

# Methodology Report 2017

for the 2018 Responsible Mining Index



# Acknowledgements

The Responsible Mining Foundation (RMF) would like to thank the following organisations and individuals for their valuable support and thoughtful contributions to the development of the Responsible Mining Index methodology:

## Funders

Swiss State Secretariat for Economic Affairs (SECO) ■ Netherlands Ministry of Foreign Affairs  
■ Wyss Charitable Endowment ■ Good Energies Foundation ■ Cordaid ■ PeaceNexus Foundation

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Access to Nutrition Index  
Access to Seeds Index  
RMF Advisory Council  
SNL Global  
Solaron  
Synergy Global  
Magnus Ericsson, Luleå University of Technology  
Afshin Mehrpouya, HEC Paris  
Philippe Spicher, Amos Advisory

## RMF Feasibility study, roundtable and public comment consultations

All those who provided comments and recommendations during the feasibility phase, development phase, roundtable consultations and the public comment consultation on the RMI Draft Methodology including:

- Cote d'Ivoire roundtable consultation, Abidjan, September 2016
- India roundtable consultation, New Delhi, September 2016
- Indonesia roundtable consultation, Jakarta, March 2017
- Industry roundtable consultation, London, November 2016
- Mongolia roundtable consultation, Ulaanbaatar, March 2017
- Peru roundtable consultation, Lima, September 2016
- South Africa roundtable consultation, Johannesburg, September 2016
- Switzerland roundtable consultation, Bern, June 2016
- Public comment period: 9 February to 24 March 2017

Contributors to the consultations and public comment consultation included a wide range of stakeholders, including mining-affected community members, representatives of local community associations, people's movements, national and international NGOs, government bodies, industry associations, mining companies, multi-stakeholder initiatives, multilateral organisations, investors, academics, consultants and others.

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# 01

## Introduction

### Responsible Mining Index

The aim of the Responsible Mining Index (RMI) is that the full potential of minerals and metals mining positively benefits the economies, improves the lives of people and respects the environments of producing countries, particularly in some of the world's poorest regions, while mining companies also benefit in a fair and viable way.

With this in mind, the specific goal of the Responsible Mining Index is to encourage continuous improvement in responsible mining by transparently assessing the performance of large, geographically dispersed mining companies on economic, environmental, social and governance (EESG) issues, and highlighting leading practice.

RMI defines responsible mining as mining that demonstrably respects and protects the interests of people and the environment, and contributes discernibly and fairly to broad economic development of the producing country.

The Index will be published every two years and will assess approximately 30 large mining companies, including publicly listed, state-owned, and private companies. Their performance will be scored largely at company-wide level, although a small number of indicators will focus on the performance of approximately 150 mining operations.

RMI assesses company performance on a range of indicators; it is not a benchmark, certification or standard. The emphasis is on leading practice and learning.

### The RMI approach is characterised as one that:

- encourages continuous improvement;
- affirms leading practice and supports learning;
- reflects the priorities of society at large;
- takes a systems-based perspective, covering economic, environmental, social and governance (EESG) issues in an integrated manner;
- assesses the use of systematic company-wide approaches to managing EESG issues as part of core business;
- emphasises the public disclosure of public interest information;
- complements and amplifies the work of related initiatives, standards, principles and reporting mechanisms;
- focuses on large-scale metals and minerals mining, excluding oil and gas;
- covers publicly listed, state-owned and private companies;
- focuses on company-level, complemented by site-level, assessments;
- provides a transparent methodology; and
- makes results freely available as a public good.

## Responsible Mining Foundation

The Responsible Mining Index is being developed and produced by the Responsible Mining Foundation (RMF), an independent non-profit organisation founded in The Netherlands in 2012. The Foundation's Advisory Council provides independent advice on matters pertaining to the aims, development and influence of RMI. The Expert Review Committee, representing a range of expertise, advises the Foundation on the methodology of the Responsible Mining Index with consideration to the rigour of the development process, the robustness of the methodology, and its usefulness and credibility for all stakeholders. RMF is staffed by an international team working in collaboration with content, process and methodology experts. As an independent Foundation RMF does not accept funding or other contributions from the mining industry. More details on RMF are available on the RMI website: [www.responsibleminingindex.org](http://www.responsibleminingindex.org).

## Stakeholders with an interest in RMI results

Information generated by the Index will be useful to a wide range of decision-makers, interest groups, opinion-makers, and other stakeholders. The RMI report will aid decision-making and policy-making, provide shared learning, and support the industry and societal discourse around accountability and responsible mining.

The main stakeholder groups who have a direct interest in the Index results include, among others:

- **Mining companies** across the industry have an interest in knowing how their policies and practices compare to those of others and to wider societal expectations, as well as learning from leading practices.
- **Investors and multilateral lenders** are interested in using the RMI results to learn more about how companies they fund are managing EESG issues, relative to other companies included in the Index.
- **Civil society organisations** are interested in seeing how companies perform according to the RMI indicators, and identifying leading practices that could be applied elsewhere.
- **Mining-affected communities** are interested in the mine-site-level results and contextual information that will inform their discussions with companies and in leading practice that can be introduced elsewhere.
- **Workers and labour organisations** will be able to use the RMI results to compare working conditions at different companies and dialogue with companies on areas for improvement as well as leading practices.
- **Home country and producing country governments** will be able to use the RMI results to better inform their discussions with mining companies, based on what they can expect in terms of responsible policies and practices already exhibited by some companies.
- **Academics and think-tank organisations** will be able to use the RMI results to inform and expand their research.
- **Customers** are interested in learning more about the level of responsible behaviour demonstrated by companies supplying them with mined commodities.

# 02

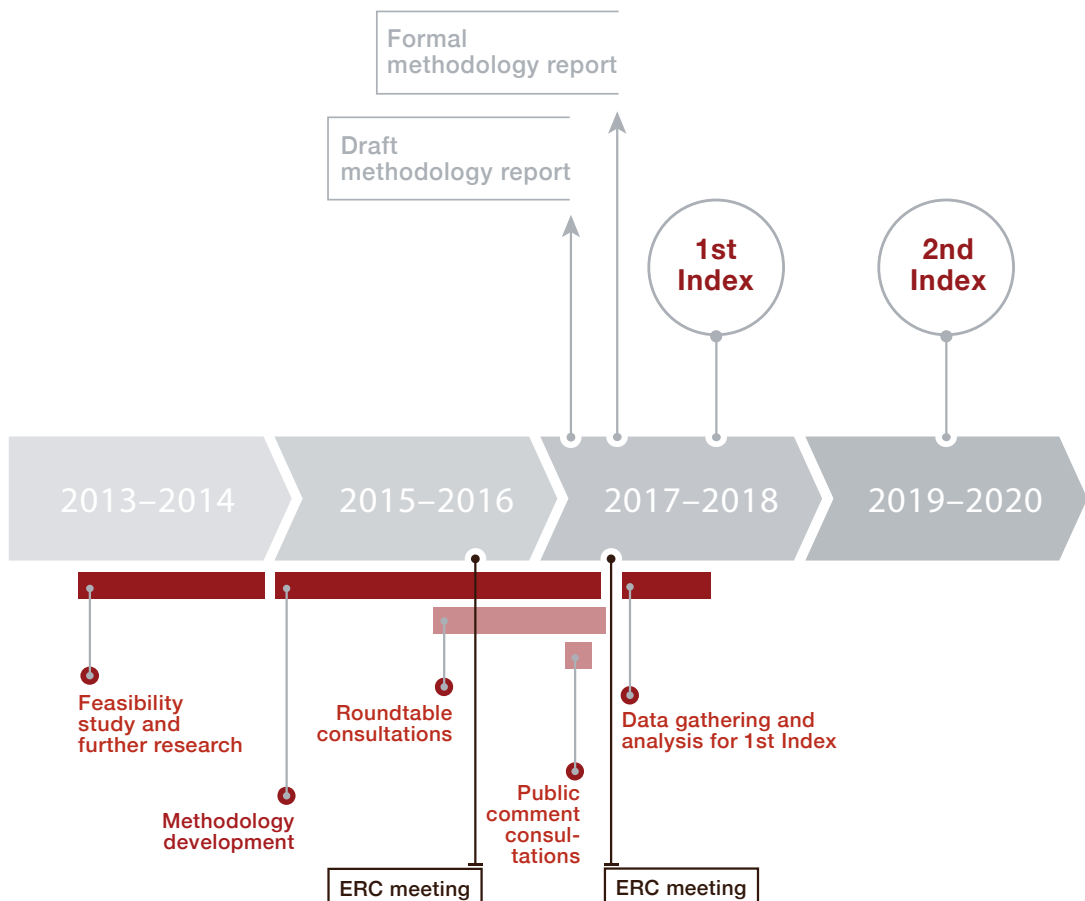
# Methodology development process

## Development process

The RMI methodology has been developed in a structured and iterative manner, involving interactions with numerous subject-matter and methodology experts and diverse other stakeholders. **Figure 1** illustrates the RMI timeline.

