](#)
- [ILO Convention C105 on Abolition of Forced Labour](#)

International Conventions and Treaties



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- 1916 • [United Nation's Protocol to Prevent, Suppress, and Punish Trafficking in Persons](#)
- 1917 [Especially Women and Children](#)
- 1918 • [United Nation's Protocol against the Smuggling of Migrants by Land, Air and Sea](#)
- 1919 • [United Nations Convention against Transnational Organized Crime](#)
- 1920

1921 Additional Reading

1922 The following literature may be useful for guidance when implementing this Criterion:

- 1923
- 1924 • [ILO's, Global Business Network on Forced Labour](#)
- 1925 • [ILO's, Employers' Frequently Asked Questions: A Handbook for Employers &](#)
- 1926 [Business, Special Action Programme to Combat Forced Labour](#)
- 1927 • [Verité, 'Guidance for the Social Auditing of Forced Labor and Human Trafficking](#)
- 1928 [of Migrant Workers](#)
- 1929 • [The U.S. State Department's Office to Monitor and Combat Trafficking in Persons,](#)
- 1930 [Verité, Made in a Free World, and the Aspen Institute, The Responsible Sourcing](#)
- 1931 [Tool](#)
- 1932 • [Addressing Forced Labor and other Modern Slavery Risks: A Toolkit for Corporate](#)
- 1933 [Suppliers](#)
- 1934
- 1935



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CRITERION 14: Freedom of Association and Collective Bargaining

Respect workers' rights to freedom of association and to collective bargaining in good faith, through the implementation of a system to prevent and mitigate risks and remedy adverse impact.

I. Implementation:

a. Interpretative guidance:

Relevance

Workers' freedom to join unions or worker organizations – or to refrain from doing so – and participate in collective bargaining are foundational building blocks for healthy employment relations. While it is a fundamental human right relevant for all businesses, irrespective of size, location, or function in the value chain, it is mostly evident in Sites with a bigger workforce, industrial mining, processing and manufacturing operations, which more likely will have multiple trade unions or worker organizations and collective bargaining negotiations.

b. Core Requirements

Sites are expected to respect workers' right to join unions or worker organizations – or to refrain from doing so – and participate in collective bargaining and address adverse impacts with which they are involved by conducting due diligence in line with the UN Guiding Principles on Business and Human Rights. This means:

1. To demonstrate a commitment to freedom of association and collective bargaining rights that includes:

- Not obstructing workers from participating in the activities of unions or other workers' organizations;
- Prohibiting the interference of Sites in electing workers' representatives;
- Prohibiting any form of retaliation or discrimination of workers who participate (actively or passively) in the election and operational activities of workers' representatives.

2. To identify risks of violations of freedom of association and collective bargaining rights as well as the requirements in Criterion 2, the Site shall include:

- workers directly and indirectly employed by Sites;



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- 1970 ○ business partners and suppliers in line with Criterion 10 on Responsible
- 1971 Supply Chains.

1972

1973 **3. To communicate the commitment and assign responsibilities for**

1974 **implementation**, which means:

- 1975 • Commitments to respect freedom of association and collective bargaining and
- 1976 action plans have been communicated to relevant staff, suppliers, customers,
- 1977 business partners and stakeholders.
- 1978 • Roles, responsibilities, and accountabilities for implementation of the commitment
- 1979 and action plans are clear, and resources have been assigned to support
- 1980 implementation.
- 1981 • Respect for freedom of association and collective bargaining is included in the
- 1982 training of relevant personnel

1983

1984 **4. To implement an action plan to prevent and mitigate risks to freedom of**

1985 **association and collective bargaining**, which means to:

- 1986 • ensure employment contract clauses are never constructed in a manner
- 1987 contrary to a valid collective bargaining agreement;
- 1988 • ensure that collective bargaining agreement is applied to all workers;
- 1989 • allow workers' representatives to meet with workers;
- 1990 • ensure management negotiates with workers and their representatives in good
- 1991 faith;
- 1992 • when operating in countries where freedom of association and/or collective
- 1993 bargaining is substantially restricted by law, allow workers to freely elect their
- 1994 own representatives with whom the company can enter into dialogue about
- 1995 workplace issues in a manner that does not contravene national law
- 1996 • When relevant, implementation of the action plan should be aligned with
- 1997 objectives in:
 - 1998 ○ Implementation of non-discrimination, non-retaliatory discipline
 - 1999 practices in line with Criterion 15 on Non-Discrimination and Harassment

2000

2001 **5. To implement a management system to prevent and mitigate risks.** As well as

2002 the requirements in Criterion 1, the Site shall:

- 2003 • Establish procedures or processes to implement the action plan and track its
- 2004 effectiveness;
- 2005 • Keep records of relevant collective bargaining agreements;



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- Establish a process to enable meetings between workers and their representatives
 - Hold regular meetings between worker representatives and management.
- 6. To remediate** the violation of freedom of association and collective bargaining rights, which means to include in the management system procedures to remediate instances where violation occurs. As well as the requirements in Criterion 1, the management system should:
- implement or participate in a grievance mechanism to alert management to violations of freedom of association and collective bargaining rights in line with Criterion 7 on Grievance Mechanisms; and,
 - immediately terminating practices that limit worker's right to freedom of association and collective bargaining;
 - Establish a procedure to provide for or participate in remedy if an incident arises in its operations or supply chain, including investigating the root causes of the incident
 - implement procedures to evaluate effective remediation steps in consultation with impacted workers and their representatives;
 - provide access to a legitimate escalation channel (e.g. to a State-based judicial or non-judicial grievance mechanism) to which workers can recur if the Site is not able to provide effective remedy.
- 7. To publicly disclose** risks action plans, progress and results in line with Criterion 6 on Sustainability Reporting.

II. Key References

International Operating Practices Frameworks

The following international frameworks constitute key references for the interpretation and implementation of this Criterion.

- [The UN Guiding Principles on Business and Human Rights](#)
- [Freedom of Association and Protection of the Right to Organise Convention, 1948 \(No. 87\)](#)
- [Right to Organise and Collective Bargaining Convention, 1949 \(No. 98\)](#)



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2045 **International Conventions and Treaties**

- 2046 • [Workers' Representatives Convention, 1971 \(No. 135\)](#)

2047

2048 **Additional Reading**

2049 The following literature may be useful for guidance when implementing this Criterion:

- 2050 • [Ethical Trading Initiative, Freedom of Association in Company Supply Chains](#)
- 2051 • [ILO, Q&As on Business and freedom of association](#)
- 2052 • [Better Work, Guidance Sheet 4: Freedom of Association and Collective](#)
- 2053 [Bargaining \(2013\)](#)

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2056 CRITERION 15: Non-Discrimination and Harassment

Respect workers' rights to equality of opportunity and treatment and mitigate all forms of discrimination and harassment in the workplace through the implementation of a system to prevent and mitigate risks and remedy adverse impact.

2057 I. Implementation:

2058 a. Interpretative guidance:

2059
2060 In some context discrimination might be embedded in cultural norms and discriminatory
2061 acts might be socially accepted. The risk of discrimination on the workplace is highest in
2062 such contexts and might affect the Site directly or indirectly through labour contractors
2063 or service providers and other business partners.

2064 a. Core Requirements:

2065 Sites are expected to respect workers' right to equality of opportunity and treatment, and
2066 address adverse impacts with which they are involved by conducting due diligence in line
2067 with the UN Guiding Principles on Business and Human Rights. This means:

2072 1. To demonstrate a commitment to workers' right to equality of opportunity and treatment that includes:

- 2073 • Prohibition of any form of discrimination or harassment in the workplace based on
2074 sex, gender, age, religion, race, caste, birth, social background, disability, ethnic
2075 and national origin, nationality, membership in unions or any other legitimated
2076 organisations, political affiliation or opinions, sexual orientation, family
2077 responsibilities, marital status, pregnancy, diseases, or any other condition that
2078 could give rise to discrimination

2081 2. To communicate the commitment and assign responsibilities for implementation, which means:

- 2082 • Commitments to respect workers' right to equality of opportunity and treatment and
2083 action plans have been communicated to relevant staff, suppliers, customers,
2084 business partners and engaged key stakeholders.



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- Roles, responsibilities, and accountabilities for implementation of the commitment and action plans are clear, and resources have been assigned to support implementation.
 - Understanding of possible ground of discrimination and prohibition of any form of sexual, physical, economic and verbal harassment is included in the training of relevant personnel
- 3. To identify risks of discrimination and harassment.** As well as the requirements in Criterion 2, the risk assessment shall:
- Include all workers, both directly and indirectly employed by Sites, full time and part time.
 - Include consultations with relevant stakeholders (e.g. worker representatives, and civil society organizations) regarding risk identification and action planning in line with Criterion 8 Stakeholder Engagement.
 - Communicate impacts to affected stakeholders in ways that are physically accessible and understandable in line with Criterion 8 Stakeholder Engagement
- 4. To implement an action plan to prevent and mitigate risks of discrimination and harassment** which means to:
- identify and eradicate any discriminatory practice in hiring, compensation and payment of social benefits, promotion, training and termination of all workers
 - guarantee fair disciplinary actions;
 - establish a series of escalating steps for disciplinary practices, so as to ensure that disciplinary practices are administered consistently;
 - ensure that disciplinary practices are only ever carried out by the designated party or parties
 - train management on the appropriate administration of disciplinary actions;
 - prohibit security personnel, whether public or private, from disciplining workers in line with Criterion 23 on Security and Human Rights.
 - ensure that disciplinary practices are never used to humiliate or intimidate workers;
 - ensure that disciplinary measures never include:
 - deductions to wages;
 - compulsory labor as punishment;
 - alteration of schedules or denial of vacation as means of punishment; or,
 - any type of physical, mental or sexual abuse.
 - ensure that workers understand why they are being disciplined by:



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- providing written details of the allegations;
- providing an opportunity for the worker(s) to defend themselves, and to appeal any disciplinary decisions; and,
- allowing workers the opportunity to consult with or be represented by a trade union or legal counsel;
- Accommodate reasonable requirements to exercise religious practices during working hours.

5. To implement a management system to prevent and mitigate risks of discrimination and harassment. As well as the requirements in Criterion 1, the Site shall:

- Establish procedures or processes to implement the action plan and track its effectiveness;
- Establish disciplinary procedures to workers in terms and language which they understand describing reasons for disciplinary measures. The disciplinary measures must be in line with national legislation,
- Maintain records on disciplinary incidents

6. To remediate discrimination and harassment, which means to include in the management system procedures to remediate cases of discrimination and harassment. As well as the requirements in Criterion 1, the management system should:

- implement or participate in a grievance mechanism to alert management to violations in line with Criterion 7 on Grievance Mechanisms and verify that the grievance mechanism is accessible to workers that might be subject to discrimination
- immediately terminate practices that result in discrimination or harassment;
- Establish a procedure or process to provide for or participate in remedy if an incident arises in its operations, including investigating the root causes of the incident
- implement a procedure or process to evaluate effective remediation steps in consultation with impacted workers and their representatives;
- provide access to a legitimate escalation channel (e.g. to a State-based judicial or non-judicial grievance mechanism) to which workers can recur if the Site is not able to provide effective remedy.



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7. To publicly disclose risks, action plans, progress and results in line with Criterion 6 on Sustainability Reporting.

II. Key References

Internationally Recognized Frameworks

The following international frameworks constitute key references for the interpretation and implementation of this Criterion.

- [The UN Guiding Principles on Business and Human Rights](#)
- [ILO Convention C100 on Equal Remuneration Convention](#)
- [ILO Convention C111 on Discrimination \(Employment and Occupation\) Convention](#)

International Conventions and Treaties

- [Universal Declaration of Human Rights](#)
- [ILO Convention C156 on Workers with Family Responsibilities Convention](#)
- [ILO Convention C190 on Violence and Harassment Convention](#)
- [UN Human Rights Convention Against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment](#)

Additional Reading

The following literature may be useful for guidance when implementing this Criterion:

- [ILO, Helpdesk on Business and discrimination and equality Q&As](#)
- [IFC, Guidance Note on Performance Standard 2](#)
- [IFC, Good Practice Note – Non-Discrimination and Equal Opportunity](#)
- [Better Work, Guidance Sheet – Discrimination](#)
- [Verité, An Introduction to Grievance Mechanisms](#)



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CRITERION 16: Diversity, Equity and Inclusion

Promote diversity, equity and inclusion in the workplace

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2194

I. Implementation:

a. Interpretative guidance

Criterion 16 is relevant for all Sites, irrespective of size, location, or function in the value chain.

b. Core Requirements

Sites are expected to promote diversity, equity and inclusion in the workplace in line with the UN Guiding Principles on Business and Human Rights.

1. To demonstrate a commitment to diversity, equity and inclusion that includes:

- ensuring equity for all persons in the workplace;
- respecting the diversity of all workers;
- fostering an organizational culture of inclusivity and respect for fundamental rights and dignity

2. To identify gaps and needs, which means to conduct assessments that identify the gaps and assess the needs of the Site in order for it to be able to promote diversity, equity and inclusion. The assessment should:

- Include all workers, both directly and indirectly employed by Sites and full time and part time.

3. To implement an action plan to promote diversity, equity and inclusion, which means to:

- Develop and implement **reasonable adjustments** aimed at addressing potential identified gaps and promote continuous improvement of Sites' diversity, equity, and inclusion programs. Examples of can include, but are not limited to the implementation of:
 - measures to promote female empowerment and reduce female turnover rates;



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- measures to ensure that the needs of workers with disabilities (physical or mental) or health conditions are accommodated to the extent that they are not substantially disadvantaged;
- measures for recruiting and promoting workers into management positions with a view to promote diversity, equity and inclusion;
- measures to establish gender sensitive facilities, including sanitation facilities, separate lavatories for men and women, water, sanitation, and hygiene (WASH) and menstrual hygiene management (MHM) facilities/latrines, and breastfeeding areas;
- measures to ensure that everyone receives equal remuneration, including benefits, and equal treatment in respect of work of equal value, as well as equity of treatment in the evaluation in the quality of work;
- measures to accommodate religious practices and associated rest days and dress codes.
- Implement non-discrimination practices in line with Criterion 15 on Non-Discrimination and Harassment.

4. To implement a management system to promote diversity, equity and inclusion.
As well as the requirements in Criterion 1, the Site shall:

- Provide training to all workers, including supervisors, managers and if possible, workers and suppliers on diversity, equity and inclusion in the workplace.
- Establish monitoring procedures and protocols continuously to monitor progress, identify and resolve barriers to the advancement of diversity, equity and inclusion in the workplace.

5. To publicly disclose progress on achieving diversity, equity and inclusion in the workplace in line with Criterion 6 on Sustainability Reporting.

Explanatory note on identification of gaps and needs

- An assessment of the gaps and needs may be, for example, generated through confidential questionnaires or through conversations. An assessment could be administered to workers across Sites and contain questions that would provide Sites with a better understanding of the potential gaps identified during the gap identification step. Such questions may include, but are not limited to:
 - whether it is believed that people in the workplace are treated differently according to race, gender, sexuality, age, ethnicity, creed, disability, or other,



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including through hiring, remuneration, benefits, training, and career advancements;

- whether they feel they are provided with facilities and means to promote diversity, equity and inclusivity;
- whether workers believe the workplace to be diverse and inclusive; and/or,
- how workers believe diversity and inclusion in the workplace can be advanced.
- An assessment needs to result in a Baseline, which means to generate, gather, and analyze relevant data and information on the status of the aspects in scope including through engagement of all levels of the workforce. This data should include at a minimum:
 - A breakdown of workers by self-identified gender and retention rates based on gender
 - A breakdown of workers by self-identified race and ethnicity and retention rates based on race and ethnicity
 - A breakdown of workers who identify as having a physical or mental disability or health condition that impacts their ability to carry out their work

II. Key References:

Internationally Recognized Frameworks

The following international frameworks constitute key references for the interpretation and implementation of this Criterion.

- [The UN Guiding Principles on Business and Human Rights](#)
- [Promoting diversity and inclusion through workplace adjustments: A practical guide, ILO, 2016](#)

International Conventions and Treaties

- [ILO Convention C100 on Equal Remuneration](#)
- [ILO Convention C183 on Maternity Protection](#)
- [ILO Convention C156 on Workers with Family Responsibilities](#)
- [United Nation's Convention on the Rights of Persons with Disabilities](#)
- [United Nation's Convention on the Elimination of All Forms of Discrimination Against Women](#)

Additional Reading

The following literature may be useful for guidance when implementing this Criterion:



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- 2300 • [Australian Aid/ Oxfam Australia, A Guide to Gender Impact Assessment for the](#)
- 2301 [Extractive Industries, 2017](#)
- 2302 • [WCEF International, The Gender Impact Assessment and Monitoring Tool, 2018](#)
- 2303 • [The Sustainable Trade Initiative, New KPIs to Track and Evaluate Gender-Equality](#)
- 2304 [Interventions](#)
- 2305 • [The UN Women Empowerment Principles](#)
- 2306



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2307 CRITERION 17: Employment Terms

Respect workers' rights to fair and decent employment terms through the implementation of a system to prevent and mitigate risk and remedy adverse impact.

- 2308
- 2309 **I. Implementation**
- 2310
- 2311 *a. Interpretative guidance*
- 2312
- 2313 Relevance
- 2314 Criterion 17 on Employment Terms is relevant to all Sites. Sites shall be aware and follow
- 2315 specific national and international regulatory requirements on employment terms.
- 2316 However, Sites shall be aware that risks can be higher in indirect employment contracts,
- 2317 such as outsourced auxiliary functions of an operation or in supply chains serving
- 2318 industrial mining, processing, and manufacturing facilities. Likewise, supply chains with
- 2319 the presence of artisanal and small-scale mines (ASM) are more exposed to risks related
- 2320 to remuneration, working hours and unfair working terms. Sites should consider these
- 2321 less obvious parts of their business, where there is a risk of association, take measures
- 2322 for its prevention and remediation.
- 2323
- 2324 *b. Core Requirements*
- 2325
- 2326 Sites are expected to respect workers' rights to fair and decent employment terms,
- 2327 including working hours, remuneration, social benefits, disciplinary actions
- 2328 accommodation and provisions of worker contracts, and to address adverse impacts with
- 2329 which they are involved by conducting due diligence in line with the UN Guiding Principles
- 2330 on Business and Human Rights. This means:
- 2331
- 2332 **1. To demonstrate a commitment to:**
- 2333 a. Respect limits to working hours and overtime and provide adequate period of rest
- 2334 in line with ILO Conventions C001 and C014 and applicable exceptions
- 2335 b. Meet or exceed legal minimum wages and provide paid holidays in line with ILO
- 2336 Conventions C131, C95 and C132
- 2337 • Provide adequate and decent accommodation in line with ILO Recommendation
- 2338 R115 on Workers' Housing
- 2339



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2. To communicate the commitment and assign responsibilities for implementation, which means:

- Commitments related to employment terms and action plans have been communicated to relevant staff, suppliers, customers, business partners and engaged key stakeholders.
- Roles, responsibilities, and accountabilities for implementation of the commitment and action plans are clear, and resources have been assigned to support implementation.
- Training is provided to relevant personnel

3. To identify risks of adverse impacts related to employment terms. As well as the requirements in Criterion 2, the risk assessment shall:

- Include all workers, both directly and indirectly employed by Sites, full time and part time.
- Assess potential and actual impacts of the Site's operational activities including:
 - i. Limits on regular working hours and overtime
 - ii. Established rest periods
 - iii. Remuneration rates and gaps to calculated living wage
 - iv. Provision of social benefits, including leave entitlement
 - v. Conditions of accommodation
- Communicate impacts to potentially affected stakeholders in ways that are physically accessible and understandable in line with Criterion 8 Stakeholder Engagement

4. To implement an action plan to prevent and mitigate risks related to employment terms, which means to:

- provide written employment contracts to all workers that:
 - clearly define the conditions of employment (including wages, working hours, overtime, benefits, and other relevant clauses)
 - are communicated to all workers in a language they understand before employment starts
 - Communication accounts for the needs of workers who cannot read and write and workers with vision or hearing-impairing disabilities
- ensure that workers' total regular working hours do not exceed 48 hours per week and overtime not exceed 12 hours per week;
 - If local law or collective bargaining agreements require fewer working hours, including overtime, than 60 hours per week, these should prevail.



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- Only exceed the limit of hours described above in line with exceptional cases defined by the ILO and set out hereunder
 - Emergency or unusual situations: More than 60 hours per week may be allowed in emergency or unusual situations described as events or circumstances that substantially disrupt production and are out of the ordinary and out of the control of the site
 - Shifts: Workers employed in shifts may work for more than 48 hours per week or 8 hours per day, if the average number of working hours over a period of three weeks or less does not exceed these limits.
 - Processes to be carried out continuously: The limits on working hours might be exceed in processes that, by their nature, need to be carried out in a succession of shifts. The ILO Convention 001 does not provide a reference period for averaging hours for shift work for continuous processes. For continuous process, Sites shall use the averaging period defined in national law, or, in the absence of national law, Sites shall ensure a reasonable averaging period. In these cases, workers may exceed the 60-hour in a week limit provided that:
 - It is not in violation of local or national law;
 - The average number of hours per week does not exceed 60 hours a week (up to 56 regular hours with the remaining hours considered overtime up to 60 hours) and rest days are compensated for; and
 - An assessment of health and safety impacts on the workers and related safeguards to minimize and mitigate those impacts are in place
 - ensure that overtime is voluntary and not routinely added to standard working hours, except in case of the exceptions outlined above;
- ensure that special arrangements on working hours are provided to workers under 18 years of age;
- ensure that special arrangements on working hours are provided to pregnant workers;
- provide rest periods during working hours;
- provide at least one rest day in seven;
- provide time off to workers to exercise their right to vote;
- pay wages that are equal to or exceed the national minimum wage, wages agreed via collective bargaining agreements or industry wage, including for part-time workers, in which case the wage should be calculated based on what would be earned if working full-time. Minimum wage is the lowest amount of remuneration



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that an employer can legally pay a worker, and it cannot be reduced by collective agreement, industry wages or an individual contract. Furthermore, Sites should:

- be aware of and abide by regulations pertaining to overtime pay, as in many countries, overtime must be paid at a premium;
 - pay wages in a timely manner, regularly and fully in legal tender
 - pay social benefits (such as annual leave, maternity, paternity, sick leave, pension contribution); and
 - apply only legally allowed wage deductions
 - determine the living wage in their region or country of operation, as relevant, using common living wages calculation methods such as MIT Living wage calculator or Anker Methodology used by the Global Living Wage Coalition in cooperation with stakeholders and assess the gap to minimum paid wages,
 - develop a plan towards the payment of the living wage to all workers, with defined timeframes and provide evidence of progress.
- if applicable, provide accommodation at non-speculative rates and of a reasonable standard of safety, repair and hygiene including but not limited to:
 - temperature, humidity, space, sanitation, illumination that are respectful of workers' health and safety (such as separate beds, ventilation, natural and artificial light, sanitary toilets and bathrooms)
 - location of facilities is removed from natural hazards and operational nuisance (e.g. noise, dust)
 - access to potable water, clean cooking and food storage facilities

5. To implement a management system to prevent and manage risks related to employment terms. As well as the requirements in Criterion 1, the Site shall:

- a. Explain and train workers on their employment terms in a language they understand
- b. Explain workers how to have access to a grievance mechanism in the instance they feel they have been subjected to unfair employment terms;
- c. Establish procedures or processes to implement the action plan and track its effectiveness (e.g. procedures on overtime, documented working rules)
- d. Maintain consistent and accurate working time records and documentary evidence of payments
- e. Maintain documentation of applicable minimum wage and living wage calculations
- f. Monitor recruiting agencies and sub-contractors on adherence to working hours and payment practices outlined above



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2452 **6. To remediate** adverse impacts related to employment terms, which means, as
2453 well as the requirements in Criterion 1, the Site should:

- 2454 • Implement or participate in a grievance mechanism to alert management to
2455 violations in line with Criterion 7 on Grievance Mechanisms
- 2456 • Immediately terminate practices that generate adverse impact on workers
- 2457 • Establish a procedure or process to provide for or participate in remedy if
2458 an incident arises in its operations, including investigating the root causes
2459 of the incident
- 2460 • implement a procedure or process to evaluate effective remediation steps
2461 in consultation with impacted workers and their representatives.

2462
2463 **7. To publicly disclose** risks, action plans, progress and results in line with Criterion
2464 6 on Sustainability Reporting.

2465 2466 II. Key References

2467
2468 The following international frameworks constitute key references for the interpretation and
2469 implementation of this Criterion.

- 2470 • [The UN Guiding Principles on Business and Human Rights](#)
- 2471 • [Tripartite Declaration of Principles concerning Multinational Enterprises and Social
2472 Policy \(MNE Declaration\)](#)
- 2473 • [ILO Convention C001 on Hours of Work \(Industry\)](#)
- 2474 • [ILO Convention C014 on Weekly Rest \(Industry\)](#)
- 2475 • [ILO Convention C100 on Equal Remuneration](#)
- 2476 • [ILO Convention C132 on Holidays and Pay](#)
- 2477 • [ILO Convention C183 on Maternity Protection](#)
- 2478 • [ILO Recommendation R115 on Workers' Housing](#)

2479 2480 International Conventions and Treaties

- 2481 • [ILO Declaration on Fundamental Principles and Rights at Work](#)

2482 2483 Additional Reading

2484 The following literature may be useful for guidance when implementing this criterion:

- 2485 • [ILO Governance and Tripartism Department](#)
- 2486 • [Social Accountability International, Guidance Document for Social Accountability
2487 800 \(SA8000®:2014\)](#)



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- 2488 • [IFC Guidance Note 2 on Performance Standard 2 Labour and Working Conditions](#)
- 2489 • [Massachusetts Institute of Technology \(MIT\), Living Wage Calculator](#)
- 2490 • [Global Living Wage Coalition, What is a Living Wage?](#)
- 2491 • [IFC, EBRD, Workers' accommodation: processes and standards](#)
- 2492 • [ILO, Helpdesk Factsheet No.6: Workers' housing](#)
- 2493
- 2494



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CRITERION 18: Occupational Health and Safety

Provide all workers with the means and conditions for safe and healthy work through a system to prevent, mitigate OHS risks and remedy adverse impacts.

I. Implementation:

a. Interpretative Guidance

Relevance

While accidents, diseases, and psychosocial hazards are a significant concern for all Sites, the type and severity of OHS risks can vary depending on the operations performed by a Site. Mining activities can include the use of heavy equipment and explosives, working underground or near open pits and openings, exposure to extreme heat or cold, and, sometimes, over long shifts. Manufacturing might expose workers to chemical hazards, restricted access to emergency routes or lack of Personal Protective Equipment. All Sites are expected to assess, identify OHS risks and establish measure to respect the right to healthy working and living conditions of workers. .

b. Core Requirements:

Sites are expected to provide all workers with a safe and healthy working environment.

1. To demonstrate a commitment to respecting the right to healthy working and living conditions of workers in line with ILO Conventions 155 and 187 and, where applicable, ILO Convention C176

2. To identify risks of adverse OHS impacts in the workplace and assess needs for safe and healthy work. As well as the requirements in Criterion 2, and where applicable to operational activities, risk assessment shall:

- Assess potential and actual impacts of the Site's operational activities including operational activities that have the potential or actual occupational health and safety impacts including on:
 - workers;
 - visitors;
 - affected stakeholders in neighboring communities in line with Criterion 20 on Community Health and Safety.



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- 2530 ▪ all aspects of human health and safety including:
 - 2531 ▪ physical health;
 - 2532 ▪ mental health; and,
 - 2533 ▪ wellbeing.
- 2534 ▪ all health and safety hazards and operational activities and practices that
- 2535 have the potential to negatively impacts peoples' physical and mental
- 2536 health and wellbeing at work, including:
- 2537 ▪ physical hazards, such as exposure to equipment and machinery
- 2538 generating consistent loud noises, heavy parts, and sharp edges; walking
- 2539 surfaces and walkways that are or can cause falls or slips; and hazards
- 2540 related to ergonomics and desk-based work;
- 2541 ▪ hazards related to working at heights;
- 2542 ▪ structural hazards, such as mining pits, shafts, buildings, structures,
- 2543 walkways;
- 2544 ▪ electrical hazards, such as exposure to burns, electrocution, shock, arc
- 2545 flash and blast, and fire;
- 2546 ▪ fire hazards, such as the potential for actions, the presence of materials, or
- 2547 conditions that might start or increase the size or severity of a fire, such as
- 2548 fuel that is easy to ignite, a heat source, such as a defective appliance, or
- 2549 accidental spills leading to liquid reacting with electrical equipment;
- 2550 ▪ biological hazards, such as exposure to viruses, bacteria, and toxins in the
- 2551 workplace or from other workers;
- 2552 ▪ chemical hazards, such as from exposure to chemicals used for
- 2553 processing minerals and metals and from cleaning agents;
- 2554 ▪ hazards from explosives used and stored at mining Sites, such as from
- 2555 exposure to noise and harm to hearing;
- 2556 ▪ building and workplace environmental hazards, such as low lighting, poor
- 2557 ventilation, harmful low or high temperatures, and no or inadequate
- 2558 barriers to dangerous areas and openings;
- 2559 ▪ restricted access to emergency routes or equipment, such as poor lighting
- 2560 and signage for emergency exits, fire extinguishers placed behind barriers
- 2561 or out of reach, and concealed locations for fire alarm systems;
- 2562 ▪ employee-related hazards such as harassment, bullying, and physical and
- 2563 mental abuse, including but not only as it relates to discrimination;
- 2564 ▪ employment terms and practices negatively affecting human wellbeing,
- 2565 such as long work hours, night work, working alone, poor work-life
- 2566 balance, and short-term contracts.
- 2567



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- Establish a Baseline, which means to generate, gather, and analyze relevant data and information on the status of occupational health and safety features, aspects, stakeholders, and operational activities in scope.
- Communicate impacts to affected stakeholders in ways that are physically accessible and understandable in line with Criterion 8 Stakeholder Engagement

3. To communicate the commitment and assign responsibilities for implementation, which means:

- Commitments to respect the right to healthy working and living conditions of workers and communities, and action plans have been communicated to relevant staff, suppliers, customers, business partners and engaged key stakeholders.
- Roles, responsibilities, and accountabilities for implementation of the commitment and action plans are clear, and resources have been assigned to support implementation.

4. To implement an action plan to prevent and mitigate OHS risks taking into consideration the needs of different workers categories such as women and workers with disabilities which means to:

- require workers, visitors and affected community stakeholders to follow the Health and Safety Controls Hierarchy (eliminate the hazard; substitute the hazard with a lesser risk; isolate the hazard; use engineering controls; use administrative controls; use personal protective equipment);
- provide personal protective equipment (PPE) in good condition and free of charge;
- provide safe and functioning equipment, machinery, vehicles, tools to enable workers to implement tasks.
- provide access to mental health and wellbeing professionals.
- deliver and continually update and refresh health and safety training for workers, visitors and affected community stakeholders to ensure they recognize and understand all health and safety hazards prevalent in the workplace
- ensure installation in workplaces of controls to manage potential and actual health and safety impacts in scope including, where relevant:
 - sufficient, clearly marked, unlocked, and unblocked emergency exits;
 - sufficient lighting;
 - installed alarms;
 - adequate ventilation and air quality;
 - safe noise levels;



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- 2605 ○ safe indoor temperatures, meaning sufficient indoor heating and cooling;
- 2606 ○ adequate signage for evacuation;
- 2607 ○ emergency wash stations;
- 2608 ○ free, safe drinking water;
- 2609 ○ sanitary facilities for food storage;
- 2610 ○ clean gender-separated restrooms;
- 2611 ○ emergency lighting; and,
- 2612 ○ fire-proof and self-contained chambers.
- 2613 ● Where Sites provide worker accommodation, ensure such accommodation
- 2614 provides access to clean and safe sanitation, sanitary canteens or cooking
- 2615 areas, and living and working areas in line with Criterion 17 Employment Terms;
- 2616 ● Provide adequate first-aid kits and work-related medical assistance and facilities
- 2617 ● Provide access to safe and clean drinking water, free of charge
- 2618

2619 **5. To implement a management system to prevent and mitigate OHS risks.** As well
2620 as the requirements in Criterion 1, the Site shall:

- 2621 ● ensure compliance with all applicable national regulatory requirements and all
- 2622 obligations under international law for occupational health and safety in line with
- 2623 Criterion 5 on Legal Compliance.
- 2624 ● establish a health and safety committee comprising appropriate representation
- 2625 from management, workers, and other affected stakeholders with the mandate to
- 2626 review and update risk assessment and procedures at least annually;
- 2627 ● incorporate the concerns and perspectives of workers and affected stakeholders
- 2628 gathered from consultation processes on the design of the system;
- 2629 ● develop and enable the following procedures for continual consultation with
- 2630 workers and workers' representatives to ensure they are informed about their
- 2631 rights and other information relevant to their health and safety at work including:
- 2632 ○ The right to know
- 2633 ○ The right to be involved in measures to address the hazard
- 2634 ○ The right to withdraw from dangerous situations
- 2635 ● develop detailed plans to document procedures to detect, prevent, and combat
- 2636 the start and spread of fires and explosions;
- 2637 ● establish protocols to prevent the spreading of contagious diseases, including
- 2638 periodic medical examinations for workers to ensure early detection and
- 2639 treatment of health issues related to work;
- 2640 ● set goals and targets and monitoring indicators for the continual improvement of
- 2641 occupational health and safety practices and results;



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- generate and maintain a repository of relevant occupational health and safety data, information, and analyses and supporting documentation, including records of all health and safety incidents.

6. To remediate OHS impacts. As well as the requirements in Criterion 1, the Site shall:

- implement or participate in a grievance mechanism to alert management to the risk of or incidence of child labor in line with Criterion 7 on Grievance Mechanisms
- Establish a procedure to provide for or participate in remedy when the Site fails to adhere to its commitments

7. To publicly disclose impacts, action plans, progress and results related to OHS in line with Criterion 6 on Sustainability Reporting

II. Key References:

Internationally Recognized Frameworks

The following international frameworks must be followed for the implementation of this Criterion where applicable to Sites' operational activities:

- [ISO 45001 on Occupational Health and Safety or functionally equivalent](#)

The following international frameworks constitute key references for the interpretation and implementation of this Criterion.

- ILO Convention C155 on Occupational Safety and Health
- ILO Convention C161 on Occupational Health Services
- ILO Convention C148 on Working Environment
- ILO Convention C176 on Safety and Health in Mines

Additional Reading

The following literature may be useful for guidance when implementing this Criterion:

- [ICMM, Good Practice Guide: Health and Safety Critical Control Management](#)
- [ICMM, The Setting and Use of Occupational Exposure Limits](#)



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- [ICMM, Good Practice Guidance on Occupational Health Risk Assessment](#)
- [ICMM, Fatality Prevention: Eight Lessons Learned](#)



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CRITERION 19: Emergency Preparedness

Enable workers and stakeholders to keep themselves and others safe in the event of an emergency through the implementation of a system to manage emergency responses and remedy adverse impact.

I. Implementation:

a. Interpretative guidance:

Relevance

All Sites are expected to keep workers and stakeholders safe and therefore should be prepared for and prepare stakeholders to respond to emergencies. The potential adverse impacts from an emergency in some industries can be at a relatively far greater scale and severity than others. Emergencies at mining Sites have included tailings facility failures, rock falls, underground pit collapses, methane leaks, or high volumes of toxic substances entering water courses. For mining Sites therefore, and any large-scale industrial infrastructure projects, this Criterion is especially relevant and particular attention should be paid to implement rigorous emergency scenario assessments, and robust systemic management, monitoring, testing and continual improvements to keep people safe in the event of emergencies.

b. Core Requirements:

Sites are expected to enable workers and stakeholders to keep themselves and others safe in the event of an emergency.

1. To identify potential emergency scenarios, As well as the requirements in Criterion 2, Sites shall:

- Assess potential and actual impacts of the Site's operational activities or, where possible, its supply chain, including stakeholders that have the potential to be adversely impacted in an emergency including:
 - workers;
 - visitors;
 - emergency responders and other relevant public and private services including fire departments, police, emergency health services, hospitals and public health authorities, humanitarian relief services, civil society organizations, and environmental organizations; and,



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- stakeholders in neighboring communities in line with the assessment scope in Criterion 20 on Community Health and Safety; and,
 - relevant aspects of human safety including:
 - physical safety;
 - psychosocial health; and,
 - economic security; and,
 - relevant hazards and events that have the potential to cause emergencies and have adverse impacts, including:
 - hazards associated with operational activities, such as physical, structural, electrical, fire and biological hazards in line with the impact assessment scope of Criterion 18 on Occupational Health and Safety;
 - hazards associated with significant serious pollution events, such as spillages or leaks in line with the impact assessment scope of Criterion 33 on Pollution;
 - failure of tailings facilities and disposal systems at mining Sites in line with the impact assessment scope in Criterion 31 on Tailings Management;
 - non-standard events such as power outages and extreme weather;
 - natural disasters, such as seismic events, fire, and flood, associated with Sites' locations; and,
 - political instability that could lead to armed conflict.
 - Communicate risks and measures taken to prevent them to affected stakeholders in ways that are physically accessible and understandable
- 2. To implement an action plan to manage emergency response** which means to, establish and test emergency communication systems;
- train workers in emergency response plans, which means to train all workers on:
 - evacuation drills, including their right to immediately evacuate from an emergency event;
 - the use of personal protective and emergency equipment;
 - procedures that workers are expected to follow to prevent and respond to emergencies; and,
 - procedures related to first-aid treatment, medical treatment, and the transportation and evacuation of injured persons;
 - ensure consideration for responding to and mitigating adverse impacts from emergencies is incorporated into infrastructure planning and development, such as by implementing:
 - early warning systems, including installed alarms;



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- 2756 ○ sufficient emergency exits;
- 2757 ○ sufficient lighting and ventilation and emergency exit signage;
- 2758 ○ emergency wash stations;
- 2759 ○ fire-proof and self-contained chambers;
- 2760 ○ emergency lighting;
- 2761 ○ back-up energy systems; and,
- 2762 ○ refuge stations.
- 2763 • ensure all workers have access to personal protective equipment, such as
- 2764 protective clothing;
- 2765 • ensure all necessary emergency response equipment, such as fire suppression
- 2766 equipment and first aid kits, are available, accessible, maintained and periodically
- 2767 checked for proper functionality
- 2768 • raise local community awareness of the risk of emergency events and the required
- 2769 responses; and
- 2770 • integrate emergency response plans with local industry, authorities, and
- 2771 communities, into an overall plan for the community's adequate emergency
- 2772 response.
- 2773
- 2774 **3. To implement a management system for emergency responses.** As well as the
- 2775 requirements in Criterion 1, the Site shall:
- 2776 • establish policies, procedures and processes that are designed for, tested, and
- 2777 approved by management for detecting and responding to all identified emergency
- 2778 scenarios, and to prevent and mitigate adverse impacts;
- 2779 • document procedures to avoid and minimize loss of life, injuries and damage to
- 2780 property, health and social well-being of workers, local communities, and the
- 2781 environment, in the event of emergencies;
- 2782 • involve workers throughout all stages of the development, implementation, and
- 2783 testing of emergency response plans and ensure that other stakeholders in scope
- 2784 are at least consulted;
- 2785 • establish procedures for periodic testing, reviewing and updating of emergency
- 2786 response plans;
- 2787
- 2788 **4. To remediate adverse impacts.** As well as the requirements in Criterion 1, the Site
- 2789 shall:
- 2790 • implement or participate in a grievance mechanism to alert management to the risk
- 2791 of incidents in line with Criterion 7 on Grievance Mechanisms
- 2792 • Train potentially affected stakeholders on how to use the grievance mechanism



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- Establish a procedure to feed information gathered through the grievance mechanism into periodic reviews of the risk assessment in line with Criterion 2 on Risk Assessment
- implement procedures to evaluate and provide effective remediation steps in case of adverse impacts, with the ultimate objective of protecting the welfare of the victims
- define the remediation measures in consultation with affected stakeholders and their representatives;
- provide access to qualified independent third parties and to a legitimate escalation channel (e.g. to a State-based judicial or non-judicial grievance mechanism) to which the victim can recur if the Site is not able to provide effective remedy.