The methodology development process began with a feasibility study in 2013 and extensive consultations with a wide range of stakeholders, which confirmed the need for a company-wide assessment initiative that addresses responsible mining in a systematic manner and focuses on encouraging continuous improvement and highlighting leading practice.

**Figure 1** The RMI timeline



As part of this process, a series of roundtable consultations with civil society and industry helped test and shape the methodology. These consultations enabled RMF to share information on the Index and elicit feedback on the RMI Draft Methodology from a range of stakeholders including community members, civil society leaders, researchers, mining company representatives, multilateral organisations, regulators, investors, governments and other groups. Roundtable consultations were held in Côte d'Ivoire, India, Indonesia, Mongolia, Peru, South Africa, Switzerland and the UK from June 2016 to March 2017.

A pilot process was also undertaken, involving direct company feedback and tests of the RMI methodology against available public domain data for several companies. These piloting activities confirmed the availability of sufficient data for RMI analysts and companies to respond to RMI metrics. Valuable input from the pilot process resulted in further refinement of the number and wording of indicators and metrics.

The RMI Draft Methodology was published for a six-week period of public comment, from 9 February to 24 March 2017. Summary versions of the Draft Methodology were also produced in French, Spanish, Russian and Chinese. All comments received with references to specific aspects of the RMI methodology, and a synthesis of the main points raised during the roundtable consultations, are available on the RMI website: [www.responsibleminingindex.org](http://www.responsibleminingindex.org). The comments and recommendations enabled the scope and incisiveness of the RMI methodology to be further strengthened, including through the addition of new indicators and changes to existing indicators (see examples in **Box 1**).

The RMI Expert Review Committee (ERC) met formally on two occasions, in June 2016 and April 2017, to review and advise on the development and finalisation of the Methodology Report 2017.

#### **Box 1. Some examples of refinements to the RMI methodology following the roundtable consultations and public comment consultation**

##### **Just transition for workers.**

In recognition of the importance of considering the impacts on workers during major changes in mining operations (e.g. moving from construction to operations phase or downsizing) a new indicator was included (C.1.2) to focus on ensuring just transition for workers during these changes.

##### **Children.**

In recognition of the potential specific and distinct impacts of mining on children, requiring special measures to ensure their rights and perspectives are taken into account, a new specific indicator (D.3.3) was included to consider this.

##### **Free, prior and informed consent (FPIC).**

The wording of indicator (D.7.1) was revised to more clearly recognise the right of indigenous peoples to FPIC. The indicator, its metrics and topic profile were also revised to reflect the emerging practice of wider application of FPIC to other groups.

##### **Land use.**

A new indicator (D.8.1) was included to assess company management of opportunities for shared land use.

##### **Biodiversity and ecosystem services.**

The indicators within the topic on biodiversity (F.6) were strengthened and expanded in order to improve the coverage and alignment with other initiatives, and an additional indicator was included, on companies foregoing mining activities in World Heritage Sites and respecting other protected areas (F.6.1).

##### **Climate change adaptation.**

A new indicator (F.7.1) was included on climate change adaptation, complementing the indicator on climate change mitigation.



## Development of framework of RMI methodology

### Issue Areas and Topics

A number of economic, environmental, social and governance (EESG) topics were identified as key to responsible mining, based on a literature review, expert advice, key stakeholder interviews, and tested through wide-ranging conversations and consultations. These topics, collectively providing the overall scope for RMI, were ultimately grouped as six Issue Areas, described in Section 3. A comprehensive profile was developed for each topic, to outline the relevance and importance of the topic for society at large, for producing countries and communities, and for mining companies. The profiles also established the alignment of each topic with the goal of the Responsible Mining Index. The topic profiles are included in Section 7 of this report.

### Indicators and metrics

Each topic in the Index is covered by one or more indicators. The indicator development process posed the following questions:

- What does society at large expect from mining companies on this topic?
- How does this indicator relate to the goal of the Responsible Mining Index?
- How will the indicator be useful to the mining industry?
- What information is needed to measure this indicator?
- What might the evidence look like?
- If already measured elsewhere, can an existing indicator be used?
- Can the indicator be easily measured?
- Can the indicator be readily assessed?
- Will this indicator require a feasible amount of effort in reporting and analysing data?

While the vast majority of RMI indicators have been developed to be applied at a company-wide level, six indicators have been selected for application at a mine-site level. These mine-site indicators have been identified based on criteria such as:

- Is the indicator applicable to all mine types, all commodities and all geographies?
- Is the indicator useful as a proxy indicator of wider company responsibility and wider mine-site level performance?
- Is the information provided by the indicator important to local stakeholders?
- Is the indicator objectively verifiable?
- Does the indicator allow progress to be measured over time, with longitudinal tracking of improvement?

A set of metric questions was then developed to measure performance on each indicator. These metrics are specific questions on the extent to which companies' policies or practices match the description given in the indicator. The answers to these questions form the basis of scoring for each indicator. As with the indicators, the metrics were selected based on criteria, including for example:

- Does the metric provide a useful insight into the extent to which a company is performing against the indicator?
- Can the metric be used to identify different levels of performance among companies?
- Does the metric deal with a specific question that is not already being addressed by other metrics?
- Taken together, do the metrics offer comprehensive coverage of the indicator in question?
- Will the metric enable the tracking of improvements from one Index to the next?



# Framework of RMI methodology

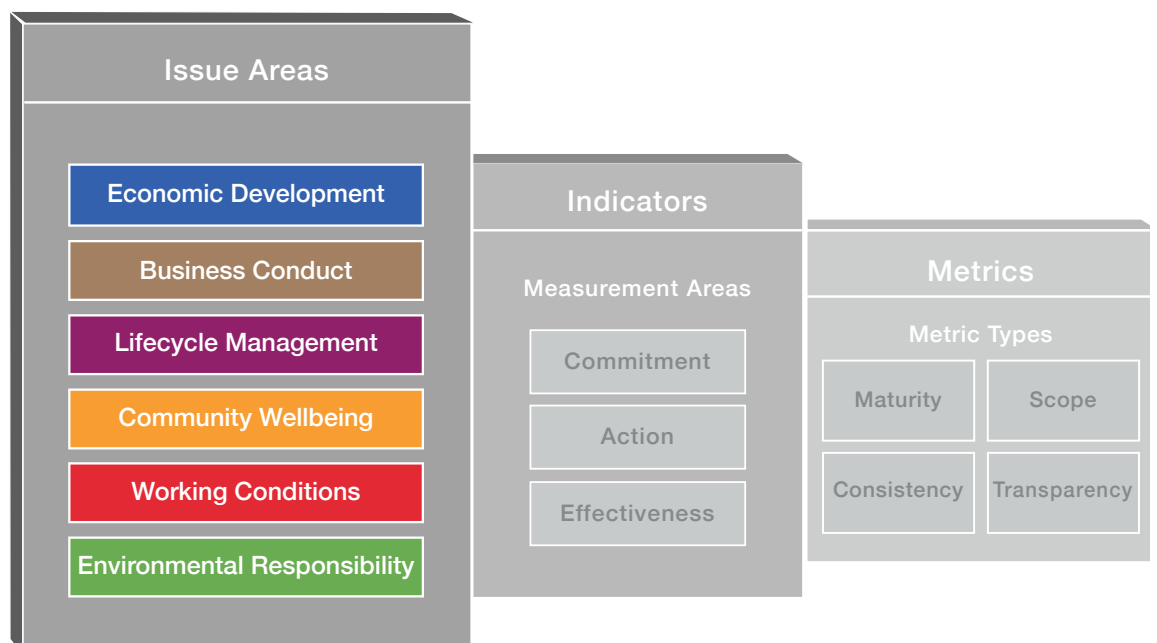
## Overall structure

The RMI methodology is built around the following structure:

- **Issue Areas:** The Issue Areas are broad areas of interest of RMI that together provide comprehensive coverage of the main EESG issues related to mining.
- **Topics:** Each Issue Area includes a number of topics that are considered priority areas of focus for RMI.
- **Measurement Areas:** Company behaviour on each Issue Area is examined through three Measurement Areas: commitment, action and effectiveness.
- **Indicators:** Each topic has one or more indicators – affirmative statements on company behaviour, against which companies can be assessed using metric questions.
- **Metrics:** Each indicator has one or more metric questions – a metric is a specific question associated with an indicator, the answers to which will determine the scores companies receive for that indicator.