5. To publicly disclose risks, action plans, progress and results related to emergency repose in line with Criterion 6 on Sustainability Reporting.

II. Key References

International Conventions and Treaties

- [ILO Convention C155 on Safety and Health](#)
- [ILO Convention C176 on Safety and Health in Mines](#)

Additional Reading

The following literature may be useful when implementing this Criterion:

- [ILO, Recommendation 183 on Safety and Health in Mines](#)
- [UNEP, Awareness and Preparedness for Emergencies at Local Level \(APELL\)](#)
- [UNEP, Good Practice in Emergency Preparedness and Response](#)



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2824 CRITERION 20: Community Health and Safety

2825 **Respect communities' rights to healthy and safe living conditions through the**
2826 **implementation of a system to prevent and mitigate health and safety risks and**
2827 **remedy adverse impact.**

2825 I. Implementation:

2826 a. Interpretative guidance

2827 Relevance

2828 All Sites irrespective of size, location, or function in the value chain should ensure that
2829 the health and safety of populations affected by their operational activities are not
2830 adversely impacted. This criterion is especially relevant to Sites with operational
2831 activities in, near, or directly involving communities. Also highly relevant are Sites with
2832 operational activities that generally have a greater potential to be hazardous to human
2833 health and safety, such as Sites that use chemicals, toxic substances or generate large
2834 volumes of waste. For example, mining Sites moving or transporting material using
2835 heavy equipment and vehicles through towns and villages or blasting rock faces in pits
2836 and quarries near houses and working areas, can potentially generate dust, noise, spills
2837 and accidents and cause harm to people's physical and mental health.

2841 b. Core Requirements:

2842 Sites are expected to respect communities' rights to healthy and safe living conditions:

2843 1. To demonstrate a commitment to respecting the right to safe and healthy living 2844 conditions of communities including:

- 2845 • To prevent any adverse impacts on community health safety
- 2846 • to remediate instances of adverse impacts on community health in safety.

2850 2. To identify risks of adverse impacts on community health and safety, as well as 2851 the requirements in Criterion 2, and where applicable to operational activities, risk 2852 assessments shall:

- 2853 • Assess potential and actual impacts of the Site's operational activities
2854 including
- 2855 • Operational activities that have potential or actual health and safety impacts
2856 on:
 - 2857 ▪ Neighboring communities;



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- Communities along transport routes heavily used by Sites; and,
 - Any other communities affected by Sites' operational activities.
 - All aspects of human health and safety including:
 - Physical health;
 - Mental health; and,
 - Well-being.
 - All health and safety hazards and operational activities in or near communities that have the potential to negatively impacts peoples' physical and mental health and well-being, including:
 - Physical hazards, such as exposure to equipment and machinery;
 - Structural hazards, such as mining pits, shafts, buildings, structures, walkways.
 - Electrical hazards, such as from overhead or surface electrical cables and transmission lines;
 - Fire hazards, such as the presence of materials, or conditions that might start or increase the size or severity of a fire;
 - Biological hazards, such as exposure to viruses, bacteria, and toxins in the workplace or from other workers;
 - Chemical hazards, such as from exposure to chemicals used for processing minerals and metals;
 - Hazards from explosives used and stored at mining Sites, such as from exposure to noise and harm to hearing;
 - Events related to security forces in line with the impact assessment scope of Criterion 23 on Security and Human Rights; and,
 - Emergencies in line with scenarios in the impact scope of Criterion 19 on Emergency Preparedness.
 - Communicate impacts to affected stakeholders in ways that are physically accessible and understandable
- 3. To implement an action plan to prevent and mitigate health and safety risks to communities which means to:**
- improve infrastructure, where needed, for water-related activities to avoid the potential of community exposure to water-borne or water-based communicable diseases that may result from Sites' operations;
 - if relevant and feasible, set up voluntary screening programs for workers and community members to document, report and monitor existing diseases to avoid the transmission of infectious diseases;



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- ensure infrastructure and equipment is designed and used in a way that considers wider implications on community health and safety;
- implement procedures to ensure protection of surrounding ecosystems to mitigate the effects of hazards such as flooding, landslides, and fire;
- implement effective stakeholder engagement plans in line with Criterion 8 on Stakeholder Engagement.

4. To implement a management system to prevent and mitigate health and safety risks. As well as the requirements in Criterion 1, the Site shall:

- Train relevant managers and personnel on community health and safety;
- Provide targeted training programs for community members in relation to all relevant community health and safety issues;
- include a log that is continuously updated with relevant national health and safety laws;
- include monitoring systems to effectively monitor preventative measures taken to avoid adverse impacts on community health and safety

5. To remediate instances of adverse impacts on community health and safety. As well as the requirements in Criterion 1, the Site shall:

- implement or participate in a grievance mechanism to alert management to the risk of or incidence of adverse impacts on community health and safety in line with Criterion 7 on Grievance Mechanisms; and,
- Establish a procedure to provide remedy that is proportionate to the significance and scale of impacts of any injuries, deaths, or illnesses arising from Sites' activities;
- define remedy measures in consultation with impacted rights holders and their representatives through continuous stakeholder engagement in line with Criterion 8 on Stakeholder Engagement.

6. To publicly disclose impacts, action plans, progress and results related to community health and safety in line with Criterion 6 on Sustainability Reporting.

II. Key References

Additional Reading

The following literature may be useful for guidance when implementing this Criterion:

- [IFC, Introduction to Health Impact Assessment](#)



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- 2935 • [IFC, Performance Standard 4: Community Health and Safety and Security](#)
- 2936 • [IFC, Environmental Health and Safety Guidelines](#)
- 2937 • [ICMM, Principle on Health and Safety](#)
- 2938 • [ICMM, Community Health Programs in the Mining and Metals Industry](#)
- 2939 • [UNDP, Social and Environmental Standards, Standard 3: Community Health,](#)
- 2940 [Safety and Security](#)
- 2941



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2942 CRITERION 21. Community Development

Contribute to economic and social development of affected communities through the implementation of a system to positively contribute to meet community needs.

2943

2944 I. Implementation:

2945

2946 a. Interpretative guidance

2947

2948 Relevance

2949 While the provision of employment, dignified work, and paying taxes is a positive
2950 contribution that all Sites are expected to make, additional contributions to economic and
2951 social development is the expected norm. The scale and nature of such contributions can
2952 vary significantly depending on the economic and social circumstances of communities,
2953 their location, and the diversity in the local economy. This Criterion is especially relevant
2954 to Sites with operational activities in, near, or directly involving communities. Where these
2955 communities have generally low household incomes, poor access to social services, rely
2956 on relatively few industries for work, and are remote from political centers or conduits to
2957 influence decisions, their need can be great. Mining Sites are often in rural areas where
2958 local communities depend on agriculture and, in some cases, do not have easy access
2959 to transport routes to municipal centers and markets. Assessing the needs of such
2960 communities and how best to contribute to meet these needs is especially relevant.

2961

2962 b. Core Requirements

2963

2964 Sites are expected to identify and positively contribute to meet community needs.

2965

2966 **1. To identify community needs**, which means to conduct assessments to determine
2967 the context and need for investment in the affected community in line with Criterion 2
2968 on Risk Assessments. As well as the requirements in Criterion 2, the assessment
2969 should:

- 2970 • Determine the Scope of the assessment, including affected community mapping.
- 2971 • Establish a Baseline, which can include but not be limited to:
 - 2972 ○ livelihoods of both men and women;
 - 2973 ○ gender nature considerations;



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- the legal and customary rights and interests of local communities in relation to their lands and livelihoods, as well as their related access to and use of natural resources;
- the specific needs of vulnerable and marginalized people;
- existing and potential conflicts in the community.
- Engage **stakeholders**, which means to collaborate with, relevant stakeholders, including but not limited to neighboring communities, government agencies and local authorities to identify community development needs:

2. To implement an action plan to positively contribute to meet community needs, which means:

- promote cross-functional coordination and responsibility for supporting community investment objectives among all business units that interact with the community;
- position Sites as a partner in multi-stakeholder processes, supporting communities and local governments in defining and meeting their own development goals and aspirations through participatory planning and decision-making;
- where applicable:
 - create local employment opportunities through training, employment and staff retention;
 - support local procurement by purchasing from local suppliers and investing in local financial institutions and enterprise development programs;
 - promote educational opportunities by liaising with local and regional educational centers; and
 - train local community members in environmental monitoring and natural resource management;
 - invest in capacity-building, participatory processes and organizational governance; promoting development that enables local communities, institutions and partners to take progressively greater roles and responsibilities;
 - use participatory methods of monitoring and evaluation to build trust and local ownership of outcomes;
 - monitor the community development initiatives and periodically evaluate them against set indicators;
- make communities aware of how to lodge grievances in line with Criterion 7 on Grievance Mechanisms.



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3. To disclose progress on community development and addressing community needs in line with Criterion 6 on Sustainability Reporting.

II. Key References:

Additional Reading

The following literature may be useful for guidance when implementing this Criterion:

- [UN Sustainable Development Goals](#)
- [IFC Strategic Community Investment – A Good Practice Handbook for Companies Doing Business in Emerging Markets](#)
- [ICMM Community Development Toolkit](#)
- [The Mining Local Procurement Reporting Mechanism](#)



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3026 CRITERION 22: Artisanal And Small-Scale Mining

Respect the human rights, create economic opportunities and contribute to the formalization and professionalization of artisanal and small-scale mining operations (ASM) where it is safe, and legally and legitimately possible.

3027 3028 I. Implementation:

3029 3030 a. Interpretative guidance

3031 The occurrence of **artisanal and small-scale mining (ASM)** varies considerably by
3032 mineral and by country and region. To assess risks and opportunities associated with
3033 **ASM** directly in its operations or indirectly through its supply chain, a Site will consider
3034 whether it operates in, or sources from minerals and areas where **ASM** is known to be a
3035 significant economic activity.

3036 Sites that process minerals and use minerals and metals in their manufacturing processes
3037 can have direct and indirect association with **ASM** through sourcing. For companies that
3038 are directly or indirectly sourcing from **ASM**, Requirement 3 of this Criterion –needs to be
3039 read together with Criterion 10.

3040 b. Core Requirements:

3041
3042 Sites are expected to respect the human rights, create economic opportunities and
3043 contribute to the formalization and professionalization of **artisanal and small-scale**
3044 **mining operations (ASM)** that affect or are affected by operational activities, as required
3045 by any national legal requirements and in line with the OECD Due Diligence Guidance for
3046 Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas and
3047 the OECD Due Diligence Guidance for Responsible Business Conduct.

3048 A Site is required:

- 3049 **1. To identify the risks of adverse impacts on ASM**, which means to assess
3050 potential and actual human rights and environmental impacts on ASM in the Site
3051 operational activities or within its supply chain in line with Criterion 2 on Risk
3052 Assessments. As well as the requirements in Criterion 2, Sites' risk assessments
3053 shall:
- 3054 • Determine if the Site affects or is affected by ASM directly through its operations
3055 or, where possible, determine if the Site is affected indirectly through the supply
3056 chain. Where Sites determine that there are no ASM in scope, they are expected
3057 to document their findings and provide evidence of how they conducted the
3058 assessment.



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- Determine the Scope of the risk assessment, which means to identify Sites' operational activities, locations and supply chains that fall within the responsibility of Sites to manage including:
 - where applicable, identification of and mapping the location of ASM operations that are on lands owned or controlled by Sites; near to or affected by any operational activity, including drilling, exploration and mining activities, storage and processing facilities, manufacturing Sites, managed waste and tailings facilities, trading centers, and transport routes; and managed housing and accommodation; are present in the communities in which the Sites operate;
 - where Sites have direct or indirect business partnerships with ASM, including through directly or indirectly sourcing material produced by ASM, contracting ASM to operate on land controlled by Sites, or through provision of tolling services to ASM operators, the ASM should be determined to be in scope and this relationship should be included in assessments;
 - Engage Stakeholders: where ASM are determined to be in scope, Sites should, where possible, engage relevant stakeholders such as ASM operators and their legitimate representatives to participate in risk assessments and throughout the lifecycle of the Site, in line with Criterion 8 on Stakeholder Engagement. Sites are only required to engage with legal and **legitimate ASM** and where it is safe to do so.
 - Identify **ESG issues** associated with the presence of ASM on or nearby the Site operations or in its supply chain and assess their saliency;
 - where salient risks are identified, leverage the data and information gathered for the saliency assessment to establish a baseline that enables them to monitor how risks evolve over time and identify significant changes in those risks. Recognizing the inherent challenges in acquiring this information, Sites should seek to understand to the best of their ability, the following factors:
 - number of ASM operators that are or could be affected,
 - type of risks to which they are exposed (e.g. child labour, OHS, wages) and likelihood of the risk (e.g. frequency of incidents, number of reported cases)
 - how the Site is associated to that risk and what management systems are in place to mitigate it
- 2. To implement an action plan to prevent and mitigate adverse impacts on ASM, and to contribute to improvement of ASM where it is safe, and legally and legitimately possible.**



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For Sites engaged in mining activities, this means to:

- Establish procedures or processes to manage ASM relations that are appropriate to the Sites' and ASM operators' circumstances and the risk identified in Sites' assessments which can include:
 - The consideration of appropriate engagement (or disengagement) in accordance with the ASM profile, taking into account legal status and criminality;
 - Monitoring of all relations and interactions between ASM and Sites, across management levels and functions;
 - ensuring that the Site grievance mechanism is accessible to ASM operators in line with Criterion 7 on Grievance Mechanism;
 - Implementation of procedures to mitigate adverse impacts associated with security forces at Sites in line with Criterion 23 on Security and Human Rights; and,
 - Integrate measures in the emergency response plan to avoid and minimize risks to ASM as per Criterion 19, Emergency Preparedness
- Where possible, identify opportunities to source from ASM and contribute to the professionalization of legal and legitimate ASM. This can include but it is not limited to:
 - Establishing and strengthening purchasing relationships with ASM operators.
 - strengthening ASM capacities (e.g. organizational management and good governance; financial literacy; marketing and commercialization; knowledge of government legislation and regulations and expectations of market-access standards; responsible mining practices; OHS)
 - providing technical assistance;
 - donation of personal protective equipment and provision of emergency services;
 - direct funding or facilitation of access to fair loans and credit (e.g. for capital equipment and technical improvements);
 - support to formalization and legalization of ASM operations and operators
- Where relevant, contribute to generation of non-ASM livelihoods, economic development, and other social improvements in ASM communities; through an appropriate mechanism, such as through:
 - formal direct engagement through an operating partnership or community development intervention partnership with ASM;



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- indirect engagement through a third party such as a government agency, an NGO already working with ASM, trade unions and/or international agencies; and,
- including ASM in Sites' strategies on broader community engagement programs in line with Criterion 20 on Community Health and Safety and Criterion 21 on Community Development.

For Sites that are directly or indirectly sourcing from ASM, this means to implement supply chain due diligence in line with Criterion 10 on Responsible Supply Chains, and where relevant depending on position in the supply chain:

- When ASM are present on land mined by the Site or there is possibility of material mixing, adopt effective controls to prevent the illegal mixing of external material into the supply chain;
- When the Site sources from ASM, directly or indirectly,
 - Develop a policy and processes to source from legal and legitimate ASM only;
 - Conduct enhanced due diligence according to OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas to identify red flags;
 - Establish monitoring and management practices, either directly or by leveraging upstream schemes that are aligned with the OECD requirements, which generate verified evidence that: ASM operations are legitimate; a monitoring system is in place to report incidents, no OECD Annex 2 risks are present, OHS practices are adequate to safeguard the miners, data points are generated and made available to the Site system of controls and transparency;
 - Have a procedure in place to cooperate with supply chain partners in mitigation of risks related to ASM;
- When the Site has identified ASM sourcing in its supply chain;
 - identify pinch-points in the supply chain and verify that the pinch point conducts OECD aligned due diligence as outlined in Criterion 10.
 - Actively advocate for and participate in initiatives, including multi-stakeholder ones, that support the formalization of ASM, and, where possible, engage with stakeholders that are legitimate representatives of ASM or ASM communities in producing countries.



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II. Key References

Internationally Recognized Frameworks

The following international frameworks constitute key references for the interpretation and implementation of this Criterion.

- OECD, [Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas](#)
- [OECD, Due Diligence Guidance for Responsible Business Conduct](#)

Additional Reading

The following literature may be useful when implementing this Criterion:

- ARM & RESOLVE, Code of Risk-mitigation for ASM: engaging in Formal Trade (CRAFT)
- Responsible Minerals Initiative, ASM Cobalt Framework
- Responsible Minerals Initiative, Cobalt Refiner Due Diligence Standard
- OECD, Sourcing Gold from Artisanal and Small-Scale Mining - FAQs
- Fairmined, The Fairmined Standard
- [Alliance for Responsible Mining, Rock-Solid Chances for Responsible Mining](#)
- [International Finance Corporation and International Council on Mining & Metals, Working together: How large-scale mining can engage with artisanal and small-scale miners](#)
- [Intergovernmental Forum on Mining, Minerals, Metals and Sustainable Development, Guidance for Governments: Managing Artisanal and Small-Scale Mining](#)
- [World Gold Council, New report: Lessons learned on managing the interface between large-scale and artisanal and small-scale gold mining](#)
- [International Labor Office, Facts on Small-Scale Mining](#)
- [Minamata Convention for the Elimination of Mercury in Artisanal and Small-Scale Gold Mining](#)
- [World Bank, Mining Together: Large-Scale Mining Meets Artisanal Mining, A Guide for Action](#)



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CRITERION 23: Security & Human Rights

Act diligently to ensure that the conduct of private and public security forces respects human rights through the implementation of a system to prevent and mitigate security-related risks and remedy adverse impact.

I. Implementation:

a. Interpretative guidance

Relevance

While security-related impacts on affected stakeholders are a serious issue that can occur in all businesses, irrespective of size, location, or function in the value chain, it is mostly evident in mining operations, which are more likely to engage armed security personnel. There is a risk that use of force by security providers may be applied disproportionately in response to community protests or that security providers may abuse their power and harass workers and/or vulnerable or marginalized community members. In some contexts, particular issues may arise where security is provided by public security forces that are inadequately trained in human rights or have a history of human rights abuses. Sites should consider the types of security providers they are using to determine where there are risks of security-related impacts on affected stakeholders and take measures for their prevention and remediation.

b. Core Requirements:

Sites are expected to ensure minimization of security-related impacts on affected stakeholders.

1. To demonstrate a commitment to ensure that security personnel respect human rights that includes:

- zero tolerance for human rights abuses by security providers
- For mining operations following the Voluntary Principles on Security and Human Rights (VPSHR)

2. To identify security-related impacts on affected stakeholders, which means, to conduct assessments of the potential and actual impacts in line with Criterion 2 on



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Risk Assessments and VPSHR. As well as the requirements in Criterion 2, the Site shall:

- Include in the scope of the assessment security staff directly and indirectly employed by Sites, including public security; and,
- assess the specific and disproportionate risks faced by vulnerable and minority groups

3. To implement an action plan to effectively prevent and mitigate security-related risks on affected stakeholders.

- For mining operations this means to implement the Voluntary Principles on Security and Human Rights
- For non-mining operations that engage security personnel, Sites should:
 - analyze the options for managing risk, conduct due diligence on the landscape for human rights and security in the region/country, consult with the government, local communities and other affected stakeholders on security arrangements, avoid threat to life of workers and visitors to the Sites, with the use of armed security to be based on the outcomes of the risk assessment and when there is no reasonable alternative;
 - consult with the government and local communities on security arrangements;
 - screen security personnel and public and private security providers regarding their involvement in human rights abuses and illegal practices;
 - provide regular training of security personnel and providers on their roles and appropriate behavior;
 - monitor security personnel and provider conduct;
 - investigate allegations of human rights abuses by security providers.
 - seek to engage private security providers that are certified members of the International Code of Conduct Association (ICoCA) or encourage security providers to join the ICoCA.

4. To implement a management system to prevent and mitigate risks. As well as the requirements in Criterion 1, the Site shall:

- Assign a senior function to managing security
- communicate to workers, business partners and local communities the security arrangements using languages, methods and channels that are understood and are easily accessible to them;
- develop a written policy or agreement on the conduct of security providers



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- Assess the ability of security providers to operate within the policy

5. To remediate security-related impacts on affected stakeholders, caused by security staff or provider misconduct. As well the requirements in the VPSHR, Criterion 1, and Criterion 7 the remediation process should:

- require immediately terminating practices that can be considered as misconduct;
- determine the mode and extent of disclosure to relevant law enforcement or other appropriate government authorities;
- report credible allegations to authorities, using discretion;
- monitor investigations to conclusion;
- ensure protection of those making the allegations and victim(s).

6. To publicly disclose risks action plans, progress and results in line with Criterion 6 on Sustainability Reporting.

II. Key References

International Operating Frameworks

The following international frameworks must be followed for the implementation of this Criterion where applicable to Sites' operational activities:

- [The UN Guiding Principles on Business and Human Rights](#)
- [The Voluntary Principles on Security and Human Rights](#) (VPSHR)

International Conventions and Treaties

- [UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials](#)
- [UN Code of Conduct for Law Enforcement Officials](#)

Additional Reading

The following literature may be useful for guidance when implementing this Criterion:



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- [ICMM, ICRC, IFC, IPIECA Voluntary Principles on Security and Human Rights Implementation Guidance Tools](#)
- [IFC Good Practice Handbook: Use of Security Forces: Assessing and Managing Risks and Impacts](#)
- [IFC Guidance Note 4: Community Health, Safety and Security](#)
- [International Alert, Voluntary Principles on Security and Human Rights: Performance Indicators](#)
- [International Code of Conduct Association \(ICoCA\)](#)
- [UNICEF, Child Rights and Security Checklist](#)
- [UNICEF, Child Rights and Security Handbook](#)

CRITERION 24: Indigenous Peoples' Rights

Respect Indigenous Peoples' rights, including the right to grant free, prior, and informed consent through the implementation of a system to prevent and mitigate risks on Indigenous Peoples' livelihoods, territories, resources, and cultural heritage and remedy adverse impact.

I. Implementation:

a. Interpretative guidance

Relevance

Indigenous Peoples are often particularly vulnerable to the negative impacts of commercial development and operational activities, especially caused by mining operations which frequently overlap with indigenous territories.

This Criterion is relevant to those operational activities where there are known to be affected Indigenous Peoples' groups, in particular at cultural heritage areas.

b. Core Requirements:

Sites shall respect Indigenous Peoples' rights in line with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP), to apply practices that respect the free, prior and informed consent (FPIC) of Indigenous Peoples' communities and groups; and to identify, prohibit, prevent and remediate adverse impacts on Indigenous Peoples' lands, livelihoods and resources.



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1. To identify potential or actual adverse impacts on Indigenous Peoples' lands, livelihoods, resources, and cultural heritage. As well as the requirements in Criterion 2, Sites' risk assessments shall:

- Assess potential and actual impacts of the Site's operational activities including:

- Identification of Indigenous Peoples within the Sites' operational activities through desk research to identify national laws and regulations, treaties, government policies, NGO reports, and baseline data about Indigenous Peoples; engagement with indigenous organizations, association or federations, government authorities and other relevant civil society organizations; and independent experts.
- Identification of aspects that are particular or unique to Indigenous Peoples, such as those arising in relation to domestic or international legal frameworks, land regulations and threats to traditional, customary, or collective land use or tenure, overlapping land claims, threats to sacred sites or other cultural heritage, infringement on resource access, degradation of the natural environment, determination of compensation or benefit-sharing structures, clear understanding of Indigenous decision-making and leadership structures, and resettlement.

- Where Sites determine that no impacts are in scope, they are expected to document their findings and provide evidence of how they conducted the assessment.

- Establish a Baseline of the status of affected Indigenous Peoples that includes but should not be limited to:

- Identification of all affected Indigenous Peoples;
- Cases of human, cultural or any other breaches of Indigenous Peoples' rights;

- Engage Indigenous Peoples to participate in impact assessments, in line with Criterion 8 on Stakeholder Engagement and Criterion 26 on Cultural Heritage. Those engagement should involve both men and women in the consultation and decision-making process.

- Communicate impacts to affected stakeholders in ways that are physically accessible and understandable

2. To implement an action plan to respect Indigenous Peoples' rights (including the right to FPIC), which means to:

- Consult and cooperate in good faith with the Indigenous Peoples through their own representative institutions in relation to all matters that may affect them or



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their rights, including decision about community development initiatives in line with Criterion 21 on Community Development.

- Engage with Indigenous Peoples in an inclusive, transparent, and culturally appropriate manner throughout the lifecycle of the operational activities
- Ensure the participation of the legitimate, traditional and/or legal representatives of the organizational structures of directly, indirectly and potentially affected Indigenous Peoples in the design and implementation of engagement, consultation and consent processes.
- Implement procedures to engage Indigenous Peoples in order to obtain their FPIC for operational activities (prior to commencement of operations), new projects, or significant changes to existing projects that may cause adverse impacts on Indigenous Peoples' livelihoods, or on lands and resources or cultural heritage traditionally owned by or under customary use of Indigenous Peoples in line with the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP). If FPIC is obtained, ensure that the process by which FPIC was obtained is documented.
 - Ensure that the Sites and any personnel involved in the engagement process understand the rights, aspirations and concerns of Indigenous Peoples as well as their traditional decision-making structures and processes.
 - Ensure Indigenous Peoples' communities are informed about, and comprehend, the full range of social and environmental impacts – positive and adverse of the Sites.
 - ensure continued rights of access to cultural heritage sites or values and lands, territories or resources subject to traditional ownership or customary use;
 - ensure, where appropriate, that Indigenous Peoples are involved in monitoring to help prevent adverse impacts;
 - recognize, respect, and use traditional knowledge, where appropriate and with consent of Indigenous Peoples, to inform the design and implementation of mitigation strategies in consultation with Indigenous Peoples; and,
 - ensure grievance mechanisms are culturally appropriate and developed in consultation with and provided in languages and formats accessible to Indigenous Peoples in line with Criterion 7 on Grievance Mechanism.

- 3. To remediate adverse impacts on Indigenous Peoples**, which means to provide for or support legitimate remedy processes or contribute to the actions of others providing remedy through judicial, institutional or other mechanisms in line with



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Criterion 7 on Grievance Mechanism. Remedy measures for Indigenous Peoples should consider the following:

- afford due recognition to the role of Indigenous Peoples' customary laws, traditions and practices and the authority of their governance institutions;
- acknowledge that available procedural rights and substantive remedies may vary for Indigenous Peoples depending upon the legal framework and whether Indigenous Peoples and their rights are recognized by the government; and,
- ensure that remedies are culturally appropriate, developed in consultation with Indigenous Peoples and agreed to by them.

4. To publicly disclose impacts, action plans, progress and results related to Indigenous Peoples' rights in line with Criterion 6 on Sustainability Reporting.

II. Key References

- [United Nations Declaration on the Rights of the Indigenous Peoples](#)
- [ILO Convention C169 on Indigenous and Tribal Peoples](#)

Additional Reading

The following literature may be useful for guidance when implementing this Criterion:

- [Convention on Biological Diversity, Akwé Kon Guidelines for the conduct of cultural, environmental and social impact assessments](#)
- [Equitable Origin, COICA, RSB and TDi Sustainability, FPIC-360° Tool](#)
- [ICMM Good Practice Guide: Indigenous Peoples and Mining \(second edition\)](#)
- [IFC Performance Standard Guidance Note 7: Indigenous Peoples](#)
- [Mining, the Aluminium Industry, and Indigenous Peoples: Enhancing Corporate Respect for Indigenous Peoples' Rights](#)
- [UN Global Compact Good Practice Note: Indigenous Peoples' Rights and the Role of Free, Prior and Informed Consent](#)
- [UN Global Compact, The Business Reference Guide to the UN Declaration on the Rights of Indigenous Peoples](#)
- [USAID Optional Toolkit for Identifying Indigenous Peoples](#)



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3442 CRITERION 25: Land Acquisition & Resettlement

Respect the rights of stakeholders affected by physical and economic displacement through the implementation of a system to prevent and mitigate risks and remedy adverse impacts associated with land acquisition and resettlement

3443 3444 3445 I. Implementation:

3446 3447 a. Interpretative guidance

3448 3449 Relevance

3450 While any operational activities may cause physical and economic displacement,
3451 activities linked to mining and transport of raw materials and any other large infrastructure
3452 project are more likely to result in displacement. Displacement may occur throughout the
3453 lifecycle of the operational activities as a result of expansion of existing operations and/or
3454 associated infrastructure. Mining operations may take place in areas with widespread
3455 land disputes, conflict-induced displacement, or where land titling is unclear. Mining
3456 operations may require **resettlement** of local households, communities, businesses, or
3457 other economic or cultural activities.

3458
3459 This Criterion is relevant to those operational activities which have caused or may cause
3460 physical and economic displacement.

3461 3462 b. Core Requirements

3463
3464 Sites are expected to respect the rights of stakeholders affected by physical and
3465 economic displacement and address adverse impacts with which they are involved.

3466 3467 1. To demonstrate a commitment to respecting the human rights of affected 3468 stakeholders in the events that resettlements cannot be avoided, which means:

- 3469 • seeking resolution of all existing claims and conflicts of land title in compliance
3470 with international human rights law and national law;
- 3471 • avoiding **resettlement** where possible, prohibiting forced evictions, and in cases
3472 of **resettlement**, restoring or improving livelihoods and standards of living of
3473 displaced people;



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3475 **2. To identify adverse impacts on stakeholders from physical and economic**
3476 **displacement due to land acquisition and resettlement.** As well as the
3477 requirements in Criterion 2, Sites' risk assessments shall:

- 3478 • Assess potential and actual impacts of the Site's operational activities
3479 including
 - 3480 ○ Land rights or land use rights acquired through expropriation or other
3481 compulsory procedures in accordance with the legal system of the host
3482 country;
 - 3483 ○ Land rights or land use rights acquired through negotiated settlements
3484 with property owners or those with legal rights to the land if failure to
3485 reach settlement would have resulted in expropriation or other
3486 compulsory procedures;
 - 3487 ○ Customary land tenure rights holders
 - 3488 ○ Legacy **resettlement** impacts from previous owners of the Site
 - 3489 ○ Project situations where involuntary restrictions on land use and access
3490 to natural resources cause a community or groups within a community
3491 to lose access to resource usage where they have traditional or
3492 recognizable usage rights;
 - 3493 ○ Certain project situations requiring evictions of people occupying land
3494 without formal, traditional, or recognizable usage rights;
 - 3495 ○ Restriction on access to land or use of other resources including
3496 communal property and natural resources such as marine and aquatic
3497 resources, timber and non-timber forest products, freshwater, medicinal
3498 plants, hunting and gathering grounds and grazing and cropping areas.
- 3499 • Where Sites determine that no impacts are in scope, they are expected to
3500 document their findings and provide evidence of how they conducted the
3501 assessment.
- 3502 • Establish a Baseline: when purchasing, leasing or using land for new or expanded
3503 operational activities causing physical and economic **resettlement**, Sites should:
 - 3504 ○ Collect baseline data on the affected community's socioeconomic
3505 conditions to ascertain who could become a potentially displaced person
3506 and which of the community members would qualify for compensation.
- 3507 • Communicate impacts to affected stakeholders in ways that are physically
3508 accessible and understandable

3509
3510 **3. To implement an action plan to prevent and mitigate adverse impacts of land**
3511 **acquisition and physical and economic displacement**, which means to explore



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and assess all other viable project design options, develop alternative project designs, and look to other viable locations for Sites' operational activities;

- to negotiate any potential land acquisition settlements, even if the Sites have a legal capacity to purchase land without obtaining the consent of the seller. Sites should offer fair compensation for any acquisition;
- to ensure that those who are resettled are given security of tenure and are not placed at risk of further displacement;
- to ensure that women and other vulnerable groups are not disproportionately impacted by the Sites' actions
- if **resettlement** is unavoidable, Sites should develop a Resettlement Action Plan and, if applicable, a Livelihood Restoration Plan, in line with IFC Performance Standard 5 on Land Acquisition and Resettlement and the IFC Handbook for Preparing a Resettlement Action Plan;
- consult with, and ensure the informed participation of, affected stakeholders in conjunction with Criterion 8 on Stakeholder Engagement during the initial planning stages of any future expansion of or major changes to the Sites' operational activities that may cause physical or economic displacement prior to making any decisions about the final design.

4. To remediate adverse impacts of land acquisition and physical and economic displacement, which means to provide for or support legitimate remedy processes or contribute to the actions of others providing remedy through judicial, institutional or other mechanisms in line with Criterion 7 on Grievance mechanisms. Remedy mechanisms related to land acquisition and displacement should consider the following:

- to provide access to a grievance mechanism in line with Criterion 7 on Grievance Mechanisms.
- implement procedures to evaluate effective remediation steps in consultation with affected stakeholders,
- provide compensation for lost assets and restoration for displaced stakeholders whose livelihoods and incomes are affected, in a transparent, consistent, and equitable manner
- provide access to a legitimate escalation channel (e.g. to a State-based judicial or non-judicial grievance mechanism) to which the victim can recur if the Site is not able to provide effective remedy.



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6. To publicly disclose impacts, action plans, progress and results in line with Criterion 6 on Sustainability Reporting.

II. Key References

International Operating Frameworks

The following international frameworks constitute key references for the interpretation and implementation of this Criterion.

- [The UN Guiding Principles on Business and Human Rights](#)
- [IFC Performance Standard 5 on Land Acquisition and Involuntary Resettlement](#)

Additional Reading

The following literature may be useful for guidance when implementing this Criterion:

- [IAIA, Resettlement and Livelihoods](#)
- [IFC, Performance Standard 5 Guidance Note: Land Acquisition and Involuntary Resettlement](#)
- [IFC, Stakeholder Engagement: A Good Practice Handbook for Companies Doing Business in Emerging Markets](#)
- [UN Basic Principles and Guidelines on Development-Based Evictions and Displacement](#)
- [ICMM, Land Acquisition and Resettlement: Lessons learned](#)
- [IFC, Handbook for Preparing a Resettlement Action Plan](#)



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3575 CRITERION 26: Cultural Heritage

3576 **Respect the cultural rights of affected stakeholders through the**
3577 **implementation of a system to prevent and mitigate risks to cultural heritage**
3578 **and remedy adverse impact.**

3576

3577

3578 I. Implementation:

3579

3580 a. Interpretative guidance

3581 Relevance

3582 This Criterion is relevant to those operational activities where there are known to be
3583 cultural heritage areas. Presence of Indigenous Peoples affected can also indicate the
3584 potential of cultural heritage occurrence.

3585

3586 Generally, in the minerals value chain, mining, mineral processing, and transport are the
3587 operational activities most often located in natural environments, and most likely to cause
3588 damage to tangible cultural heritage, for example, because of the destroying or damaging
3589 of historical buildings, ancient artifacts, burial grounds or sites of spiritual significance.
3590 Damage to intangible cultural heritage may also occur, for example, as a result of
3591 inappropriate visitation of sites or the inappropriate use of traditional knowledge. This
3592 Criterion therefore is most relevant to Sites involved in mining, mineral processing and
3593 transport activities.

3594

3595 b. Core Requirements

3596

3597 Sites are expected to respect the cultural rights of affected stakeholders and address
3598 adverse impacts with which they are involved.

3599

3600 1. To demonstrate a commitment to respect cultural rights that include:

- 3601 • To prevent any adverse impacts, including on and associated with access to
3602 cultural heritage,
- 3603 • to remediate instances of adverse impacts on cultural heritage.

3604

3605 2. To identify potential and actual impacts of the Site's operational activities on 3606 cultural heritage. As well as the requirements in Criterion 2, risk assessment shall:

- 3607 • Conduct a mapping of cultural heritage spaces that could be affected by Site's
3608 operational activities.



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- Sites should rely on various sources of information in determining cultural heritage. Sources of information regarding what constitutes cultural heritage include, but are not limited to:
 - UNESCO's [World Heritage List](#);
 - impacted communities;
 - historical or traditional users and owners of cultural heritage;
 - ministries of archeology, culture or similar national, or heritage institutions;
 - national and local museums, cultural institutes and universities;
 - civil society concerned with cultural heritage or historical preservation; and,
 - religious groups for whom the cultural heritage is traditionally sacred.
- Where Sites determine that no impacts are in scope, they are expected to document their findings and provide evidence of how they conducted the assessment.
- Assess potential and actual impacts of the Site's operational activities, giving due consideration to the effects on the human rights of affected stakeholders.
- Establish a baseline of the status of cultural heritage.
- Communicate impacts to affected stakeholders in ways that are physically accessible and understandable

3. To implement an action plan to prevent and mitigate risks of adverse impacts on cultural heritage, which means to

- Conduct an analysis of project alternatives and prioritize avoidance of adverse impacts through Sites' design changes and/or through the introduction of special construction and operational procedures.
- allow continued access to the cultural site;
- where avoidance of impacts is unavoidable, Sites should aim to minimize adverse impacts by:
 - implementing restoration measures that aim to maintain the cultural heritage's value and functionality;
 - considering restoration at a different site; and,
 - for **non-replicable cultural heritage** and **critical cultural heritage**, supporting the removal and preservation of the cultural heritage according to the best available techniques, following review by external experts and consultation with historical or traditional owners and users of the cultural heritage.



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4. To implement a management system to prevent and mitigate risks of adverse impact on cultural heritage. As well as the requirements in Criterion 1, the Site shall:

- include training of relevant managers and personnel on cultural heritage;
- design a **chance find procedure** to outline actions to be taken if previously unknown cultural heritage is encountered, where the impact assessment determined that the operational activities are located in areas where cultural heritage is expected to be found;
- establish monitoring systems to monitor measures taken to avoid adverse impacts on cultural heritage;
- implement effective stakeholder engagement plans in line with Criterion 8 on Stakeholder Engagement.

4. To remediate adverse impacts on cultural heritage. As well as the requirements in Criterion 1, the Site shall:

- implement or participate in a grievance mechanism in line with Criterion 7 on Grievance Mechanisms
- establish a procedure to provide for or participate in remedy if adverse impact arises, including investigating the root causes of the incident
- define remedy measures in consultation with affected stakeholders and their representatives. Remediation measures should be implemented where avoidance, minimization and restoration to ensure maintenance of the value and functionality of the cultural heritage are demonstrably not feasible, compensate affected stakeholders in accordance with national law and international best practice standards.

5. To publicly disclose risks, action plans, progress and results in line with Criterion 6 on Sustainability Reporting.

II. Key References:

Internationally Recognized Frameworks

The following international frameworks constitute key references for the interpretation and implementation of this Criterion.

- [The UN Guiding Principles on Business and Human Rights](#)



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- [IFC, Performance Standard 8 on Cultural Heritage](#)

International Conventions and Treaties

- [United Nations Declaration on the Rights of the Indigenous Peoples](#) (2007)

Additional Reading

The following international literature may be useful for guidance when implementing this Criterion:

- [IFC, Guidance Notes 8 on Performance Standard 8 on Cultural Heritage](#)
- [UNESCO, World Heritage Convention](#)
- [UNESCO, World Heritage List](#)



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CRITERION 27: Greenhouse Gas Emissions' Reductions

Avoid, minimize, and compensate for scope 1, 2 and relevant scope 3 emissions through the definition of science-based goals and targets in line with the Paris Agreement and the implementation of the mitigation strategy.