These different components of the methodology are illustrated in **Figure 2** and outlined in more detail below.

**Figure 2 Framework of RMI methodology**



## Issue Areas

The six Issue Areas are:

- **Economic Development:** the contribution of mining companies to economic development within producing countries and the wider regions;
- **Business Conduct:** the implementation of governance and management mechanisms to support positive EESG outcomes and safeguard against negative outcomes;
- **Lifecycle Management:** the planning and management of company operations to ensure the integration of EESG considerations from a project lifecycle perspective;
- **Community Wellbeing:** the company's engagement with affected communities and contribution to local social and economic wellbeing while avoiding and mitigating any negative impacts;
- **Working Conditions:** company efforts to ensure decent, safe and healthy working conditions; and
- **Environmental Responsibility:** company efforts to address the environmental risks and impacts generated by their operations, and to bring positive benefits wherever possible.

## Topics

The RMI topics provide the structure and context for the indicators. Narrative profiles set out the importance of these topics for producing countries

and mining companies, and examples of current and emerging practices within the industry. These topic profiles also provide background on what society can reasonably expect of mining companies on these topics. The topics are listed in **Table 1** and the topic profiles are included in Section 7.

## Measurement Areas

The three Measurement Areas offer three ways of measuring the extent to which companies are actively addressing responsible mining issues, by considering the following general questions:

**Commitment:** can companies demonstrate their commitment to support responsible mining practices (e.g. through policies, resourcing and staffing)?

**Action:** are companies systematically implementing measures that will improve and maximise the potential EESG benefits and avoid, minimise or mitigate the negative EESG impacts of their activities?

**Effectiveness:** are companies taking steps to track, review and improve their performance on EESG issues?

**Figure 3** illustrates how company policies and practices in each Issue Area are examined across all three Measurement Areas. This figure also shows the weighting values that will be applied in calculating company scores by Issue Area and by Measurement Area. More information on scoring and weighting is given in Section 4.

**Table 1 RMI topics**

**A. Economic Development**

- A.1 National and Regional Socio-Economic Development Planning
- A.2 Procurement
- A.3 Capacity Building
- A.4 Enhancing the National Skills Base

**B. Business Conduct**

- B.1 Business Ethics
- B.2 Board and Senior Management Accountability and Diversity
- B.3 Contracts Disclosure
- B.4 Tax Transparency
- B.5 Beneficial Ownership
- B.6 Payments to Producing Countries
- B.7 Lobbying Practices and Policy Engagement
- B.8 Bribery and Corruption
- B.9 Responsible Contracting and Sourcing

**C. Lifecycle Management**

- C.1 Mine Lifecycle Management
- C.2 Project Approval Process
- C.3 Post-Closure Viability for Communities and Workers
- C.4 Mergers, Acquisition, and Disposal Due Diligence

**D. Community Wellbeing**

- D.1 Human Rights
- D.2 Community and Stakeholder Engagement
- D.3 Economic and Social Viability
- D.4 Community Health and Safety
- D.5 Gender Equity
- D.6 Indigenous Peoples
- D.7 Free, Prior and Informed Consent
- D.8 Land Use and Resettlement
- D.9 Artisanal and Small-Scale Mining
- D.10 Security and Conflict-Affected Areas
- D.11 Grievance and Remedy

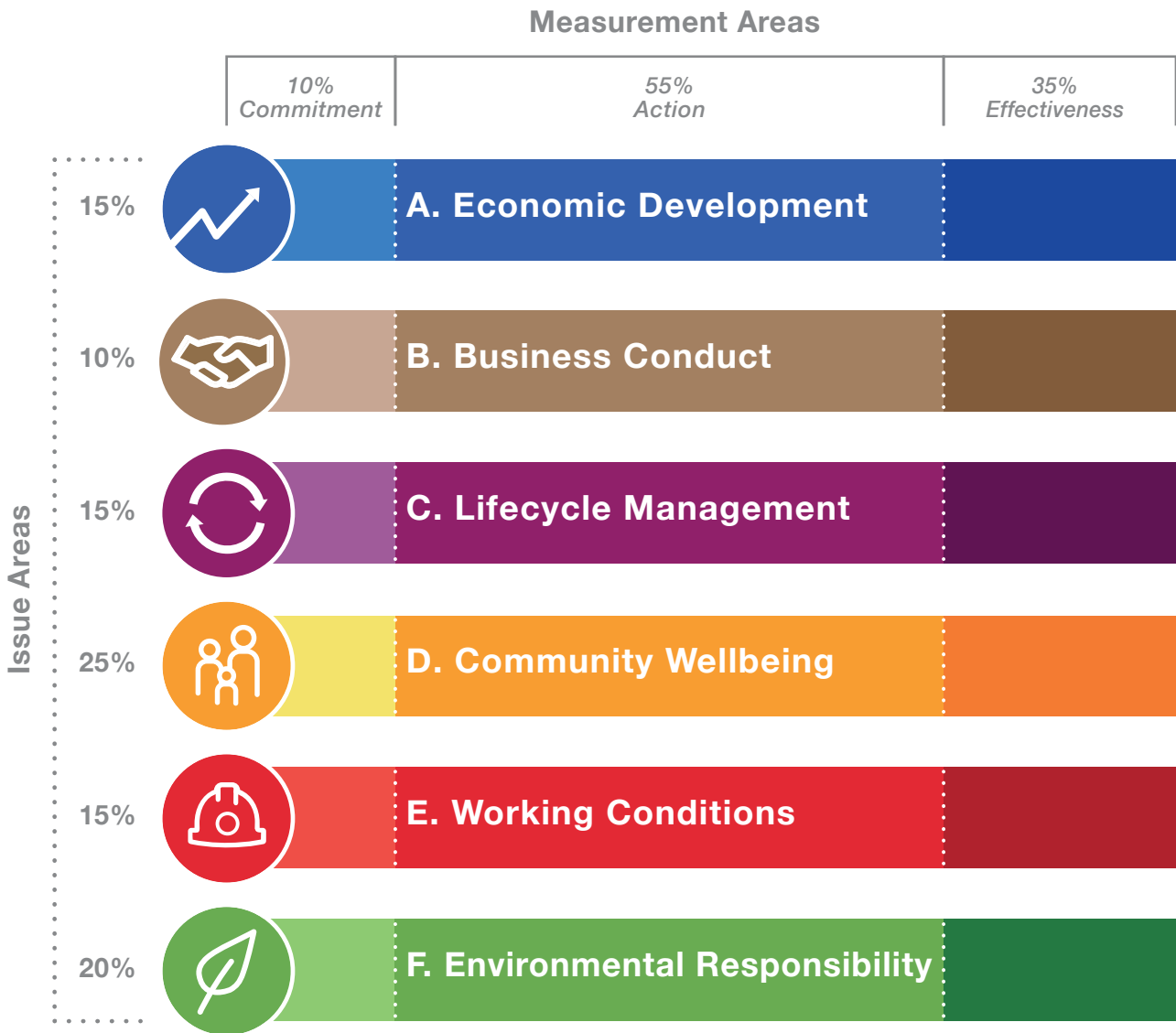
**E. Working Conditions**

- E.1 Living Wage
- E.2 Occupational Health and Safety
- E.3 Rights to Organise, Collective Bargaining and Freedom of Association
- E.4 Worker Recourse
- E.5 Non-Discrimination and Equal Opportunity
- E.6 Elimination of Forced Labour and Child Labour

**F. Environmental Responsibility**

- F.1 Environmental Stewardship
- F.2 Tailings Management
- F.3 Air
- F.4 Water
- F.5 Noise and Vibration
- F.6 Biodiversity and Ecosystem Services
- F.7 Climate Change and Energy Efficiency
- F.8 Hazardous Materials Management
- F.9 Emergency Preparedness

Figure 3 Issue Areas and Measurement Areas, with weighting



### Commitment

This Measurement Area looks at the commitments made by companies on specific issues, as well as related efforts taken to ensure effective delivery of these commitments, including for example the setting up of accountability mechanisms. Consideration will be given not only to whether a particular commitment has been made (e.g. through a policy statement endorsed by senior management), but also the extent to which the commitment has been formalised and integrated into the company's business processes

through defined accountabilities and responsibilities, and commitment of adequate financial and staff resourcing.