I. Implementation:

a. Interpretative guidance

Relevance

This Criterion is relevant to all operational activities, irrespective of size, location, or function in the value chain.

Sites along the minerals and metals supply chains will be expected to play their role in reducing GHG emissions to meet the Paris Agreement climate goal. On the other hand, they will be expected to provide the metals and minerals needed for a low-carbon future. Reducing GHG emissions in the context of increased production will require Sites to invest in low-impact energies and technologies and to set ambitious yet practicable and concrete targets based on science for GHG emissions reduction.

Scope 3 emissions

This RRA recognizes that quantification of Scope 3 emissions can be particularly challenging, and related data may be incomplete or unspecific. Sites should be transparent on how they quantify and report their Scope 3 emissions and clearly state the assumptions that they have used in doing so.

Corporate versus Site-level target and goal setting and reporting

Targets may be set at a Site level or may be an expression of how the Site is contributing to a corporate-level target. Corporate-level target setting and reporting on performance against those targets is also sufficient to meet this Criterion.

b. Core Requirements

Sites are expected to avoid, minimize, and compensate for GHG emissions through the identification and quantification of energy sources and emissions, the implementation of a system to manage, and disclosure of the progress made to meet GHG emissions' reduction targets. This means:

- 1. To identify and quantify GHG emissions and energy.** As well as the requirements in Criterion 2, Sites' risk assessments shall



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- Determine the scope of the assessment, which means to identify features, aspects, and operational activities that fall within scope 1, 2 and relevant and material scope 3 sub-categories of GHG emissions
- Establish a baseline for GHG emissions reductions targets, that is, the projected energy consumption or emissions in the absence of any reduction activity. This means to generate, gather, and analyze relevant data and information on energy and GHG emissions that should include but not be limited to:
 - Energy:
 - identify and quantify the types of energy used, including fuels, electricity, heating, cooling, and steam;
 - identify sources of energy, whether renewable or non-renewable;
 - quantify energy intensity.
 - GHG emissions:
 - identify GHG sources;
 - quantify scope 1, 2, and relevant and material scope 3 sub-category emissions using sound and recognized methodologies, such as through the GHG Protocol or methodologies based on the GHG Protocol;
 - define the gases included in the assessment, whether CO₂, CH₄, N₂O, HFCs, PFCs, SF₆, NF₃, or all;
 - define the sources of emission factors and global warming potential rates used.
- Document how the assessment is conducted, including the disclosure of material emissions, the boundary (which processes are included), and selection of emission factors

2. To communicate commitment and assign responsibilities for implementation in line with Criteria 1, which means:

- Commitment to emission reductions and action plans have been communicated to relevant staff, suppliers, customers, business partners and engaged key stakeholders.
- Roles, responsibilities, and accountabilities for implementation of the commitment and action plans are clear, and resources have been assigned to support implementation.
- GHG emission reduction is included in Site training programs for relevant personnel



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3771 **3. To implement the mitigation hierarchy to avoid, minimize, and compensate for**
3772 **GHG emissions**, by ordering options for managing GHG emissions sequentially,
3773 starting with action to avoid emissions, followed by action to reduce and minimize
3774 them, and, as a last resort, compensate for them.

- 3775 • Develop action plans consistent with the **mitigation hierarchy** which includes:
 - 3776 ○ identify and prioritize opportunities to increase energy efficiency and
 - 3777 define energy efficiency targets;
 - 3778 ○ identify and prioritize opportunities to adopt less impactful sources of
 - 3779 energy, including to prioritize use of renewable sources of energy;
 - 3780 ○ identify sources of direct and/or indirect emissions that have the
 - 3781 highest reduction potential;
 - 3782 ○ support the procurement of energy-efficient products and services
 - 3783 that impact energy performance;
 - 3784 ○ support the design of operational activities that consider energy
 - 3785 performance improvement;
 - 3786 ○ ensure maintenance of equipment using energy to avoid energy loss
 - 3787 and waste, such as steam or compressed air leaks;
 - 3788 ○ identify opportunities for carbon capture and storage of any
 - 3789 emissions that cannot be avoided;
 - 3790 ○ identify opportunities to compensate or offset (known as carbon
 - 3791 offsetting) for any significant residual, negative impacts that cannot
 - 3792 be avoided, reduced and/or restored;
 - 3793 ○ ensure that any emissions reduction plan takes into consideration
 - 3794 the potential adverse social impacts arising from the implementation
 - 3795 of the proposed plan.
- 3796 • Establish energy efficiency and GHG emissions indicators that are appropriate
3797 for measuring and monitoring energy reduction and demonstrating
3798 improvements;
3799

3800 **4. To set ambitious but credible science-based goals and quantitative**
3801 **targets for climate action in line with the Paris Agreement against which**
3802 **to measure and account for Sites' performance**, which means;

- 3803 • To develop targets using a recognized, robust and credible target setting
3804 methodology that is independently validated in line with Criterion 27
3805 Greenhouse Gas Emissions' Reduction. Sites may use the Science Based
3806 Targets Initiative (SBTI) but are not required to do so.



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- To ensure that goals and targets for climate action are independently validated, which means that a recognized, credible third-party assesses that the goals and targets are science-based, robust, and in line with the Paris Agreement.
- to incorporate into Sites' impact assessments; policies; design; and commissioning, operating and closure and reclamation plans, explicit reference, and measures to achieve climate change-related goals and targets that are in line with the Paris Agreement

5. To implement a system to manage energy and GHG emissions reduction in line with Criterion 1 on Management Systems.

- document procedures, action plans, and mitigation measures across all operational activities to avoid, minimize, or compensate for adverse impacts
- Establish monitoring procedures and protocols to measure progress towards meeting greenhouse gas emissions' reduction targets

6. Engage with key stakeholders on progress related to the implementation of action plans and measurement of targets.

7. Calculate and disclose site-level carbon emissions data, which means to disclose the average carbon emissions data for Scopes 1, 2 and relevant Scope 3 emissions. Where disclosure means that values are available and can be readily provided either publicly or privately.

- Sites are encouraged to also use site-level data to calculate relevant product-level carbon emissions data for using Scopes 1,2 and relevant Scope 3 emissions.
- In doing so, participants shall use recognized industry guidance or internationally accepted protocols that define the technical requirements for the relevant product(s).
- Depending on programmatic requirements, sites might be required to provide product-level data to customers upon request.

8. Publicly disclose progress to meet targets, which means to disclose at least annually all relevant information needed clearly to inform stakeholders of the Sites' GHG emissions' action plans, progress, and targets in line with Criterion 6 on Sustainability Reporting.



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III. Key References

Internationally Recognized Frameworks

The following international frameworks constitute key references for the interpretation and implementation of this Criterion.

- [ISO 50001 Energy Management Systems](#)
- [ISO 50001 Energy Management Systems](#)
- [Green House Gas \(GHG\) Protocol](#)
- [Science Based Targets \(SBT\) Initiative](#)

International Conventions and Treaties

- [United Nations Framework Convention on Climate Change \(UNFCCC\)](#)

Additional Reading

The following literature may be useful for guidance when implementing this criterion:

- [Task Force on Climate-related Financial Disclosures](#)
- [The Carbon Disclosure Project \(CDP\)](#)
- [GRI Standards including “GRI 305: Emissions 2016” for guidance on disclosures related to GHG emissions;](#)
- [GHG Protocol, GHG Protocol Scope 2 Guidance](#)
- [GHG Protocol, Technical Guidance for Calculating Scope 3 Emissions](#)



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3869 CRITERION 28: Water Stewardship

Avoid, minimize, rectify, and compensate for adverse impacts on water balance, flow, quality, and access and needs of other water users and wildlife from operational activities through the implementation of the mitigation hierarchy.

3870

3871 I. Implementation:

3872

3873 a. Interpretative guidance

3874

3875 Relevance

3876 Mining and metal processing generally consume large volumes of water, and for these
3877 sectors this Criterion should be considered carefully. Water scarcity can also lead to
3878 conflict in communities or with companies that are heavy users and perceived to compete
3879 for shared sources of water. For any business in the minerals and metals value chain with
3880 operational activities in water-stressed or arid areas, this Criterion's requirements on the
3881 maintenance of a water balance and contributing to water catchment conservation goals
3882 is particularly relevant.

3883

3884 Also, where operational activities are in or near urban centers, which is often the situation
3885 of metal processing and manufacturing plants, for example, this Criterion's requirements
3886 on treatment and safe discharge of water are especially relevant.

3887

3888 b. Core Requirements

3889

3890 Sites are expected to avoid, minimize, rectify, and compensate for adverse impacts from
3891 operational activities on water balance, flow, quality, and access and the needs of other
3892 water users and wildlife. This means:

3893

3894 1. Demonstrate a commitment to water stewardship that includes:

- 3895 • Consideration of not only internal operations but localized impact in the water
3896 catchment, including consideration for water as a communal resource and
3897 localized scarcity risk. Elements of a water stewardship program should include
3898 (as further defined in the Explanatory Section):
 - 3899 ▪ Determination of scope of impact and operations aligned to shared use
3900 of water resources



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- 3901 ▪ Establishment of a baseline so that impacts and improvements can be
- 3902 measured in an accurate manner
- 3903 ▪ Assessment of adverse impacts among directly affected waterbodies as
- 3904 well as the community
- 3905 ▪ Consideration for the **mitigation hierarchy** which prioritizes controls in
- 3906 advance of impacts

3907

3908 **2. To identify risks of adverse impacts on water balance, flow, quality, and access**

3909 **and needs of other water users and wildlife.** As well as the requirements in Criterion

3910 2, Sites' risk assessments shall:

- 3911 • Assess potential and actual impacts of the Site's operational activities including
- 3912 consideration of the effects on the human rights of **affected stakeholders** (see
- 3913 explanatory note).
- 3914 • Establish a baseline for impacts associated to a Site operational activities: which
- 3915 means to generate, gather, and analyze relevant data and information on the on
- 3916 the status of water use onsite and catchment uses / productive uses, (see
- 3917 explanatory note)
- 3918 • Communicate impacts to **affected stakeholders** in ways that are physically
- 3919 accessible and understandable

3920

3921 **3. To communicate commitment and assign responsibilities for implementation** in

3922 line with Criteria 1, which means:

- 3923 • Commitment to water stewardship and action plans have been communicated to
- 3924 relevant staff, suppliers, customers, business partners and engaged key
- 3925 stakeholders.
- 3926 • Roles, responsibilities, and accountabilities for implementation of the commitment
- 3927 and action plans are clear, and resources have been assigned to support
- 3928 implementation.
- 3929 • Water stewardship is included in Site training programs for relevant personnel.

3930

3931 **4. To implement the mitigation hierarchy to address actual and potential impacts**

3932 **on water use and quality**

- 3933 • Develop action plans to address identified risks and impacts consistent with the
- 3934 **mitigation hierarchy** (see explanatory note)
- 3935 • Consult with engaged key stakeholders (e.g., governments, Indigenous
- 3936 communities, and conservation organizations)



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- Demonstrate that their policies and practices contribute to local municipal, watershed, or other water authority initiatives for the maintenance of clean and healthy rivers, waterways, lakes, and water storage areas

5. To implement a system to manage risks and adverse impacts within a Site's operational activities, which means to establish a management system water stewardship in line with Criterion 1 on Management Systems

- set water stewardship targets for reductions in water consumption, water quality, water efficiency, off-site water conservation programs, and for other water-related stewardship performance;
- establish water stewardship monitoring procedures and protocols to monitor progress against water stewardship targets and for water consumption, water quality, water efficiency, off-site water conservation programs and other aspects identified in Sites' impacts assessments and as part of continuing water-related risks and impact assessments in line with Criterion 2 on Risk Assessments;
- assign qualified managers and workers to implement monitoring responsibilities;
- continually engage **affected stakeholders** from the earliest stages of Sites' operational life through informing them, their participation in decisions, and in water monitoring on water-related matters that affect their health, well-being, safety, livelihoods, communities, and environment, in line with criterion 8 on Stakeholder Engagement;

6. To implement a system to remedy adverse impacts associated to a Site's operational activities, which means to:

- Restore waterbody ecosystem services where impacts are related to Site operations, whether current or historic. Where immediate restoration isn't possible, allocate resources for remediation to local communities with lost productivity.

7. To publicly disclose impacts, action plans, progress and results related to water stewardship in line with Criterion 6 on Sustainability Reporting.

Explanatory note on risk assessment

- Determine the Scope of the assessment, which means to identify features, aspects, and operational activities that fall within the responsibility of Sites to manage including:



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- 3974 ○ sources of water used in operational activities, surface, and ground water
3975 (blue water), rainwater (green water) and water used to dilute potential
3976 pollutants (grey water). The consumption, treatment, and use of seawater
3977 should also be recorded in assessments;
3978 ○ boundaries of water catchment areas in which Sites are located;
3979 ○ affected formally designated and protected water bodies and their littoral
3980 zones;
3981 ○ affected productive lands with significant reliance on water for its
3982 functioning;
3983 ○ water users, water rights' holders, and other stakeholders that may
3984 potentially affect or be affected by Sites' operational activities and water
3985 stewardship practices, including downstream communities or communities
3986 that may be affected by groundwater withdrawals or contamination;
3987 ○ water conservation activities in Sites' water catchment areas not directly
3988 related to Sites' operational activities that present potential opportunities to
3989 support water conservation.
- 3990 ● Establish a Baseline, which means to generate, gather, and analyze relevant data
3991 and information on the status of water-related features and aspects in scope that
3992 should include but not be limited to:
 - 3993 ○ record of water bodies':
 - 3994 ○ water quality;
 - 3995 ○ seasonal and temporal variability in water quantity;
 - 3996 ○ physical, chemical, and biological conditions of surface waters,
3997 natural seeps/springs and groundwaters;
 - 3998 ○ quantification of Sites', water users', and water rights holders':
 - 3999 ○ water sources;
 - 4000 ○ water consumption;
 - 4001 ○ water types (i.e., blue, grey, and green water);
 - 4002 ○ water uses;
 - 4003 ○ destinations of discharged water;
 - 4004 ○ discharges of other materials and substances to water bodies.
- 4005 If baseline sampling was not completed before the start of operational activities,
4006 Sites should establish background or synthetic water quality conditions.
- 4007 ● Asses the risks of adverse impacts, which means to rate the likelihood and severity
4008 of potential and actual impacts on water balance, flow, quality, access and needs
4009 from water users and wildlife in scope, including but not limited to the risk of:



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- 4010 ○ altering the ecological flow of surface waters upstream and downstream of
- 4011 the water catchment point;
- 4012 ○ significantly changing the water balance in Sites' local and catchment area;
- 4013 ○ adverse impacts on sensitive sources and bodies of water;
- 4014 ○ changes to water quality, water stress and other water stewardship
- 4015 challenges;
- 4016 ○ adverse impacts on other industrial or infrastructure operations, water-
- 4017 rights' holders, and organisations or agencies working on relevant water
- 4018 stewardship activities;
- 4019 ○ adverse impacts on water from chemicals, wastes, facilities, and other
- 4020 pollutants from operational activities;
- 4021 ○ potential and actual water-related risks of water effluents discharged to
- 4022 subsurface waters, surface waters, sewers that lead to rivers, oceans,
- 4023 lakes, wetlands, treatment facilities, and ground water;
- 4024 ○ potential and actual impacts on water rights holders' and other affected
- 4025 water users access to water and from changes to water quantity, quality,
- 4026 and flows;
- 4027 ○ implications of climate change for water stewardship, including for future
- 4028 water quantities, access to sources, and flow and related adaptation
- 4029 strategies, in line with Criterion 11 on Climate Action.

4030

4031 **Explanatory note on mitigation hierarchy**

4032

4033 Mitigation measures to avoid, minimize, rectify, or compensate for adverse impacts,
4034 include but are not limited to:

- 4035 ○ continually improve water efficiency;
- 4036 ○ identify opportunities to allocate resources to install water-efficient capital
- 4037 equipment;
- 4038 ○ avoid, reduce, and minimize water consumption;
- 4039 ○ identify alternative water sources to freshwater, such as seawater, to
- 4040 mitigate adverse water-use impacts on communities;
- 4041 ○ increase the reuse and recycling of water;
- 4042 ○ treat and maintain the quality of water;
- 4043 ○ ensure the controlled discharge and protect the quality of water in
- 4044 surrounding water courses and access to these by local communities in line
- 4045 with Criterion 34 on Management of Waste and Criterion 36 on Tailings
- 4046 Management;



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- maintain a **water balance** at Sites and contribute to maintaining a water balance in catchment areas;
- clean previously impacted water I.e. historically impacted beyond the baseline in areas controlled by Sites to make it usable, and, if necessary, provide a water supply from an alternate source;
- ensure the long-term stewardship of water-related environmental and social aspects through incorporation of water-related mitigation measures in closure and reclamation plans in line with Criterion 9 on Mine Closure and Reclamation.

III. Key References

Internationally Recognized Frameworks

The following international frameworks constitute key references for the interpretation and implementation of this Criterion.

- The [Alliance for Water Stewardship International Water Stewardship Standard](#).
- [ISO 14046 on Environmental Management – Water footprint – Principles, requirements and guidelines](#)
- [ICMM, Water Stewardship Framework](#)
- Tools for assessing water scarcity, flood risk, reputational risk, and competing uses:
 - [World Wildlife Foundation Water Risk Filter](#)
 - [WRI Aqueduct](#)

International Conventions and Treaties

- [United Nations Convention on the Law of the Non-navigational Uses of International Watercourses](#)
- [United Nations Convention on the Protection and Use of Transboundary Watercourses and International Lakes \(Water Convention\)](#)
- [United Nations Convention on the Law of the Sea](#)

Additional Reading

The following literature may be useful for guidance when implementing this criterion:



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- 4083 • [International Council on Mining and Metals, Practical Guide: Catchment Based](#)
- 4084 [Water Management](#)
- 4085 • [International Council on Mining and Metals, A Practical Guide to Consistent](#)
- 4086 [Water Reporting](#)
- 4087 • [The Global Compact, Guide to Responsible Business Engagement with Water](#)
- 4088 [Policy](#)
- 4089 • [World Business Council for Sustainable Development, Business Guide to](#)
- 4090 [Circular Water Management](#)
- 4091 • [World Health Organization, Guidelines for Drinking Water Quality](#)
- 4092 • [World Wildlife Fund for Nature, Water Risk Filter](#)
- 4093



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4094 CRITERION 29: Waste Management

Avoid, minimize and recover waste through the implementation of a waste mitigation hierarchy.

4095 4096 4097 I. Implementation:

4098 4099 a. Interpretative guidance:

4100 4101 Relevance

4102 Sites generate a wide array of waste over the course of their operational activities, which
4103 can have significant negative impacts on the environment and human health when not
4104 appropriately managed. In addition to potentially harming human health and environment,
4105 waste directed to disposal such as incineration or landfilling represents a missed
4106 opportunity to recover resources and materials which, if recovered, could help tackle
4107 resource depletion worldwide.

4108
4109 For this reason, Criterion 29 on Waste Management is relevant to all Sites, irrespective
4110 of their size, location or function in the value chain.

4111
4112 However, when implementing this Criterion, Sites should be aware of specific additional
4113 requirements that may apply to them due to their position in the supply chain, such as
4114 requirements on Tailings Management under Criterion 31 for mining operations, or due
4115 to specific legal or regulatory frameworks in their jurisdiction(s).

4116 4117 b. Core Requirements

4118
4119 Sites are expected to avoid and reduce the adverse impacts of waste disposal and to
4120 increase the quantity of waste diverted from disposal.

4121
4122 **1. To demonstrate a commitment** to manage waste responsibly and to mitigate
4123 impacts of waste on the environment and human health.

4124
4125 **2. To identify waste streams and risks of adverse impacts.** As well as the
4126 requirements in Criterion 2, Sites' risk assessments shall:

- 4127 • Determine the Scope of the assessment, which means to identify features,
4128 aspects, and operational activities that generate waste.
- 4129 • Assess potential and actual impacts of the Site's operational activities
4130 including consideration of the effects on the human rights of affected
4131 stakeholders.



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- Establish a Baseline for impact associated to a Site operational activities, which means to generate, gather, and analyze relevant data and information on waste management that should include but not be limited to:
 - the sources of waste generation;
 - the type of waste generated, including whether hazardous, in line with the requirements of applicable regulations;
 - the amount of waste generated;
 - the transportation and storage of waste;
 - the disposal method for each type of waste, whether such waste is:
 - diverted from disposal through preparation for reuse, recycling, or other recovery operations; or
 - directed to disposal for incineration, landfilling, or other disposal operations.

3. To implement the waste mitigation hierarchy to avoid, minimize and recover waste, which means that Sites shall order options for managing waste sequentially, starting with action to avoid waste, followed by action to reduce and minimize it, recover waste through preparation for reuse and recycling, and, as a last resort, dispose of it. In addition to the requirements in Criterion 1 on Management Systems, the Site shall:

- Document a plan across all operational activities (where possible) to:
 - continually improve the responsible management of waste;
 - identify opportunities to avoid and reduce the amount of waste generated;
 - increase the recovery of waste, including through reuse and recycling, where technically possible and economically and environmentally viable.
- Where relevant, implementation of actions plans should be aligned with objectives in:
 - Criterion 31 on Tailings Management for mining operations
 - Criterion 30 on Circular Economy as it pertains to stewardship of minerals and metal products.
- Document a program to monitor progress towards meeting waste management goals, including:
 - set, document, and incorporate into management systems measurable, credible targets for waste reduction, re-use, recycling and recovery;
 - establish monitoring procedures and protocols to track progress towards meeting the targets.



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4. To implement a system to remedy adverse impact associated to a Site's operational activities, which means:

- To engage with affected stakeholders to ensure they are aware of the impact of waste contamination on their health, well-being and the environment
- to provide access to a grievance mechanism in line with Criterion 7 on Grievance Mechanisms.
- To implement a plan to cease and remediate impacts where waste contamination presents a significant risk of harm to health or the environment
- To implement procedures to evaluate effective remediation steps in consultation with affected stakeholders
- To provide access to a legitimate escalation channel (e.g. to a State-based judicial or non-judicial grievance mechanism) to which affected stakeholders can recur if the Site is not able to provide effective remedy.

5. To publicly disclose risks, action plans, progress and results related to waste management in line with Criterion 6 on Sustainability Reporting.

II. Key References

Internationally Recognized Frameworks

The following international frameworks must be considered for the implementation of this Criterion where applicable to Sites' operational activities:

- [ISO 14001: 2015 Environmental Management System](#)

International Conventions and Treaties

- [The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal](#)

Additional Reading

The following literature may be useful for guidance when implementing this criterion:

- [IFC, Environmental, Health and Safety Guidelines](#)



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CRITERION 30: Circular Economy

Promote a circular economy through the collection, reuse and recycling of materials at Sites, the reduction of waste and increased resource efficiency

I. Implementation:

○ Interpretative guidance

Relevance

While this Criterion is relevant for all phases of the minerals and metals life cycle, the type of actions that Sites can take to promote a **circular economy** will differ, depending on the Sites' function in the value chain. For example, for mining Sites this Criterion is relevant to reducing the amount of tailings, extending the lifespan of equipment, and using renewable natural resources like renewable energy and reclaimed water.

Processing and manufacturing Sites are best placed to promote a **circular economy** through recycling of process **scrap** and/or **materials** at their end-of-life.

Life Cycle Assessments

Life Cycle Assessments (LCAs) are not required by this criterion but are considered useful tools to assess the adverse impacts of **material** production. Sites are encouraged, where appropriate, to participate in customer, corporate or industry association efforts to develop LCAs.

○ Core Requirements

Sites are expected to promote a **circular economy**, resource efficiency and the collection, and recycling of **materials** through the implementation of a management system, and public disclosure of the progress made to meet **circular economy and recycling targets**.

1. To identify adverse impacts of materials, which means as well as the requirements in Criterion 2 on Risk Assessments, Sites' assessment of **materials** or product lines should:

- involve recycling of **materials**, choosing a method for allocation of processes and avoided emissions in line with the goal and scope definition of the assessment. This may include an End-of-Life (EOL) recycling approach or a recycled content (RC) approach;



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- include cradle-to-gate analysis, depending on the Sites' position in the value chain. For example, mining Sites would cover the extraction process and associated impacts to the mine gate, whereas smelter/refiner or processing Sites would draw on information from upstream suppliers then include impacts from their own production;
- consider the impact of the various production stages and of end-of-life recycling.

2. To implement a system to manage, which means that Sites should establish a management system for **circular economy** to minimize **scrap** and, as relevant to the scope of Sites' operations, promote collection and recycling of **materials** at end-of-life, in line with Criterion 1 on Management Systems and consistent with the waste management strategy of Criterion 29 on Waste Management.

As well as the requirements in Criterion 1, the system shall:

- Document a plan across all operational activities where possible to:
 - identify opportunities to minimize **scrap** and **waste**, including tailings;
 - identify opportunities to promote collection, reuse and recycling of products at their end-of-life;
 - identify opportunities to increase resource efficiency in line with Criterion 28 on water stewardship, and Criterion 27 on **greenhouse gas** emission reductions
 - identify opportunities to regenerate natural resources in line with Criterion 32 on biodiversity and land management, and Criterion 9 on closure and reclamation
 - increase the recovery, reuse, and recycling of **materials**, ensuring that in doing so, safety and legal considerations are prioritized
 - identify opportunities to incorporate reused and reclaimed **scrap** and **waste**, ensuring that its source is accounted for and follows legal production and transport
- Document a program to monitor progress towards meeting **circular economy** goals, including:
 - set, document, and incorporate into management systems measurable, credible targets for **circular economy**;
 - establish monitoring procedures and protocols to track progress towards meeting the targets.

3. To disclose progress to meet targets, which means to disclose at least annually all relevant information needed clearly to inform stakeholders of the Sites' **circular**



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economy-related risks and impacts, plans, actions, goals and targets, and performance in line with Criterion 6 on Sustainability Reporting.

II. Key References

Additional Reading

The following literature may be useful for guidance when implementing this criterion:

- [ICMM, Maximizing Value: Guidance on implementing materials stewardship in the minerals and metals value chain](#)
- [WBCSD \(2021\) Circular Transition Indicators v2.0 Metrics for business, by business](#)
- World Bank Group Climate Smart Mining, [Circular Economy and Critical Materials](#)



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4300 CRITERION 31: Tailings Management

Avoid, minimize, rectify, and compensate for adverse impacts from tailings through the implementation of a system to manage tailings facilities and tailings disposal systems in line with internationally recognized frameworks and good practice.

4301

4302

4303 I. Implementation:

4304

4305 a. Interpretation guidance

4306

4307 Tailings management is a continual exercise throughout all lifecycle of a mine. Therefore,
4308 this Criterion is relevant for mining at every phase of mining, which includes selecting
4309 options for and designing and implementing plans to discharge tailings, including the
4310 operation, maintenance, monitoring and closure of external tailings impoundments, dams,
4311 and containment facilities on land, and other means of tailings' storage.

4312 b. Core Requirements

4313

4314 Sites are expected to avoid, minimize, rectify, and compensate for adverse impacts from
4315 tailings.

4316

- 4317 • **To manage tailings facilities and tailings disposal systems in line with**
4318 **internationally recognized frameworks** which means, where applicable, to
4319 demonstrate implementation of the [Global Industry Standard On Tailings](#)
4320 [Management, 2010](#) (GISTM).

4321

4322 Sites with tailings facilities and tailings disposal systems that are not in scope of the
4323 GISTM are required to implement all other elements of this Criterion.

4324

4325 **1. To identify risks of potential and actual ESG risks and impacts from tailings.** As
4326 well as the requirements in Criterion 2, Sites' risk assessments shall:

- 4327 • Determine the scope: ensure comprehensive coverage of the potential and actual
4328 **ESG issues** of tailings discharge, disposal, and storage through assessments that:
 - 4329 ○ apply a comprehensive, multi-criteria analysis of the options for tailings
 - 4330 discharge, disposal, and storage with the specific goal of selecting an option



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that minimizes risks to people and the environment throughout Sites' operational life;

- Are based on science, which means the application of the scientific method to arrive at conclusions, such as systematic observation, measurement, and experiment, and the formulation, testing, and modification of hypotheses;
- are risk-based, which means analysis and calculations are made according to the likelihood and severity of that impact to people and the environment should it occur;
- provide supporting evidence to substantiate conclusions and claims;
- communicate impacts to **affected stakeholders** in ways that are physically accessible and understandable

2. To implement a system to manage tailings means to establish a management system for tailings management in line with Criterion 1 on Management Systems.

The Site's management system shall:

- cover the design, operation, maintenance, monitoring and closure and reclamation of tailings facilities and tailings disposal systems;
- be proportional to its level of risk of potential and actual adverse impacts;
- Identify relevant laws and regulation and ensure compliance with regulations, statutes, guidelines, codes, and standards;
- demonstration of the application of best practices;
- include an emergency response plan that has been developed with relevant and affected communities, businesses, and government stakeholders;
- include a regular review throughout Sites' operating lives; and,
- be validated by a competent, qualified, and independent firm to confirm it appropriately incorporates measures to address potential and actual adverse impacts and it meets applicable regulations, statutes, guidelines, codes, and standards.

3. To disclose publicly impacts, action plans, progress and results related to Sites' management of tailings facilities and tailings disposal systems, in line with Criterion 6 on Sustainability Reporting.

II. Key References



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Internationally Recognized Frameworks

The following international frameworks must be followed for the implementation of this Criterion where applicable to Sites' operational activities:

- [The Global Industry Standard on Tailings Management published by ICMM, The United Nations Environment Programme, and the Principles for Responsible Investment](#)



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4377 CRITERION 32: Biodiversity And Productive Land

Avoid, minimize, restore or replace, and compensate for adverse impacts on biodiversity and productive land, commit to a no net loss and consider a net gain of biodiversity through the implementation of a mitigation hierarchy.

4378

4379

4380 III. Implementation:

4381

4382 ○ *Interpretative guidance*

4383

4384 Baseline requirements

4385 If baseline sampling was not completed before the start of operations, Sites should
4386 consider historical or synthetic data to establish an approximate baseline. If these are
4387 not available, the baseline may be taken from the time of the assessment.

4388

4389 *b. Core Requirements*

4390

4391 Sites are expected to avoid, minimize, restore, and compensate for adverse impacts on
4392 biodiversity and productive land from operational activities, respect the integrity of
4393 protected areas, commit to a no net loss and consider a net gain of biodiversity:

4394

4395 1. To demonstrate a commitment to biodiversity conservation that includes:

4396

4397

4398 • No net-loss with an ambition for net gain
4399 • Not operating in World Heritage Sites
4400 • Respecting limitations established in Key Biodiversity Areas, Ramsar Sites,
4401 Indigenous Community Conserved Areas, and in any other designated protected
4402 areas and their buffer zones, including respecting prohibitions related to mining
4403 and exploration activities

4402

4403

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2. To identify the risks of adverse impacts on biodiversity and productive land. As well as the requirements in Criterion 2, Sites' risk assessments shall:



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- Assess potential and actual risks and impacts of the Site's operational activities, including consideration of the effects on the human rights of affected stakeholders (see explanatory note).
- Where Sites determine that no risks or impacts are in scope, they are expected to document their findings and provide evidence of how they conducted the assessment.
- Establish a baseline which means to generate, gather, and analyze relevant data and information on the conservation status of the biodiversity and the productive value of land in scope based on current disturbed conditions or the use of a nearby analog site (see explanatory note)
- Communicate impacts to **affected stakeholders** in ways that are physically accessible and understandable in line with Chapter 8 Stakeholder Engagement

3. To implement the mitigation hierarchy to address actual and potential impacts on biodiversity

- Identify salient biodiversity risks and impacts and develop action plans consistent with the mitigation hierarchy
- Set targets for those salient risks and impacts that are aligned with the commitment to achieve no net loss
- Where offsets are used as part of an action plan to meet one or more aspects if achieving no net loss, the source and the nature of the accreditation of the offsets should be publicly disclosed.
- Consult with stakeholders (e.g., governments, Indigenous communities, and conservation organizations) regarding baseline data, identification of salient risks and impact and action planning.

Biodiversity offsets are an acceptable mitigation measure when significant impacts on biodiversity cannot be avoided. The decision to use offsets to mitigate residual impacts on biodiversity should be considered only when all other possible methods to avoid, minimize, restore or replace impacts have been exhausted. Where Sites are left with no other plausible options other than to offset, selecting the appropriate intervention should be considered carefully and with reference to international best practice standards. Where possible, such offsets should prioritize interventions that help preserve and enhance existing terrestrial carbon stocks sequestered in biodiversity and ecosystems.



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4437 **4. To communicate commitment and assign responsibilities for implementation in**
4438 **line with Criteria 1, which means:**

- 4439 • Commitment to biodiversity conservation and action plans have been
4440 communicated to relevant staff, suppliers, customers, business partners and
4441 stakeholders.
- 4442 • Roles, responsibilities, and accountabilities for implementation of the commitment
4443 and action plans are clear, and resources have been assigned to support
4444 implementation.
- 4445 • Biodiversity conservation awareness is included in Site training programs for
4446 relevant personnel.

4447
4448 **5. To implement a system to manage risks and adverse impacts within a Site's**
4449 **operational activities**, which means to establish a management system for
4450 biodiversity in line with Criterion 1 on Management Systems.

- 4451 • Establish biodiversity monitoring procedures and protocols to measure progress
4452 against targets
- 4453 • Engage with key stakeholders on progress related to the implementation of action
4454 plans and measurement of targets.
 - 4455 ○ Where relevant, engagement with Indigenous Peoples as rights holders
4456 should be based on documented procedures established in line with
4457 Criteria 24 relating to FPIC with informed consent given for any
4458 operational activities related to the management of biodiversity that
4459 affect their lands and rights
- 4460 • Where relevant, implementation of actions plans should be aligned with objectives
4461 in:
 - 4462 ○ Mine closure and reclamation plans for the protection of biodiversity and
4463 continuation of conservation activities established at the Site in line with
4464 Criterion 9 on Mine Closure and Reclamation.
 - 4465 ○ Climate change mitigation and adaptation strategies in line with Criterion
4466 11 on Climate Action.
- 4467 • Implementation of the Site-level **biodiversity** conservation plan and progress
4468 towards biodiversity objectives are regularly tracked and reported to Site-level
4469 senior management to support management decision-making processes
- 4470 • Engage with communities, households and individuals who are adversely affected
4471 by impacts on **biodiversity** and **ecosystem services** associated with their
4472 operational activities, on mitigation impacts so that they are at least as well off –
4473 and preferably better off – than they were before;



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6. To publicly disclose impacts, action plans, progress and results related to biodiversity conservation in line_with Criterion 6 on Sustainability Reporting.

Explanatory note or examples of evidence

- Who are stakeholders:
 - those whose traditions, livelihoods, rights, and knowledge related to biodiversity will be adversely or positively impacted by Sites' operational activities, those involved in the governance and operation of designated protected areas, and those who could contribute to the Sites achieving their commitment to no net loss of biodiversity.
- Establish a baseline:
 - which means for existing sites, baseline data can be derived from an assessment of current conditions or the use of a nearby analog site.
 - which means to generate, gather, and analyze relevant data and information on the conservation status of the biodiversity and the productive value of land in scope that should include, but not be limited to:
 - populations of individual species.
 - richness of biodiversity, which means the number of species found in an area.
 - evenness of distribution of biodiversity.
 - threats to individual and fragility of species, habitats, and ecological functioning.
 - historical trends of biodiversity and conservation status.
 - short- and longer-term impacts on biodiversity from climate change.
 - commercial and subsistence crop and tree species grown on productive lands.
 - a register of relevant applicable legal and other requirements on formally designated and protected areas for the conservation of biodiversity and on government and private productive land.
 - current capacity of NGOs, government agencies and local authorities to manage protected and other areas designated for their biodiversity values and support landowners and farmers in improving land productivity.
- Determine scope of assessment related to significant biodiversity aspects



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- which means to identify the features, aspects, and operational activities that fall within the responsibility of Sites to manage including:
 - operational activities that potentially or do adversely impact:
 - species described as locally, regionally, and internationally important for their biodiversity value, which may include species endemism, rarity, population size, threat and fragility; and their locations;
 - formally designated protected areas and their buffer zones, including nationally protected areas for biodiversity conservation, World Heritage Sites, Ramsar Sites and Indigenous Community Conserved Areas;
 - areas of high biodiversity value outside of protected areas, such as Key Biodiversity Areas, High Conservation Value Areas, and areas of critical habitat;
 - productive lands with commercially important species and species important for local communities' livelihoods.
 - areas that can be protected for or be better managed to conserve biodiversity;
 - conservation activities of stakeholders not directly related to Sites' operational activities that present potential opportunities to support conservation.

IV. Key References

Internationally Recognized Frameworks

The following international frameworks constitute key references for the interpretation and implementation of this Criterion:

The International Finance Corporation (IFC) Performance Standard 6 (PF6) on [Biodiversity Conservation and Sustainable Management of Living Natural Resources](#) (2012)
[ISO 14001 on Environmental Management](#)

International Conventions and Treaties

The (Ramsar) Convention on Wetlands.
The United Nations Convention on Biological Diversity
United Nations Educational, Scientific and Cultural Organisation (UNESCO)
World Heritage Convention, and (Natural) World Heritage List



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UNESCO World Network of Biosphere Reserves

Additional Reading

The following literature may be useful for guidance when implementing this criterion:

The Akwé Kon Guidelines, developed under the Convention on Biological Diversity
British Standards Institution, BS 8683 Process for designing and implementing
Biodiversity Net Gain
The Business and Biodiversity Offset Programme (BBOP)
The Global Invasive Species Database (GISD)
High Conservation Value Areas (HCVAs) Network
The International Association of Impact Assessment principles on Biodiversity and
Ecosystem Services in Impact Assessment
The Integrated Biodiversity Assessment Tool (IBAT)
International Council on Mining and Metals, The Good Practice Guidance for Mining and
Biodiversity
The International Union for Conservation of Nature (IUCN) Protected Area Categories
The IUCN Red List of Threatened Species
The IUCN Policy on Biodiversity Offsets
Key Biodiversity Areas (KBAs) Partnership
The UNEP World Database on Protected Areas
SBTN Initial Guidance
UNEP WCMC Biodiversity Indicators for Extractive Companies



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CRITERION 33: Pollution

Avoid, minimize, rectify, and compensate for adverse impacts on human health and the environment from pollution from the introduction of poisonous and harmful substances to air, land, and water and from noise, light, and visual pollution through the implementation of the mitigation hierarchy.

I. Implementation:

a. Interpretative guidance

Relevance

Mining and mineral processing can use significant quantities of potentially harmful substances, such as cyanide in gold mining which is widely used to recover metal from ore. While this does not mean that Sites necessarily pollute, it does mean that the risk of pollution is higher, and measures taken to mitigate its adverse impacts are especially relevant. Likewise, light, noise, and visual pollution can affect stakeholders across great distances. Mining operational activities include blasting, crushing, milling, and transporting heavy loads, all of which can generate significant noise. Processing minerals requires very significant energy to power its operations; depending on how power is generated this too can result in high levels of noise and pollutants to water, soil and air.

Where operational activities are in or near urban centers, which is often the situation for metal processing and manufacturing plants, this Criterion's requirements on treatment and safe discharge of water are especially relevant.