### Action

The action Measurement Area, which covers the majority of indicators, looks at the practical measures taken by companies to address EESG issues. The aim here is to look not only at whether a company is implementing measures, but also the extent to which the company has integrated these processes and

procedures into a systematic approach. With this in mind, many of the action indicators are structured around a management systems framework, encompassing:<sup>1</sup>

- **Assessment:** assessment of potential impacts and the identification of measures to avoid or minimise potential negative outcomes and optimise opportunities for positive outcomes.
- **Planning and implementation:** the development, resourcing and implementation of plans to manage the identified impacts.
- **Engagement:** engagement with internal and external stakeholder groups, to enable them to access relevant information and become involved in decision-making and implementation processes.
- **Response and remedy:** plans and processes to remediate any harm for which the company may be responsible, including for example emergency response plans.

## Effectiveness

Assessing companies' efforts to measure and improve the effectiveness of their actions in addressing EESG issues is a key part of the RMI methodology, as these efforts are an indication of companies taking seriously their commitments to responsible mining. Assessing effectiveness poses several important challenges, including difficulties in quantifying and comparing outcomes generated by companies, and in attributing outcomes to the actions of a company. It is for this reason that the RMI effectiveness indicators do not attempt to identify or measure the positive outcomes of a company's actions, but rather focus on company actions to:

- track its performance on addressing a particular issue, against targets it has set and/or baseline assessments it has conducted in order for the effectiveness of actions to be put in context;
- audit or review its performance against these targets and/or baselines in order to identify potential areas for improvement; and

- act on the outcomes of these audits and/or reviews to continually improve its performance on the issue.

The mining sector is increasingly considering how to measure its EESG outcomes, as evidenced for example by recent work on the contribution of mining to the Sustainable Development Goals and related efforts.<sup>2</sup> It is expected that the RMI effectiveness Measurement Area will evolve over time as companies develop more sophisticated and comparable methods for measuring the effectiveness and the outcomes of their activities.

## Indicators

Company performance on each topic is measured through a set of indicators (presented in Section 7). The indicators have been tested through several iterations with experts and various stakeholder groups. Each topic has one or more indicators, which have been selected as the most incisive means of measuring company efforts on the topic in question. Each indicator belongs to one of the three Measurement Areas: commitment, action or effectiveness.

### Mine-site indicators

Most of the RMI indicators apply to company-wide policies or practice, i.e. they relate to the behaviour across the company as a whole. At the same time, six indicators have been selected to be applied at a mine-site level, to provide information disaggregated to the level of individual mining operations. The inclusion of these mine-site indicators will shine a spotlight on how companies are tackling some of the most important issues for local people, local environments, and local economies. These indicators, listed in **Box 2**, will also serve as points of verification to test how consistently companies are applying their policies and practices throughout their operations.

1. By using this management systems framework, RMI aligns with other related initiatives, including the human rights due diligence process of the UN Guiding Principles on Business and Human Rights ([http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR\\_EN.pdf](http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf) Principles 17-24), IFC Performance Standard 1 on assessment and management of environmental and social risks and impacts ([https://www.ifc.org/wps/wcm/connect/3be1a68049a78dc8b7e4f7a8c6\\_a8312a/PS1\\_English\\_2012.pdf](https://www.ifc.org/wps/wcm/connect/3be1a68049a78dc8b7e4f7a8c6_a8312a/PS1_English_2012.pdf)) and the ISO 14001 standard for environmental management systems. (<http://www.iso.org/iso/iso14000>).

2. Columbia Center on Sustainable Investment, Sustainable Development Solutions Network, United Nations Development Programme, and World Economic Forum (2016). *Mapping Mining to the SDGs: An Atlas*. World Economic Forum, Geneva Switzerland.

## Box 2. Mine-site indicators

The following six indicators will be applied at mine-site level to the approximately 150 mine sites included in RMI.

**MS1. Local procurement.** The operating company tracks and publicly reports on its performance on local procurement, demonstrating continuous improvement in developing procurement opportunities for businesses in its area of operation.

**MS2. Local employment.** The operating company tracks and publicly reports on its performance on local employment, demonstrating continuous improvement in providing direct employment opportunities for people in its area of operation.

**MS3. Community grievance mechanism.** The operating company tracks and publicly reports on the performance of its community grievance mechanism, demonstrating continuous improvement in providing appropriate remedy, taking into account the views of local communities.

**MS4. Workers grievance mechanism.** The operating company tracks and regularly reports on the performance of its workers grievance mechanism, demonstrating continuous improvement in providing appropriate remedy, taking into account the views of its workers.

**MS5. Water quality and quantity.** The operating company tracks and regularly reports on its performance on managing water quality and quantity, demonstrating continuous improvement in reducing its water consumption and its adverse impacts on water quality, to improve water security for other stakeholders in the catchment or regional basin it operates in.

**MS6. Biodiversity management.** The operating company tracks and regularly reports on its performance on managing its adverse impacts on biodiversity, demonstrating continuous improvement in avoiding, minimising, mitigating and offsetting these impacts.

## Metrics and metric types

Each indicator will be assessed using one or more metrics. The evidence-based assessment of the extent to which a company aligns with these metrics provides the basis for scoring.

To enable a consistent and systematic approach to measurement, RMI uses four generic types of metrics to assess performance on indicators. The specific focus of the indicator (reflected in the wording) determines the type of metric used for each indicator. The generic metric structure is tailored to the specific indicator to ensure that it is incisive, comparable and assessable.

The four metric types comprise:

- **Maturity:** this metric type assesses the depth of maturity of a company's approach to managing its commitments or actions, including the extent to which these have been formalised and embedded in wider business processes and strategy.
- **Scope:** this metric type assesses the scope of a company's management of its actions, including its coverage of key issues and stakeholder interests.
- **Consistency:** this metric type assesses the extent to which specific measures are implemented across a company's mining operations.
- **Transparency:** this metric type assesses the level of disclosure provided by a company in relation to its actions, including the extent to which transparency is in line with open data principles.



Descriptions and examples of the different metric types are provided in **Box 3**.

### **Box 3. Examples of metric questions for the four metric types**

Each of the four metric types – maturity, scope, consistency and transparency – has its own generic metric question, illustrated in bold text in the examples provided below. For the maturity, scope and transparency metric types, the question is a three-part one, whereas for the consistency metric type there is a single question.

#### **Maturity**

There are three generic structures for the maturity metrics, depending on which of three different measurement areas the indicator belongs to: commitment, action or effectiveness.

##### **Commitment**

This metric assesses the level of maturity of a company's commitment, including the extent to which the commitment has been formally endorsed by senior management, and responsibilities and resources have been put in place to support this commitment.

##### **Example indicator and metric:**

*B.1.1 The company commits to an integrated cross-departmental approach to business ethics.*

Can your company demonstrate at the corporate-level that it has:

- **Formalised its commitment, that is endorsed by senior management**, to adherence to business ethics?
- **Assigned senior management responsibilities and accountability** for carrying out this commitment?
- **Committed financial and staffing resources** to implement this commitment?

##### **Action**

This metric assesses the level of maturity of a company's action, including the extent to which a company has systems in place to take action, a planned approach to action, and tracking implementation of this approach.

##### **Example indicator and metric:**

*D.4.1 The company has systems in place to ensure its operations conduct and disclose regular assessments of their impacts on community health and safety, and to implement management plans to address these impacts.*

Can your company demonstrate at the corporate level that it:

- Has **systems in place** to ensure its operations conduct and disclose regular assessments of their impacts on community health and safety?
- Has systems in place to ensure its **operations develop strategies and plans to address these impacts?**
- **Systematically tracks the implementation** of these strategies and plans?

##### **Effectiveness**

This metric assesses the extent to which a company can demonstrate it is systematically tracking the effectiveness of its actions and taking measures to improve its effectiveness.

#### Example indicator and metric:

*E.2.3 The company tracks its performance on occupational health and safety and acts upon the results, demonstrating continuous improvement in ensuring a safe and healthy working environment for all workers.*

Can your company demonstrate that it systematically:

- **Tracks, against a baseline and/or target(s), its performance** on occupational health and safety?
- **Audits and/or reviews**, against a baseline and/or target(s), the effectiveness of its measures taken to ensure a safe and healthy working environment for all workers?
- **Acts on the findings of assessments and/or audits** to continuously improve the effectiveness of its measures taken to ensure a safe and healthy working environment for all workers?