Baseline

If baseline sampling was not completed before the start of operations, Sites should consider historical or synthetic data to establish an approximate baseline. If these are not available, the baseline may be taken from the time of the assessment.

b. Core Requirements

Sites are expected to avoid, minimize, rectify, and compensate for adverse impacts on human health and the environment from pollution. This means:

- 1. To identify risks of adverse impacts caused by pollution.** As well as the requirements in Criterion 2, Site assessment shall:



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- Assess potential and actual impacts of the Site's operational activities including consideration of the effects on the human rights of affected stakeholders.
- Determine the Scope of assessments, which means to identify Sites' features, aspects and operational activities that fall within the responsibility of Sites to manage including:
 - all operational activities and infrastructure that has the potential to generate pollution, including off-site, such as pollution from transport or from workers' accommodation when this is provided by the Site;
 - affected stakeholders including workers, neighboring landowners, rights holders to land access and water, municipalities, managers of protected or other designated areas, downstream communities or communities that may be affected by air, water, and soil pollutant emissions or by noise, vibration, light, and visual pollution, and other stakeholders affected by pollution from Sites' pollution mitigation practices.
- Establish a baseline, which means to generate, gather, and analyze baseline data and information on different types of pollution, including but not limited to:
 - pollutants to air, such as:
 - particulate matter (PM)
 - sulfur oxides (SO_x)
 - nitrogen oxides (NO_x)
 - volatile organic compounds (VOCs)
 - pollutants to water, such as:
 - oil and fluids from machinery and production equipment
 - runoff from waste storage and facilities
 - human waste
 - discharge of water from processing
 - pollutants to soil and land, such as:
 - oil and fuel spills
 - hazardous substances and chemical spills
 - light pollution, such as:
 - continual or intermittent lighting from buildings and in public spaces
 - noise pollution, such as:
 - loud noises from operational activities, such as controlled explosions at mining Sites, sirens, or heavy traffic; and
 - visual pollutants, such as:
 - single prominent or cumulation of many built features associated with Sites that interrupt landscape features and character and reduce visibility.



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- Consult with engaged key stakeholders (e.g., governments, communities, and workers) regarding baseline data, risk identification and action planning.
- Communicate impacts to affected stakeholders in ways that are physically accessible and understandable

2. To implement the mitigation hierarchy to address actual and potential impacts on human health and the environment from pollution, which means to:

- ensure that the air, soil, water quality; noise and lights levels; and infrastructure and buildings' plans and final construction associated with operational activities and in scope of Sites impact assessments comply with relevant national or international standards in line with Criterion 5 on Legal Compliance;
- Incorporate pollution prevention and mitigation according to the **mitigation hierarchy** within project design and operational activities and develop corresponding action plans;
- When relevant, the implementation of action plans shall be aligned with objectives in Criterion 21 on Occupational Health and Safety for:
 - provision of personal protective equipment that is appropriate and commensurate with prevailing noise levels
 - occupational health and safety and security requirements for appropriate lighting
 - take measures to avoid and minimize impacts of vibration

3. To implement a system to manage adverse impacts associated to a Site's operational activities in line with Criterion 1 on Management Systems.

- establish monitoring procedures and protocols to track implementation of the action plans to avoid and minimize adverse impacts from pollution.
- assign qualified managers and workers to implement monitoring responsibilities
- for residual adverse impacts from pollutants from operational activities, when all other measures have been taken to avoid, minimize and rectify such impacts, implement procedures to evaluate effective remediation steps in consultation with affected stakeholders. This can include financial compensation for permanent harm to people and their communities in line with national laws and regulations, and measures to recover the previous states of environmental quality or human health.

4. To Publicly Disclose impacts, action plans, progress and results related to pollution in line with Criterion 6 on Sustainability Reporting.



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II. Key References

International Conventions and Treaties

- [Convention on Persistent Organic Pollutants \(Stockholm Convention\)](#)

Additional Reading

This following literature may be useful when implementing this Criterion:

- [World Health Organization, WHO Air quality guidelines: particulate matter \(PM_{2.5} and PM₁₀\), ozone, nitrogen dioxide, sulfur dioxide and carbon monoxide](#)
- [World Health Organization, WHO Environmental Guidelines for the European Region](#)
- [World Health Organization, WHO Guidelines for Community Noise](#)
- [World Health Organization, WHO Environmental Noise Guidelines for the European Region](#)
- [World Bank Group, Environmental, Health and Safety Guidelines](#)
- [ISO 13.040.20, Ambient Atmospheres](#)
- [ISO 4225:2020, Air Quality](#)
- [ILO, Labour Administration and Inspection on Noise](#)



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Glossary

Accessible

In the context of grievance mechanisms and engagement processes, this means ensuring these processes are known to all stakeholder groups and providing adequate assistance for those who may face barriers to access.¹

Accountable

Being accountable means being responsible and responsive to obligations and stakeholders, including to report, explain, respond, or justify.

Action plan

The prevention, mitigation, remediation measures that are put in place by the Site to address identified salient **ESG issues**

Administrative remedies

A non-judicial remedy granted by an agency, board, or commission.

Adverse impact(s)

Any adverse effect on human rights or the environment that the Site may cause, contribute to, or to which it is directly linked. This Guide differentiates between actual adverse impacts to indicate adverse effects that have already occurred or are occurring; and potential adverse impacts to indicate an adverse effect that might occur.

Affected stakeholder(s)

An individual or group of individuals, also referred to as **rightsholders** whose human rights have been or may be affected by a Site operations, products or services.

Anti-competitive behavior

A situation where businesses agree to prevent, restrict or distort their competition to affect trade, for example by fixing prices on goods and services, limiting or preventing production or supply, dividing markets or customers and rigging bids.

Arbitration

A way of settling a dispute without having to attend court and is an alternative method to dispute resolution. An award granted during arbitration proceedings is legally binding.

Artisanal and Small-Scale Mining (ASM)

Formal or informal operations with predominantly simplified forms of exploration, extraction, processing, and transportation. ASM is normally low capital intensive and uses high labor-intensive technology. ASM can include men and women working on an individual basis as well as those working in family groups, in partnership or as members



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of cooperatives or other types of legal associations and enterprises involving hundreds or thousands of miners.

Biodiversity

The variability among living organisms from all sources including, terrestrial, marine, and other aquatic ecosystems and the ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems.

Bribery

Giving or receiving a financial or other advantage in connection with the "improper performance" of a position of trust, or a function that is expected to be performed impartially or in good faith.

Business partners

A business partner, also referred to as direct business partner, is an entity with whom the Site has a contractual relationship. Business partners include contractors, agents, customers, suppliers, local and international intermediaries or traders, and joint venture partners. They also include entities that provide services, such as security providers and recruitment agencies, or any other third parties subject to due diligence within the scope of the Criteria Guide. Business partners do not include end consumers. In this Guide, indirect business partners is used to indicate entities beyond the first tier of a Site, on which the Site might have leverage through its first tier.

CAHRAs

Is used to indicate Conflict Affected and High Risk Areas, that is areas identified by the presence of armed conflict, widespread violence, including violence generated by criminal networks, or other risks of serious and widespread harm to people. Armed conflict may take a variety of forms, such as a conflict of international or non-international character, which may involve two or more states, or may consist of wars of liberation, or insurgencies, civil wars. High-risk areas are those where there is a high risk of conflict or of widespread or serious abuses as defined in paragraph 1 of Annex II of the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict Affected and High-Risk Areas: Third Edition. Such areas are often characterised by political instability or repression, institutional weakness, insecurity, collapse of civil infrastructure, widespread violence and violations of national or international law."

Carbon offsetting

Involves companies investing in environmental projects, such as tree planting, [REDD](#), renewable energy, energy conservation and methane capture, with the goal of reducing the overall carbon dioxide in the atmosphere.

Catchment area



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In a catchment area, all rain and run-off water is collected by the natural environment and eventually flows to a creek, river, dam, lake, ocean, or into a groundwater system.

Cause

A Site causes an adverse impact if the Site's activities on their own are sufficient to result in the **adverse impact**.

Chance find procedure: a project-specific procedure that outlines what will happen if previously unknown heritage resources, particularly archaeological resources, are encountered during project construction or operation.

Chain of custody

A record of the sequence of entities which have custody of minerals as they move through a supply chain.

Child

Individuals below 18 years of age.

Child labor

The employment of children in an industry or business, especially when illegal or considered exploitative. The International Labour Organization (ILO) Minimum Age Convention 138 defines child labor as work that deprives children of their childhood, their potential, and their dignity, and that is harmful to physical and mental development. It refers to work that is mentally, physically, socially or morally dangerous and harmful to children; and which interferes with their schooling by depriving them of the opportunity to attend school, obliging them to leave school prematurely; or requiring them to attempt to combine school attendance with excessively long and heavy work.

Child labor is any paid or unpaid work that is undertaken by a person under the age of 15, or the age for completing compulsory education, or the legal minimum age for employment in the country, whichever age is greatest.

Also, any work that endangers a person under the age of 18 is considered hazardous child labor.

Circular economy

Within a circular economy, material producers and product manufacturers work with end users, communities, retailers, service providers and waste management facilities to "close loops" by reusing, performing maintenance on, repairing, refurbishing and recycling products.

Climate change adaptation



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In human systems, the process of adjustment to actual or expected climate and its effects, to moderate harm or exploit beneficial opportunities.

Climate change mitigation

A human intervention to reduce emissions or enhance the sinks of greenhouse gases.

Closure plan

A plan that defines the activities and budget necessary to return a Site or facility location to a condition at the end of the project's life acceptable to stakeholders, including workers, affected communities, and regulators.

CO₂ equivalent

Carbon dioxide equivalent – a standard unit for measuring the global warming potential of different greenhouse gases in terms of the amount of CO₂ that would create the same amount of warming.

Collective bargaining

Collective bargaining refers to a voluntary process or activity through which employees and workers discuss and negotiate their relations, in particular terms and conditions of work and the regulation of relations between employers, workers and their organizations. Participants in collective bargaining include employers themselves or their organizations, and trade unions or, in their absence, representatives freely designated by the workers.

Collective bargaining agreement

A written contract negotiated through collective bargaining. Such agreements can be at the level of the Site, at the industry level (in countries where that is the practice), or at both. Collective bargaining agreements can cover specific groups of workers; for example, those performing a specific activity or working at a specific location.

Community development

Process whereby people increase the strength and effectiveness of their communities, improve their quality of life, enhance their participation in decision making and achieve greater long-term control over their lives.

Community health and safety

Refers to public health and safety concerns that may affect workers or business partners during work activities, but which may also impact non-workers from the local community and outside of work activities.

Compensation

A financial or non-financial payment to address an impact (generally, compensatory payments should be made once reasonable efforts have first been made to avoid and minimize the impact).



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Compliance

A state of being in conformity with guidelines or specifications, usually set by a national or international regulatory body.

Conflict-affected and high-risk areas

Areas identified by the presence of armed conflict, widespread violence, including violence generated by criminal networks, or other risks of serious and widespread harm to people. Armed conflict may take a variety of forms, such as a conflict of international or non-international character, which may involve two or more states, or may consist of wars of liberation, insurgencies, or civil wars. High-risk areas are those where there is a high risk of conflict or of widespread or serious abuses as defined in paragraph 1 of Annex II of the OECD Due Diligence Guidance for Responsible supply Chains of Minerals from Conflict-Affected and High-Risk Areas. Such areas are often characterized by political instability or repression, institutional weakness, insecurity, the collapse of civil infrastructure, widespread violence and violations of national or international law.

Consultation

A two-way process of information sharing and decision-making that aims simultaneously to address stakeholder issues and priorities (including the needs of disadvantaged and vulnerable groups) as well as the concerns and needs of the business or Sites. It is carried out in a manner that is inclusive and culturally sensitive: beyond listening, the aim of engagement and consultation is to ensure mutual understanding and responsiveness by all parties to enable them to discuss and manage matters with the potential to affect all concerned.

Contribute

A Site contributes to an **adverse impact** if its activities, in combination with the activities of other entities, cause the impact, or if the activities of the Site cause, facilitate or incentivize another entity to cause an **adverse impact**.⁷ Contribution must be substantial, meaning that it does not include minor or trivial contributions. The substantial nature of the contribution and understanding when the actions of the Company may have caused, facilitated or incentivized another entity to cause an **adverse impact** may involve the consideration of multiple factors. The following factors can be taken into account: the degree to which the activity increased the risk of the impact occurring; the degree of foreseeability; the degree to which any of the Company's activities actually mitigated the **adverse impact** or decreased the risk of the impact occurring.

Corporate Social Responsibility Report

An organizational report that gives information about a company's economic, environmental, social and governance performance in relation to its business activities.

Corruption



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Corruption is any unlawful or improper behavior that seeks to gain a private advantage through illegitimate means. Any kind of bribery is a form of corruption; but corruption also includes abuse of power, extortion, fraud, deception, collusion, cartels, embezzlement and money laundering.

Critical cultural heritage

Cultural heritage that is internationally recognized as being critical to a people who continue to use it for long-standing cultural purposes, and where the loss or damage of such heritage could endanger their livelihoods, cultural, ceremonial or spiritual purposes that define the identity of the impacted community. Critical cultural heritage includes both legally protected cultural heritage sites, including those proposed by host governments for such designation, as well as sites that are not legally protected.

Cultural heritage

Customs, practices, places, objects, artistic expressions and values. Cultural heritage is often expressed as either intangible or tangible cultural heritage.

Culturally appropriate

Exhibiting understanding and sensitivity and appealing to cultural differences and similarities. Working effectively and demonstrating effectiveness in translating that sensitivity to action through culturally tailored approaches.

Debt Bondage

Work undertaken by a worker who mortgages his or her services or those of family members to someone providing credit to repay a loan or advance.

Development initiative

Acts that aim to improve or intend to solve a problem.

Direct (Scope 1) GHG emissions

Emissions from sources that are owned or controlled by the Site.

Direct and indirect support to non-state armed groups

This includes, but is not limited to, procuring minerals from, making payments to or otherwise providing logistical assistance or equipment to, non-state armed groups or their affiliates who:

- i) illegally control mine sites or otherwise control transportation routes, points where the mineral is traded and upstream entities in the supply chain; and/or
- ii) illegally tax or extort money or minerals at points of access to mine sites, along transportation routes or at points where the mineral is traded; and/or
- iii) illegally tax or extort intermediaries, export sites or international traders.

Discrimination



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Discrimination occurs when a person is treated less favorably than others because of characteristics that are not related to the person's competencies or the inherent requirements of the job. All workers and job seekers have the right to be treated equally, regardless of any attributes other than their ability to do the job. Prohibited bases of discrimination can include age, caste, disability, ethnic, and/or national origin, gender, membership in free and independent workers' organizations including free and independent unions, political affiliation, race, religion, sexual orientation, marital status, family responsibilities, social background, and other personal characteristics.

Disposal

Any operation which is not recovery, even where the operation has as a secondary consequence the recovery of energy

Double materiality: Double materiality provides criteria for determination of whether an **ESG issue** has to be included in the Site's sustainability report. Double materiality is the union (in mathematical terms, i.e. union of two sets, not intersection) of **impact materiality** and **financial materiality**. An **ESG issue** meets therefore the criteria of double materiality if it is material from the impact perspective or from the financial perspective or from both of these two perspectives.

Downstream

Downstream includes those Sites that operate from "identified points" in the supply chain to the final end product. Identified points often correspond to smelters/refiners and mineral processors.

Due Diligence

Due diligence is an on-going, proactive and reactive process through which Sites can demonstrate reasonable efforts to identify, prevent and mitigate any risk of serious human rights abuses associated with the extraction, transport or trade of minerals; conflict associated with direct or indirect support to non-state armed groups and engagement of public or private security forces; and, adverse effects on governance systems associated with bribery and fraudulent misrepresentation of the origin of minerals, money laundering, and payment of taxes, fees and royalties due to governments.

Early warning system

A set of procedures and systems that generate and disseminate timely warning information of a probable emergency, that enables at-risk individuals and communities to prepare and act in time to reduce harm or loss.

Economic displacement

The forced movement of people from their occupational activities, resulting in loss of livelihoods.



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Ecosystem services

Any positive benefit that wildlife or ecosystems provide to people. Major categories of ecosystem services are provisioning, regulating, cultural and supporting services.

Emergency preparedness

The term refers to a set of measures undertaken to anticipate emergencies and improve responsiveness to prevent or mitigate impacts of emergencies on workers and communities.

Emergency response plan

A set of written procedures for dealing with emergencies that minimize the impact of the event and facilitate recovery from the event.

Employment:

Employment is when persons of working age who are engaged in any activity to produce goods or provide services for pay or profit, whether at work during the reference period or not at work due to temporary absence from a job, or to working-time arrangement.

Employment Terms

Refers to the responsibilities and benefits associated with a job as agreed upon by an employer and worker at the time of hiring. These terms generally include, but are not limited to, job responsibilities, work hours, leave and salary.

Endangered species

A species of animal or plant considered to be facing a very high risk of extinction in the wild. The IUCN Red List classifies endangered species by levels of threat, the categories of which are in descending order: extinct or extinct in the wild; critically endangered; endangered; and, vulnerable.

Energy indirect (Scope 2) GHG emissions

Emissions that result from the generation of purchased or acquired electricity, heating, cooling, and steam consumed by the Site.

Environmental and Social Impact Assessment – ESIA

A process for predicting and assessing the potential environmental and social impacts of a proposed project, evaluating alternatives and designing appropriate preventative, mitigation, management and monitoring measures and plans.

Environmental Management Plan – EMP

An EMP is a site-specific plan to ensure that necessary measures are identified and implemented in order to protect the physical and social environment and comply with relevant legislation.



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Equitable

Being equitable means ensuring that aggrieved parties have reasonable access to sources of information, advice and expertise necessary to engage in a grievance process on fair, informed and respectful terms.

ESG Issues:

Is used in this Guide to indicate actual or potential risks and impacts on human rights and the environment that a Site may cause, contribute to, or to which it is directly linked.

Facilitation payments

Facilitation payments are relatively small bribes, also called ‘facilitating’, ‘speed’ or ‘grease’ payments, that are made to a public or government official in order to secure, expedite or receive preferential treatment for the performance of a routine or necessary action to which the payer has a legal or other entitlement—for example, paying an official to speed up, or ‘facilitate’, an authorization process.

Financial Materiality

An ESG issue is material from a financial perspective if it triggers financial effects on a Site, i.e. generates risks or opportunities that influence or are likely to influence the future cash flows and therefore the value of the Site in the short, medium or long term but are not captured by financial reporting at the reporting date.

Forced Labor

Forced labor can be understood as work that is performed involuntarily and under the menace of any penalty. It refers to situations in which persons are coerced to work through the use of violence or intimidation, or by more subtle means such as manipulated debt, retention of identity papers or threats of denunciation to immigration authorities.

Free, prior and informed consent – FPIC

FPIC is the principle that a specific community has the right to give or withhold its consent to proposed projects or activities that may affect the lands and resources they customarily own, occupy or otherwise use.

Freedom of Association

Freedom of association implies respect for the right of employers and workers to freely and voluntarily establish and join organizations of their own choice, free from outside interference or monitoring.

Gender

The characteristics of women, men and boys that are socially constructed. This includes norms, behaviors and roles associated with being a woman, man, girl or boy, as well as relationships with each other. As a social construct, gender varies from society to society and can change over time. Gender interacts with but is different from biological sex, which



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refers to the different biological and physiological characteristics of females, males and intersex persons, such as chromosomes, hormones and reproductive organs. Gender considerations should recognize individual freedom to make choices about gender identity without the limitations set by stereotypes, rigid roles and prejudices.

Gender equality

Refers to the absence of discrimination on the basis of a person's gender in opportunities, the allocation of resources and benefits, or in access to services.

Good faith

Transparent, active and honest participation in engagement using procedures and language readily understood and agreed to by all parties, considerate of the available time of the parties, with the intention of finding common ground.

Governance

The norms, institutions and processes that determine how power and responsibilities are exercised and how decisions are taken, including political, economic and institutional dimensions.

Greenhouse gases – GHG

Gases that contribute to the greenhouse effect by absorbing infrared radiation (examples include carbon dioxide, methane, nitrous oxide, hydrofluorocarbons, perfluorocarbons, sulphur hexafluoride, and nitrogen trifluoride).

Grievance

A perceived injustice evoking an individual's or a group's sense of entitlement, which may be based on law, contract, explicit or implicit promises, customary practice, or general notions of fairness of aggrieved communities.

Grievance mechanism

Any routinized, State-based or non-State-based, judicial or non-judicial process through which grievances concerning business-related rights abuse can be raised and remedy can be sought.

Harassment

A range of unacceptable behaviors and practices, or threats thereof, whether a single occurrence or repeated, that aim at, result in, or are likely to result in physical, psychological, sexual or economic harm.

Hazardous waste

Waste with properties that make it potentially dangerous or harmful to human health or the environment.



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Hazardous work

Hazardous, or dangerous work is:

- Work underground, under water, at dangerous heights or in confined spaces;
- Work with dangerous machinery, equipment, and tools, or which involves the manual handling or transport of heavy loads;
- Work in an unhealthy environment which may, for example, expose children to hazardous substances, agents, or processes, or to temperatures, noise levels, or vibrations damaging to their health;
- Work under particularly difficult conditions such as work for long hours or during the night or work where the child is unreasonably confined to the premises of the employer.
- Work which exposes children to physical, psychological, or sexual abuse (see glossary definition of child labor).

Hazardous work (in mining)

Many activities associated with mining are considered by the International Labour Organization (ILO) to be hazardous since mine workers often work without natural light or ventilation, may come into contact with toxic mineral dusts and ores, and experience high incidences of disabling occupational diseases such as pneumoconiosis, hearing loss and the effects of vibration.

Health and Safety Controls Hierarchy

A method for controlling health and safety risks:

- Eliminate the hazard by removing or modifying the activity causing it;
- Control the hazard at the point where it starts; and,
- Minimize the hazard by designing safe work systems and/or taking administrative or institutional measures (for example, by providing training or communication materials on safe work procedures, monitoring the workplace, limiting exposure or working hours, or promoting job rotation).

Human Rights

Human rights are universal rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. All human rights are universal, inalienable, indivisible and interdependent (adapted from the [United Nations Human Rights Office of the High Commissioner](#)).

Identified point(s) in the supply chain

Point in the supply chain meeting the following criteria:¹⁷

- Key points of transformation in the supply chain (i.e., a point in the supply chain where the physical or chemical properties of a mineral or metal of a material are changed, in order to produce something else);
- Stages in the supply chain that generally include relatively few actors that process a majority of the commodity;



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- Stages in the supply chain with visibility and control over the circumstances of production and trade upstream;
- Greatest points of leverage of downstream enterprises.

For gold, tin, tantalum, and tungsten supply chains, the identified point is indicated in the relevant Supplements to the OECD Due Diligence Guidance (i.e., the smelter/refiner). For other supply chains, the identified point may be indicated in relevant industry standards (e.g., the Joint Due Diligence Standard for Copper, Lead, Molybdenum, Nickel and Zinc)

Immediate Supplier

The supplier which has a contract with and supplies material to the Sites and is immediately before the Sites in the supply chain.

Impact

Used in this Guide to indicate adverse impacts.

Impact Materiality

An **ESG issue** is material from an impact perspective if it is identified in the risk assessment of a Site as actual or potential risks and impacts on people or the environment. This includes risks and impacts directly caused or contributed to by the Site as well as risks and impacts which occurs at any tier of its supply chain.

Inclusive

This term refers to processes that include all types of stakeholders, such as men, women, the elderly, youth, displaced persons, Indigenous Peoples, vulnerable and disadvantaged persons or groups, without discrimination.

Indigenous Peoples

Indigenous communities, peoples and nations are those which, having a historical continuity with pre-invasion and pre-colonial societies that developed on their territories, consider themselves distinct from other sectors of the societies now prevailing on those territories, or parts of them. They form at present non-dominant sectors of society and are determined to preserve, develop and transmit to future generations their ancestral territories, and their ethnic identity, as the basis of their continued existence as peoples, in accordance with their own cultural patterns, social institutions and legal system.

Influence

The ability of Sites to effect changes in, and/or prevent the wrongful practices of, a business partner or supplier that is or may be causing or contributing to an adverse impact.

ESG issues:

Actual or potential risks and impacts of a Site on internationally recognized human rights and the environment.



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Landfilling

Final depositing of solid waste at, below, or above ground level at engineered disposal sites

Legal risk

Any action or inaction which could lead to being called to court whether at national or international levels or could lead to a penalty due to non-compliance with regulatory requirements. Examples of matters which could result in a legal risk include contracts, business agreements, health and safety, internal human resources systems, or patents.

Legitimate ASM

The legitimacy of artisanal and small-scale mining is a difficult concept to define because it involves a number of situation-specific factors. For the purposes of this guide, legitimate refers, among others, to artisanal and small-scale mining that is consistent with applicable laws. When the applicable legal framework is not enforced, or in the absence of such a framework, the assessment of the legitimacy of artisanal and small-scale mining will take into account the good faith efforts of artisanal and small-scale miners and enterprises to operate within the applicable legal framework (where it exists) as well as their engagement in opportunities for formalisation as they become available (bearing in mind that in most cases, artisanal and small-scale miners have very limited or no capacity, technical ability or sufficient financial resources to do so). In either case, Artisanal and small-scale mining, as with all mining, cannot be considered legitimate when it contributes to conflict and serious abuses associated with the extraction, transport or trade of minerals.

Life Cycle Analysis

A method used to evaluate the environmental impact of a product through its life cycle encompassing extraction and processing of the raw materials, manufacturing, distribution, use, recycling and final disposal.

Light pollution

The presence of unwanted, inappropriate, or excessive artificial lighting.

Living Wage

Remuneration received for a standard work week by a worker in a particular place sufficient to afford a decent standard of living for the employee and his or her family. Elements of a decent standard of living include food, water, housing, education, health care, transport, clothing and other essential needs including provision for unexpected events.

Management System



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A management system is a set of operational procedures, practices, plans, and related documents that are established to implement policies and fulfilment of tasks required to achieve an objective, including the avoidance and management of adverse issues related to the areas covered by the Criteria, or “aspects” associated with a business’s activities. For these areas, the steps involved in a management system typically include identification and assessment of issues; setting of objectives, developing action plans and assigning responsibilities; implementing action plans through establishing procedures, communication, and training; monitoring and tracking progress; and taking action to correct and prevent identified issues. The final step is a review of the aspects and objectives, adjusting the action plans as needed and recording ‘lessons learned’ for future training. Management systems can be integrated and address more than one aspect. For example, an environmental management system may address biodiversity, GHG emissions, energy efficiency, waste management, etc.

Material

The term is used to indicate all *mined*, and/or *recycled material* received, held and/or processed during the *assessment* period, and intended for the production of *metal products*. The term includes *minerals* and *metal products*.

Material Payments

Important or relevant revenue streams. The EITI requires that all material benefit streams be published. According to the EITI Validation guide, a benefit stream is “material if its omission or misstatement could materially affect the final EITI Report.”

Material Stewardship

An informed approach to materials management that addresses the maintenance of a material throughout its lifecycle and provides a model for preserving and extending the lifetime of materials, thus reducing waste.

Material Topic

Topic that reflects a reporting organization’s significant economic, environmental and social impacts; or that substantively influences the assessments and decisions of stakeholders

Mitigation

Mitigation of an adverse impact refers to actions taken to reduce its extent. The mitigation of risks of adverse impacts refers to actions taken to reduce the likelihood of a certain adverse impact occurring.²²

Mitigation Hierarchy (for general environmental and social risk assessments and management)



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To adopt a mitigation hierarchy to anticipate and avoid, or where avoidance is not possible, minimize, and, where residual impacts remain, compensate/offset for risks and impacts to workers, affected communities, and the environment.

Mitigation hierarchy for biodiversity management

A set of ordered steps that can enable Sites to work towards 'No Net Loss' of biodiversity.

The mitigation hierarchy is defined as:

- Avoidance: measures taken to avoid creating impacts from the outset (including direct, indirect and cumulative impacts), such as careful spatial or temporal placement of elements of infrastructure, in order to completely avoid impacts on certain components of biodiversity.
- Minimization: measures taken to reduce the duration, intensity and/or extent of impacts (including direct, indirect and cumulative impacts) that cannot be completely avoided, as far as is practically feasible.
- Rehabilitation/replacement/restoration: measures taken to rehabilitate degraded ecosystems or restore cleared ecosystems following exposure to impacts that cannot be completely avoided and/or minimized.
- Offset: measures taken to compensate for any significant residual, adverse impacts that cannot be avoided, minimized and/or rehabilitated or restored, in order to achieve no net loss or preferably a net gain of biodiversity. Offsets can take the form of positive management interventions such as restoration of degraded habitat, arrested degradation or averted risk, protecting areas where there is imminent or projected loss of biodiversity.

Money laundering

Is the process by which proceeds from a criminal activity are disguised to conceal their illicit origins.

Natural Resources

Materials or substances that are found in nature and used in human activities. For example, coal, mineral oil, natural gas, water and forest products.

Net gain

A goal for a development project, policy, plan, or activity in which the impacts on biodiversity it causes are outweighed by mitigation measures leaving biodiversity in a better state than before. Biodiversity net gain relies on the application of the mitigation hierarchy to avoid, mitigate, or offset biodiversity losses.

Nitrogen Oxides (NO_x)

A term for any of several oxides of nitrogen, most of which are produced in combustion and considered to be atmospheric pollutants.

No net loss



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A goal for a development project, policy, plan, or activity in which the impacts on biodiversity it causes are balanced by measures taken to avoid and minimize the impacts, to restore affected areas and finally to offset the residual impacts, so that no loss remains.

Noise pollution

Unwanted or excessive sound that can have harmful effects on human health, wildlife, and environmental quality.

Non-hazardous waste

Waste which is not classified as hazardous waste (non-hazardous waste can also include inert waste).

Non-replicable cultural heritage

Cultural heritage that is unique or relatively unique for the period it represents, or cultural heritage that is unique or relatively unique in linking several periods in the same site²⁵.

Occupational health and safety

Health and safety as it relates specifically to employment and the workplace environment.

Offences

Any action or crime that breaks or contravenes a particular law or regulation.

Operational activities

Refers to every kind of work done on or in respect of the **Site** or the minerals derived from the **Site**.

Other indirect (Scope 3) GHG emissions

Indirect GHG emissions not included in energy indirect (Scope 2) GHG emissions that occur outside of the Site, including both upstream and downstream emissions.

Other known supplier

Any known supplier further upstream that is identifiable through general business dealings or public reports (or other publicly available information) to the extent necessary to enable due diligence.

Particulate Matter (PM)

The term for a mixture of solid particles and liquid droplets found in the air. Some particles such as dust, dirt, soot or smoke, are large or dark enough to be seen with the naked eye. Others can only be detected using an electron microscope.

Physical displacement

The forced movement of people from their locality or environment.



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Pollution

The introduction of poisonous and harmful substances to air, land, and water.

Potential adverse impact(s)

An **adverse impact** that has not yet occurred or is occurred.

Preparation for reuse

Checking, cleaning, or repairing operations, by which products or components of products that have become waste are prepared to be put to use for the same purpose for which they were conceived

Proactive

This means anticipating and/or preparing for situations in advance, negative and positive, for example, anticipating and creating plans and procedures for potential problems, solution, concerns, etc. before they become an issue.

Protected area

Geographically defined area that is designated or regulated and managed to achieve specific conservation objectives. An area of land or sea especially dedicated to the protection and maintenance of biodiversity and of natural and associated cultural resources and managed through legal or other effective means.

Reasonable adjustments

Necessary and appropriate modification and adjustments not imposing a disproportionate burden, where needed in a particular case, to ensure that all persons have access to, can participate or advance in, employment or a specific occupation.

Reasonable efforts

Effort that is rational, sensible, and fair, while considering relevant limitations.

Reclamation

To return the land disturbed by operational activities to the state before the commissioning of the Site, or to a state that is agreed by affected stakeholders.

Recovery

Operation wherein products, components of products, or materials that have become waste are prepared to fulfill a purpose in place of new products, components, or materials that would otherwise have been used for that purpose.

Recycling



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Checking, cleaning, or repairing operations, by which products or components of products that have become waste are prepared to be put to use for the same purpose for which they were conceived

Remediation

Remediation and remedy refer to both the processes of providing remedy for an adverse impact and to the substantive outcomes (i.e. remedy) that can counteract, or “make good”, the adverse impact.

Replicable cultural heritage

Tangible forms of cultural heritage that can themselves be moved to another location or that can be replaced by a similar structure or natural features to which the cultural values can be transferred by appropriate measures.

Resettlement

Resettlement refers both to physical displacement (relocation or loss of shelter) and economic displacement (loss of assets or access to assets that leads to loss of income sources or other means of livelihood) that happens when a company acquires land or places new restrictions on land use.

Responsible business conduct

Responsible business conduct entails above all conduct consistent with applicable laws and internationally recognized standards. Based on the idea that you can do well while doing no harm, it is a broad concept that focuses on two aspects of the business-society relationship: 1) positive contribution businesses can make to sustainable development and inclusive growth, and 2) avoiding negative impacts and addressing them when they do occur. Risk-based due diligence and value creation are at the heart of this process.

Retaliation

Where a Site punishes a worker for exercising their rights in the workplace, such as making a complaint.

Right holders: individuals or groups that have an entitlement to the rights outlined in the Universal Declaration of Human Rights. The entitlements of right holders need to be protected (usually by governments) and respected (usually by businesses).

Risk

Risk that a Site might have an **adverse impact** on human rights and the environment.

Risk assessment

Risk assessment refers to the quantitative and qualitative evaluation of the risk posed to human rights and/or the environment by actual or potential **adverse impacts**.



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Royalty

Refers specifically to the individual methods by which money comes into a company, organization and/or government.

Saliency

Refers to a Site's prioritization of ESG issues based primarily on their potential severity and secondarily on their likelihood. Where severity is determined by:

- Scale means the gravity of the impact
- Scope means the number of individuals that are or could be affected.
- Irremediability means the ease or otherwise with which those impacted could be restored to their prior enjoyment of the right(s).

Salient ESG issues

Are human rights and environmental issues that are prioritized for attention because they are identified as at risk of the most severe negative impacts through a Site's operations or business partners. Salient ESG issues are identified based on a Site's assessment of **saliency**

Scrap (process)

Refers to the **waste** processed metals created during product manufacturing.

Serious human rights abuses

Any forms of torture, cruel, inhuman and degrading treatment; any forms of forced or compulsory labor, which means work or service which is exacted from any person under the menace of penalty and for which said person has not offered himself voluntarily; the worst forms of child labor as defined by the ILO Convention No. 182 on the Worst Forms of Child Labour (1999); other gross human rights violations and abuses such as widespread sexual violence; war crimes or other serious violations of international humanitarian law, crimes against humanity or genocide.³¹

Site

A single location or facility of a company in a mineral supply chain. A site may comprise several activities in the same geographic area (e.g. mining, beneficiation and refining), under the same management control.

Stakeholder

Any individual or organization and their legitimate representatives that may affect, or be affected by a company's actions and decisions. Stakeholders can be individuals, interest groups, government agencies or corporate entities. They may include politicians, commercial and industrial enterprises, labor unions, academics, religious groups, national social and environmental groups, public sector agencies, the media and communities.³ In this Criteria Guide, the primary focus is on affected or potentially **affected stakeholders**.



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Legitimate representatives include trade unions, as well as civil society organizations and others with experience and expertise related to business impacts on human rights.

Stakeholder Engagement

A two-way process of information sharing and decision-making that aims to simultaneously address stakeholder issues and priorities (including the needs of disadvantaged and vulnerable groups) as well as the concerns and needs of the business. It is carried out in a manner that is inclusive and culturally sensitive: beyond listening, the aim of engagement and consultation is to ensure mutual understanding and responsiveness by all parties to enable them to discuss and manage matters with the potential to affect all concerned.³⁴

Sulfur Oxides (SO_x)

An inorganic compound that is a heavy, colorless, poisonous gas. It is produced in huge quantities in intermediate steps of sulfuric acid manufacture.

Supplier

A tier one **business partner** of a **Site**

Tailings

A waste output of mining, consisting of the processed rock or soil left over from the separation of the commodities of value from the rock or soil within which they occur.

Tailings Facility

Dams, impoundments, and containment structures that are designed and managed to contain the tailings produced by the Site.

Territory

In the context of Indigenous Peoples, territory is the land they directly cultivate or inhabit, including the broader territory, encompassing the total environments of the areas which they occupy or otherwise use, inclusive of natural resources, rivers, lakes and coasts.³⁵

Traceability

Physical tracking of minerals at all points of the trading chain, from their mine of origin to their point of export.

Traditional ownership, customary use

With regards to Indigenous Peoples, traditional ownership refers to the territories where these Peoples settle and reside; and their use of traditional and/or cultural resources. Customary use of territories and/or resources is based on a long series of habitual or customary actions, constantly repeated, which may



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result in customary rights. Customary use or occupation of new territories may also arise, for example, in the event of displacement and/or cultural migrations.

Transparency

Openness and public disclosure of activities.

UN Sustainable Development Goals

The Sustainable Development Goals (SDGs), also known as the Global Goals, were adopted by the United Nations in 2015 as a universal call to action to end poverty, protect the planet, and ensure that by 2030 all people enjoy peace and prosperity.

The 17 SDGs are integrated—they recognize that action in one area will affect outcomes in others, and that development must balance social, economic and environmental sustainability.

Upstream

Upstream are those Sites that operate from minerals or metals extraction to an “identified point” in the supply chain, including mines, local traders or exporters from the country of mineral origin, mineral re-processors and smelters/refiners.

Visual pollution

The visible deterioration and negative aesthetic quality of natural and human-made landscapes.

Volatile Organic Compounds (VOCs)

Organic chemicals that have a high vapor pressure at room temperature. Many VOCs are human-made chemicals that are used and produced in the manufacturing of paints, pharmaceuticals, and refrigerants. VOCs are emitted by a wide array of products numbering in the thousands. Examples include: paints and lacquers, paint strippers, cleaning supplies, pesticides, building materials and furnishings, office equipment such as copiers and printers, correction fluids and carbonless copy paper, graphics and craft materials including glues and adhesives, permanent markers, and photographic solutions.

Vulnerable Groups

Groups that are characterized by their higher risk and reduced ability to cope with adverse impacts. Such vulnerability may be based on socio-economic conditions, such as sex, gender, age, disability, ethnicity, religion, or other criteria that influence people’s ability to access resources and development opportunities.

Waste

Materials that are not prime products (that is, products produced for the market) for which the generator has no further use in terms of their own purposes of production,



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transformation or consumption, and of which they want to dispose. This waste can be generated during the extraction, beneficiation, and processing of minerals.

Waste mitigation hierarchy

A set of process options from most favorable to least favorable to protect human health and the environment from impacts associated with the generation, storage, handling, treatment, transportation and disposal of Wastes.⁴⁰

Water balance

Refers to an approach used to identify and map the flow of water in and out of a Site. A water balance is used to understand how water supply requirements change over time. A Site's water balance comprises three main components: water withdrawals, water discharge and water consumption. A practical formula for calculating a Site's water balance is withdrawal volume = discharge volume + consumption volume + any change in the volume of water storage inside the boundaries of the Site.

Water consumption

Refers to the freshwater taken from ground or surface water sources, either permanently or temporarily, and conveyed to the place of use.

Water flow

Refers to the current and the amount of water flowing from various sources, including ground water and recycled water.

Water quality

Refers to the physical, chemical, biological, and organoleptic (taste-related) properties of water.

Water stewardship

is the use of water in ways that are socially equitable, environmentally sustainable, and economically beneficial.

Whistleblowing Mechanism

The system for disclosing, to the public or to those in authority, mismanagement, corruption, illegality, or some other wrongdoing.