## Scope

#### Example indicator and metric:

*D.3.1 The company has systems in place to ensure its operations conduct and disclose regular assessments of their socio-economic impacts, through inclusive participation of affected communities, including women and youth.*

Can your company demonstrate at the corporate level that it has systems in place to ensure its operations:

- Systematically pay particular attention to vulnerable and under-represented groups when identifying and assessing the socio-economic impacts of their activities on affected communities?
- Actively involve women in the assessment of socio-economic baseline conditions and impacts?
- Actively involve youth in the assessment of socio-economic baseline conditions and impacts?

## Consistency

#### Example indicator and metric:

*B.3.1 The company publicly discloses all contracts, licenses and agreements that grant it access to the extraction of mineral resources and associated projects, and, where necessary, uses its leverage to urge governments to support contract transparency on a level-playing-field basis.*

- **Which of your mine sites can demonstrate** that they disclose all their contracts, licenses and agreements that grant them access to the extraction of mineral resources and associated projects?

## Transparency

#### Example indicator and metric:

*F.3.1 The company publicly discloses mine-site-level air quality monitoring data, throughout its operations.*

Can your company demonstrate that its mine-site-level air quality monitoring data are systematically disclosed:

- In a manner that allows local communities to access and understand them?
- In a machine-readable format?
- In a way that ensures the information remains permanently available?

## Leading practice

As RMI seeks to encourage continuous improvement and support learning, a key element of the methodology will entail the identification and review of leading practice in order to: (1) recognise companies that are developing innovative approaches, and (2) report on these approaches to support their more widespread adoption. Leading practices will be awarded additional scores, as outlined in Section 4.

RMI defines leading practice as:

*Any business practice that has been identified as exceptionally responsive to the challenges and/or opportunities in a given area of interest, by virtue of its favourable comparison with other practices. Leading practice is a relative and time-bound term, as business practices continuously evolve.*

Leading practices will be identified on the basis of their fulfilling at least some of the following criteria:

- Is the practice innovative in how it addresses a particular issue?
- Has the practice been proven to achieve a superior outcome/impact or is it reasonably expected to achieve this?
- Is the practice ambitious in the outcomes it aims to generate?
- Is the practice being used by a limited number of companies within the industry?
- Does the practice offer a degree of replicability for transfer to other companies or operations?
- Demonstrably serious negative impacts – not allegations of impacts, unproven impacts, potential impacts or minor impacts;
- Demonstrably attributable to company activities – company activities can reasonably be demonstrated to have materially caused or contributed to the impacts;
- Supported by reliable evidence – drawn from a wide range of different sources, such as government, regulatory authorities, media and civil society organisations as well as company information; and
- Impacts occur during the assessment period – this may also include ongoing unremediated impacts from incidents that occurred prior to the assessment period; impacts will affect company scoring for as long as they are not adequately remedied.

As leading practice is a relative concept, identification of leading practices will be undertaken once information on all companies has been collected and reviewed by the RMI analysts. An independent panel of external experts will then review the process and results of leading practice identification. Details on the scoring of leading practice are provided in Section 4.

## Controversial incidents

While the primary focus of RMI is to encourage continuous improvement, the Index will take into account significant negative impacts that are caused or contributed to by company activities. It is important to note that RMI considers controversial incidents from the perspective of their impacts on EESG outcomes, rather than their impacts on a company's reputation or business.

RMI will use a variety of data sources to identify and assess companies' involvement in controversial incidents. These include a comprehensive database of news stories and public reports covering EESG issues in the mining industry in 15 different languages, and supplementary sources of credible and reliable information. Companies will also be asked to provide information relating to any controversial incidents they have been involved in during the assessment period.

Only controversial incidents meeting the following criteria will be taken into account in the calculation of company scores (see Section 4 for details):

## Exceptions

While the vast majority of company-wide indicators (and all mine-site indicators) have been designed to be applicable to all companies, all mine types, all mined commodities and all geographies, there are a small number of indicators that may not be applicable to a given company. Such indicators, covering issues considered critical to the focus of RMI, may not be relevant in all contexts.

These indicators include for example those relating to indigenous peoples and artisanal and small-scale mining (ASM), where some companies may have no mining operations which have any relation to these issues. In such cases, an assessment will be made as to whether or not an indicator is applicable to a company's operations and if it is determined that it is not applicable, the company will not be assessed against this indicator.

Companies may provide evidence to support the assessment of applicability. Where an indicator is determined to not apply to a company, the company will not be penalised in the scoring. See Section 4 for details of how exceptions will be treated in the scoring.



# 04

## Scoring and weighting

This section describes the main elements of the scoring, weighting and aggregation system used in the calculation of RMI results.

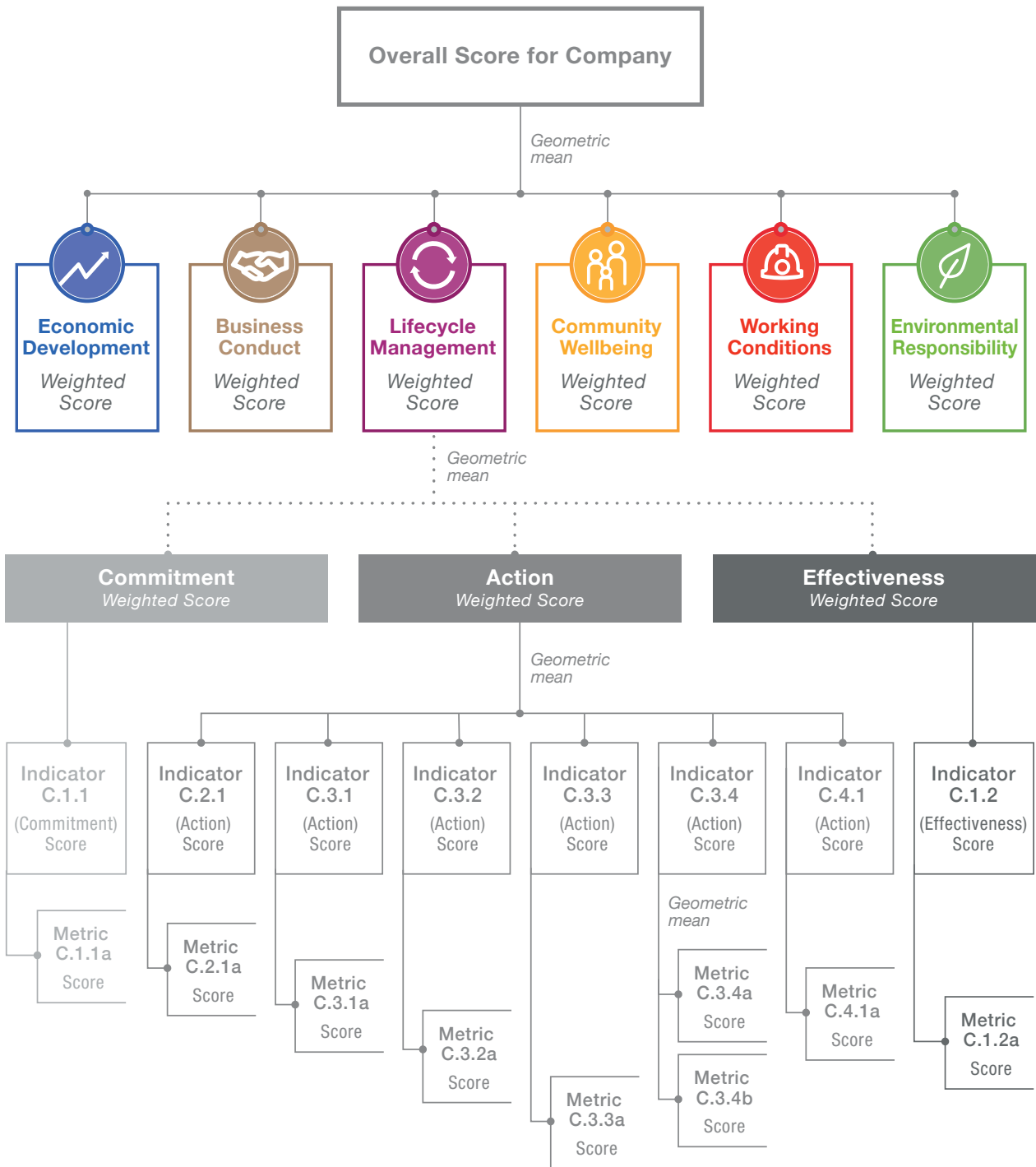
The analysis and scoring is underpinned by systematic quality control procedures that include a two-step review process. An external panel of experts will review all scoring, the identification and scoring of leading practices and controversial incidents, and the treatment of exceptions, in order to ensure the results are accurate and consistent.

### Scoring of company-wide indicators

The overall system for scoring, weighting and aggregation, by which the final company-wide scores are calculated, is based on the hierarchy of different levels within the RMI framework, as described in Section 3. The system is described here from the lowest to the highest level, i.e.: (1) metrics; (2) indicators; (3) Measurement Areas; and (4) Issue Areas.

**Figure 4** shows how a company's overall score is comprised of aggregated and weighted scores at these four different levels.

Figure 4 Example of scoring, weighting and aggregation within an Issue Area



## Metric-level scoring

Each metric question, relating to a specific policy commitment or action, has its own scoring framework. The assessment of the extent to which the available evidence demonstrates that a company aligns with the metric question will directly result in a score.

In addition to the scores assigned at each level of the scoring framework, companies demonstrating leading practice will be awarded supplementary points (as detailed below).

A generic scoring framework for each metric type ensures a consistent scoring approach. These generic scoring frameworks are adapted to fit each metric, with wording specific to the subject matter of the metric.

Scoring is evidence-based. All assessment against the metric questions is based on documented evidence (e.g. in the form of a company's policy statement, implementation guidelines, impact assessment reports, etc.) Guidance will be provided on the types of evidence that companies may submit for each metric question.

## Scoring of leading practice

Following the criteria and review process outlined in Section 3, any companies identified as having exhibited leading practice in a given area will be awarded additional points for the metric score. The score for leading practice is set at a level such that a single innovative practice cannot substitute for the level of effort required to move from one level of the scoring framework to the next. Companies can be awarded additional points for leading practice regardless of their scores on a given metric. This will enable RMI to recognise companies that are investing in innovative new practices in particular areas, regardless of how they are managing wider issues throughout the company.

## Indicator-level scoring

Most indicators are addressed through one metric question and the score for this metric will directly generate the indicator score. In the few cases where an indicator has two metric questions, the indicator score will be derived from the geometric mean of these metric scores. The geometric mean is used (rather than the more commonly used arithmetic mean) because it is a less compensatory approach: low scores in some areas cannot be fully compensated by higher scores in other areas (full compensation being a characteristic of the arithmetic mean).<sup>3</sup>

## Scoring of exceptions

If an indicator is determined to not be applicable to a company (as described in Section 3), it will not be scored on that indicator. Given that indicator scores will be aggregated at the Measurement Area level (see below), the removal of an indicator requires that the aggregated score of the Measurement Area to which it belongs (commitment, action or effectiveness) is calculated on the basis of the geometric mean score of the remaining indicators within this Measurement Area. For example, if there are three action indicators within a given Issue Area and a company is granted an exception for one of these indicators, the aggregated score for this action cluster of indicators is calculated as the geometric mean of two, rather than three, indicators.

## Measurement Area scoring and weighting

The RMI methodology assigns different levels of weighting to each of the three Measurement Areas. Within a given Issue Area, each Measurement Area score will be calculated by taking the geometric mean of the scores of all the indicators belonging to this Measurement Area.

The methodology places greater emphasis on action and effectiveness than commitment as indications of company behaviour, so these two Measurement Areas are weighted more heavily than commitment. For the first Index, the weightings will be applied as shown in **Figure 3** in Section 3. These weightings match quite closely the relative number of indicators belonging to each Measurement Area.

The weighting may be adjusted in subsequent Indexes, with potential to place greater weight on effectiveness, as company efforts to measure effectiveness evolve.

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<sup>3</sup> The geometric mean is the central value of a series of numbers, calculated by taking the *n*th root of the product of *n* numbers. For example, the geometric mean of 2 and 8 is the square root of their product  $\sqrt{2 \times 8} = 4$ .

### Issue Area scoring and weighting

The score for each of the six Issue Areas is calculated by the weighted geometric mean of the Measurement Area scores.

The Issue Area scores will also be assigned different weightings, as shown in **Figure 3** in Section 3. These weightings have been assigned based on the following assessment criteria:

- The extent to which the Issue Area deals with topics that potentially have a direct impact at the mine-site level;
- The extent to which the Issue Area deals with topics that potentially have a multiplier effect beyond the direct impacts at mine-site level;
- The extent to which the Issue Area deals with topics of potentially high motivation for companies; and
- The extent to which the Issue Area deals with topics that potentially have long-term intergenerational impacts.

### Incorporating controversial incidents into scoring

Where a company's activities have been found to have led to serious negative impacts on society and/or the environment, its score for the relevant Issue Area will be lowered using a discriminant factor. In some cases, controversial incidents will impact the scores of more than one Issue Area; for example, a tailings dam failure could potentially impact a company's community wellbeing and environmental responsibility scores. A controversial incident that occurred prior to the assessment period may still affect a company's score, if the impacts it generated have not been fully remedied. The same controversial incident may affect a company's score over several Indexes, if impacts are continuing.

Each controversial incident will be assigned to one or more Issue Areas, the base score(s) of which will be multiplied by a discriminant factor that is calculated based on three criteria:

- The severity of incident – in terms of negative impacts on society and/or the environment;
- Number of incidents that occurred during the assessment period; and
- Number of sites where incidents occur (incidents at multiple sites being a stronger indication of systemic, company-wide problems).

The discriminant factor will reduce the score(s) for the relevant Issue Area(s), with a potential range from 0.9 (i.e. a 10% reduction) to 0.1 (a 90% reduction).

The identification of controversial incidents and the calculation of discriminant factors will be reviewed by an external panel of experts to ensure consistent treatment across companies.

### Overall company-wide scoring

The overall score for a company will be calculated by the weighted geometric mean of each of the Issue Area scores, including any downgrading of the Issue Area scores because of the company's involvement in controversial incidents.

### Scoring of mine-site indicators

The mine-site-level indicators will be treated separately from the company-wide indicators. An average mine-site level score will be calculated for each company, from the geometric mean of the scores achieved on each of the mine-site indicators and across the five mine sites.

A company's mine-site scores will not be integrated into its overall company-level score. This is for a number of reasons, including the fact that RMI is assessing five mine sites per company which for some companies is only a small fraction of their total number of operations. The mine-site scores can be considered as illustrative of how company-level management of issues are implemented at mine-site level, but may not be equally representative from one company to another.



# 05

## Data collection and analysis process

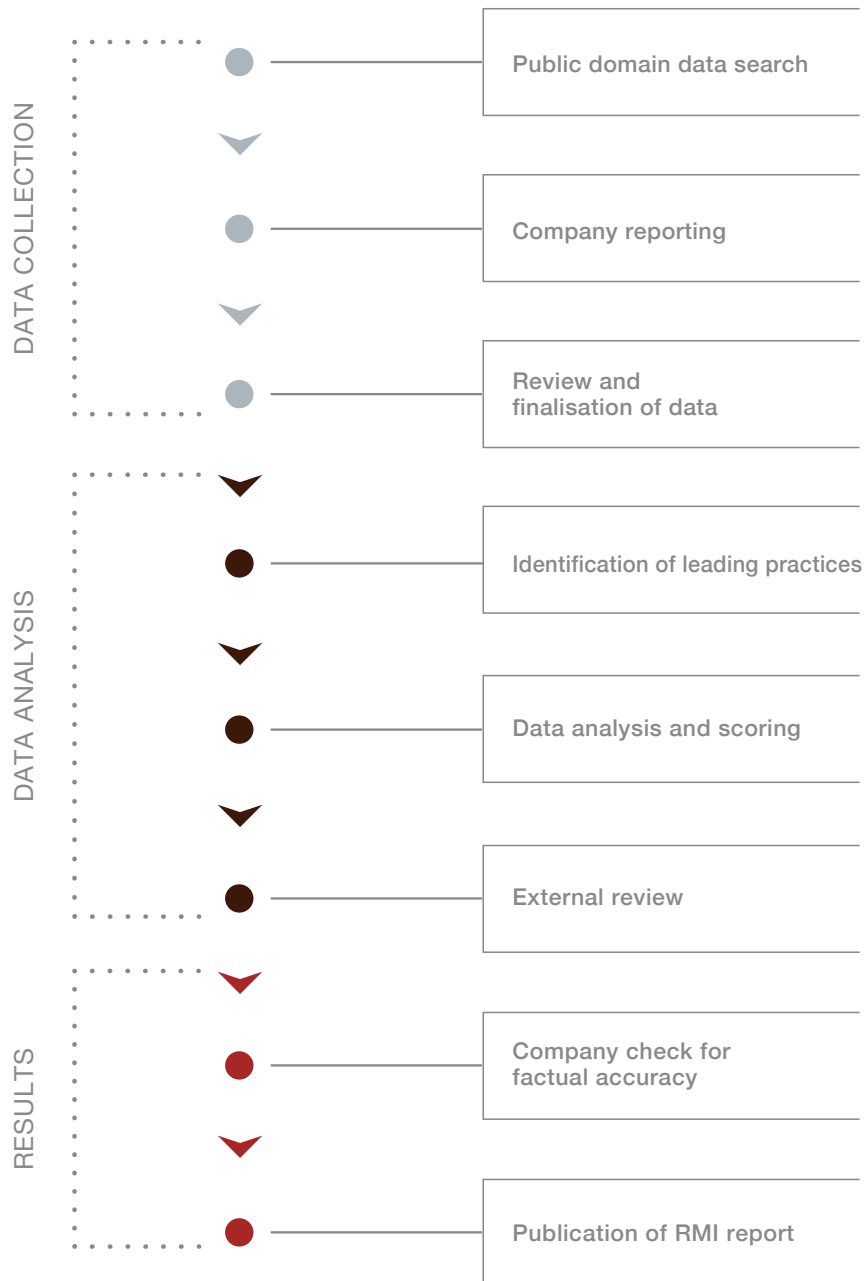
The general process for data collection and analysis is set out in **Figure 5**. The main steps include:

- **Public domain data search:** RMI data analysts undertake a search of public domain data sources on the companies and mine sites included in the Index and pre-populate the online questionnaire with data relating directly to the metrics. Data collection covers the two-year assessment period and is largely at company-wide level, rather than covering details on all subsidiaries and operations of a company. Data collection follows a triangulation approach, with analysts consulting a range of different sources, including non-company sources of information.
- **Company reporting:** To enable companies to start preparing their reporting, they are given read-only access to a blank version of the online questionnaire shortly before the reporting period opens. This enables them to start gathering information and evidence in advance. The pre-populated questionnaire is shared individually with companies via a secure online platform, which includes: (1) specific questions (metrics) with guidelines on the kinds of evidence that would be considered relevant for each one; (2) pre-filled fields showing any public domain data that have already been collected on each metric and the sources used; and (3) any additional comments or questions from the data analysts relating to specific data gaps or uncertainties. Companies complete the questionnaire within a designated four-week time frame.
- **Review and finalisation of data:** RMI reviews the responses of companies and where necessary contacts companies directly for clarification or additional information.
- **Identification of leading practices:** Once data collection is complete and information on all companies has been reviewed, leading practices are identified, for incorporation into the scoring.
- **Data analysis:** On the basis of all data collected from company reporting and/ or public domain search, analysts assign scores for each metric according to a scoring guide and apply the weighting and aggregation algorithms to arrive at final scores for each company.
- **External review:** Data analysis, including all scoring and identification and scoring of leading practices and controversial incidents, are reviewed by an external expert panel to ensure the assessment has been accurate and consistent.
- **Company review:** Prior to publication, each company will review its own set of data for factual accuracy to enable any amendments to be made.
- **Publication of the Index:** RMI publishes the Index with the findings on each company and wider contextual analysis.

For transparency purposes all information collected in the public domain and information provided to RMI by companies will be considered as open data. For this reason, RMI will not sign non-disclosure agreements with companies. RMI recognises that in certain

cases companies may have information they consider to be confidential which may nonetheless be useful information for the assessment process. In these cases it will be the consideration of the company whether to share the information and hence effectively put it in the public domain. Where necessary, RMI will accept redacted documents as evidence so companies can show only the information relevant to a given metric question.

**Figure 5 Data collection and analysis process**



# 06

## Scope of RMI: what the Index covers

### Commodities

The potential range of mined commodities covered by RMI encompasses all minerals and metals, excluding oil and gas.

Coal is included in the Index, a scoping decision that may be viewed by some as controversial given the significant contribution of coal use to climate change. The decision to include in the Index companies that mine coal reflects current reality: coal mining accounts for a large proportion of global mining production and coal remains an important source of energy particularly in developing countries, during their transition to low-carbon economies. Excluding coal mining would prevent RMI from looking at measures to prevent and reduce the negative health, safety and environmental impacts of coal mining (such as acid mine drainage and coal dust) and encouraging continuous improvement among coal mining companies to ensure that where coal is mined it is done so as responsibly as possible.

For all commodities included in the Index, it is the mining activities, not the downstream processing or final use of these commodities, that is the focus of the RMI assessment.

### Scale of mining operations

The focus of RMI is on 30 large and globally dispersed mining companies, as these major actors account for a significant proportion of global mining production and are globally and regionally influential in shaping current practices within the industry. While the Index includes approximately 30 companies, it is hoped that the focus on these companies will enable the Responsible Mining Index report to positively influence the behaviour of many more of the 6,000 or so formal mining and exploration companies operating around the world.

Although artisanal and small-scale mining (ASM) operations are beyond the scope of RMI, the Index includes two indicators on how large-scale mining companies interact with ASM operations near their mine sites. The engagement of RMI-assessed companies with ASM operations is considered a useful indication of the companies' commitment to community wellbeing, given the importance of ASM for local livelihoods and the potential for positive collaboration between large-scale mining companies and ASM enterprises in certain circumstances.

## Selection of mining companies

The overall scoping process to select companies for inclusion in the Index comprises the sequential identification of the following sets of companies to arrive at the final selection:

Set 1. Identification of the world's largest mining companies, by value of production;

Set 2. Selection from Set 1 to include only those companies with significant operations in Low-Income and Lower-Middle Income Economies or in countries with high levels of inequality according to the UNDP Inequality-Adjusted Human Development Index – where responsible mining has the greatest potential for contributing to poverty reduction and broad-based economic development;<sup>4</sup>

Set 3. Selection from Set 2 to maximise the geographic range of home countries represented;

Set 4. Selection from Set 3 to maximise the geographic range of producing countries represented.

The company scope does not exclude highly diversified companies and conglomerates for which mining makes up only a proportion of their total business. If their mining operations qualify them for inclusion among the world's largest mining companies by value of production, these companies are eligible for inclusion in RMI.

## Selection of mine sites

In addition to assessing company-wide behaviour, RMI will also assess company practices at mine-site level for the companies included in the Index. The scoping process to determine the specific mine sites to be assessed, employs five criteria, applied as a series of filters in the following order:

- Select the company's mine sites located in developing, emerging or highly unequal economies (i.e. within the set of countries identified in the company selection process);
- Maximise the range of producing countries collectively covered by all the companies' selected operations;
- Prioritise those operations that represent a significant proportion of a company's mining portfolio;
- Include the maximum range of mined commodities; and
- Include the maximum range of mine types (e.g. open cast and underground).

Five mine sites will be selected for each company. For those companies with less than five sites within the set of countries described in the first bullet point above, all these sites will be selected.

It is important to note that for a given company, only those mine sites for which it (or an entity over which it has control) is the operator at the time of assessment will be included for assessment. Mine sites operated as Joint Ventures (JVs) will not be included, given the complexities involved in potentially assessing several companies on the same mine site.

It should also be noted that the selection of mine sites, by design, will not take into consideration the presence or absence of controversial incidents or performance issues. The primary concern will be to select a set of mine sites that provides a cross-section of each company's operations, and collectively represents a wide geographic distribution.

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<sup>4</sup> This includes countries classified by the World Bank as Low-Income Economies or Lower-Middle Income Economies; and any Upper-Middle Income and High-Income Economies with UN Inequality-adjusted Human Development Index (IHDI) values of less than 0.7.

## Scope of company responsibility, structure and activities

RMI will assess only those activities over which companies have a degree of control and issues which can reasonably be considered the responsibility of mining companies. In line with the responsibilities of companies to respect human rights as defined in the UN Guiding Principles on Business and Human Rights, this covers any significant issues or impacts which a company can cause or contribute to. As well as areas where companies have a direct responsibility, areas where companies may have joint responsibilities or duties alongside other stakeholders are also included.

For the company-wide indicators, RMI focuses on:

- corporate-level statements of policy commitment;
- corporate-level systems put in place by a company to ensure its operations:
  - assess actual and potential impacts; or
  - implement particular actions to prevent, minimise and mitigate negative impacts and enhance potential positive impacts;
- systematic efforts, at corporate level or company-wide, to track effectiveness and improve performance, including processes to provide or enable remedy where the company may cause or contribute to a negative impact.

As the Index will be produced every two years, the assessment will consider relevant information relating to company mining activities within a two-year period. For the first Index this covers July 2015 to June 2017.

The scope includes all entities over which the company has control and all mine sites worldwide that are, or have been, operated by the company or these entities during the two-year assessment period. This includes any mining operations that have been bought, sold or closed during the assessment period; the assessment will cover the performance of these operations against a given indicator for the time period during which the company operated them.

For the mine-site indicators, RMI selects mine sites that are being operated by the company, or by entities over which the company has control, at the end of the assessment period.

The Index will **not** cover:

- activities of the company which are not related to mining activities;
- exploration activities (except within the Lifecycle Management Issue Area);
- oil and gas extraction and processing; or
- downstream processing, beneficiation and final use of mined metals and minerals.

## Company scope for the 2018 Responsible Mining Index

**Table 2 List of companies included in the 2018 Responsible Mining Index**

Anglo American Plc	Gold Fields Ltd
Anglogold Ashanti Ltd	Goldcorp Inc
Antofagasta Plc	Grupo México
ArcelorMittal	Industrias Peñoles
Banpu PCL	MMG Limited
Barrick Gold Corp	Navoi Mining & Metallurgical Combinat
BHP Billiton Group	Newcrest Mining Ltd
Bumi Resources	Newmont Mining Corp
Coal India Ltd (CIL)	NMDC Ltd
Codelco	Rio Tinto Group
Eurasian Resources Group (ERG)	Teck Resources Ltd
Evrax Group	UC RUSAL Plc
Exxaro Resources Ltd	Vale SA
Freeport-McMoRan Inc	Vedanta Resources Plc
Glencore Plc	Zijin Mining Group Ltd

### Limitations

The following limitations constitute the boundaries of what RMI aims to achieve for the first Index. The Index cannot measure everything or have unlimited access to information and perspectives on company behaviour. At the same time, the Index is intended to assess companies based on information that is readily available to wider society, without the need to rely on company confidential information. RMI acknowledges the value of more ambitious models proposed by some stakeholders but has made the practical decision to produce a more modest first Index as a proof-of-concept test.

### Sources of information

RMI relies on publicly available information from a wide range of sources, supplemented by any additional relevant information that companies provide to the Index. This implies a potential limitation on the reliability of information used by the Index to produce company scores.

RMI has developed a process of triangulation to help ensure accurate and reliable results from the data gathering process. This includes the following measures:

- Requirement for **evidence-based results**: each score must be backed up by documented evidence;
- Stipulation that any information that companies provide to the Index will be considered to be in the **public domain**;
- Coverage of **multiple languages** in the public domain data search;
- Identification and consultation of a range of **non-company sources** of information for the public domain data search; and
- Inclusion of an **external expert review** of the entire data collection and analysis process, which will also cover the scoring results including the treatment of leading practice and controversial incidents.

## **Mine-site information**

RMI will not undertake systematic mine-site visits to verify the accuracy of information provided on the mine-site indicators. However, the mine-site indicators have been designed in a way to be clearly verifiable by any interested parties and aligned with other mine-site focused initiatives, standards, principles and reporting mechanisms.

## **Variability of behaviour within companies**

Most of the company-wide indicators do not attempt to assess the variability of behaviour within a company, as they focus on whether companies have systems in place to ensure their operations put into practice a given measure rather than the extent to which a given measure is systematically implemented across their operations. However, this variability will be assessed via the six mine-site indicators and the company-wide consistency metrics that measure the percentage of a company's operations that can demonstrate they implement a particular measure.

## **Size of company scope**

The current number of companies included in RMI is based on the objective of influencing the wider industry (by covering a sufficient number of high-profile and globally dispersed companies) while at the same time limiting the company scope to ensure data collection and analysis can be undertaken with a feasible amount of time and resources.

## **Number of indicators and metrics**

The number of indicators selected for inclusion reflects the dual objectives of assessing the most important issues relating to responsible mining and maintaining a reasonable level of effort for reporting companies and RMI analysts. Likewise, the number of metrics are limited to a reasonable number by focusing on the most incisive questions that directly address the intent of the indicators to which they belong.

## **Mine-site scoping**

RMI acknowledges that the mine-site scoping would benefit from taking account of the locations of World Heritage Sites and indigenous peoples territories. This was not possible for the first Index but RMI intends to explore how these areas may be taken into account in subsequent Indexes.

RMI also acknowledges that the mine-site scoping excludes some very large Joint Venture operations that are owned in equal parts by different companies. The exclusion of these operations is due to the complexities involved in assessing several companies on the same mine site. RMI intends to explore how to include such mines in future Indexes.

## **Mine-site results**

Up to five mine sites are selected per company, to provide illustrative insights into the range of company practices on the mine-site indicators. For some companies, these sites represent only a small proportion of their mining operations. Similarly, with six indicators applied at mine-site level, RMI provides a partial assessment of company behaviour at these sites. Thus, the mine-site results may not necessarily be representative of wider company behaviour. For these reasons, mine-site results will not be integrated into company scores but will be presented separately.

## **Cumulative adverse impacts**

The RMI methodology takes into account any significant negative impacts that manifest themselves as controversial incidents. Not all serious impacts, however, are event-based; gradual impacts such as pollution of water sources or damage to human health, can cause long-term, insidious harm. These cumulative adverse impacts are not necessarily captured in the methodology.

## **Use of RMI results**

RMI results are not intended to constitute advice for companies, investors, governments or civil society, and should not be considered as such. Stakeholders may use the RMI results for their own purposes but RMI cannot be held responsible for any decisions or actions taken on the basis of the results.





# 07

## RMI indicators and topic profiles

### How to read this section

This section presents the RMI indicators and the topic profiles which provide the context and rationale for these indicators. The listing also shows where the content of other initiatives with a reporting element aligns with RMI indicators. These references are provided as illustrative pointers for companies, showing where they may already be collecting and reporting information similar to RMI indicators.

The information in this section is displayed in the format shown below, with:

- Measurement Areas coded as C (commitment), A (action) or E (effectiveness); and
- The mine-site indicators coded with the prefix MS.

<b>Issue Area title</b>		
Introductory text		
<b>Topic title</b>		
<b>Company-wide indicator code</b>  <b>Measurement Area code:</b>  <div style="display: flex; justify-content: space-around;"> <div style="border: 1px solid orange; border-radius: 50%; width: 30px; height: 30px; text-align: center; line-height: 30px;">C</div> <div style="border: 1px solid orange; border-radius: 50%; width: 30px; height: 30px; text-align: center; line-height: 30px;">A</div> <div style="border: 1px solid orange; border-radius: 50%; width: 30px; height: 30px; text-align: center; line-height: 30px;">E</div> </div>	Company-wide indicator text	<i>Indicators/standards of related reporting and information-gathering initiatives with similarities to the RMI indicator</i>
Mine-site indicator code	Mine-site indicator text	
Topic profile text		



## A 1. Economic Development

The large-scale extraction of minerals and metals represents a vitally important one-time opportunity for producing countries and their communities to gain lasting economic benefits from these non-renewable resources. The potential gains are huge: mineral wealth, if well managed, can transform national economies, reduce poverty and inequality, and boost the health, education and wellbeing of a country's population. Too often, however, these benefits are not realised. Some of the most resource-rich countries are among the poorest in the world and their mineral wealth, rather than bringing prosperity, has been seen to deepen poverty and fuel corruption and conflict. Even in developed economies, short-sighted mining developments can have long-lasting negative inter-generational effects.

Producing country governments are responsible for the stewardship of their countries' mineral resources and the responsible management of the revenues generated by their extraction. Good governance is essential if mining is to fulfil its potential to contribute to sustained economic development. At the same time, mining companies have an important role to play in ensuring that the potential that their investments and activities represent, optimally enhances socio-economic development within producing countries and the wider regions.

Large-scale mining companies, working in partnership with other stakeholders, can leverage their mining-related investments to catalyse development gains and in so doing contribute to the Sustainable Development Goals (SDGs). For example, well-planned mine infrastructure can spur national and wider regional growth (See **A.1**), while responsible procurement strategies can build producing country capacity to provide goods, consumables and services beyond the mine (See **A.2**). Mining companies can also support capacity building by facilitating the development and transfer of skills and technologies to other sectors (See **A.3** and **A.4**). Supporting the transparency and accountability in the use of mineral revenues is also of paramount importance (See **B.4**, **B.5**, **B.6**, **B.7**).

The global mining industry is becoming increasingly aware of the imperative, and acting on opportunities, to contribute to sustainable development. By building constructive partnerships with producing country governments, parallel industries, civil society, and other stakeholders to translate these opportunities into benefits, mining companies can strengthen their position as good corporate citizens and trusted development partners.

### A.1 National and Regional Socio-Economic Development Planning

A.1.1



The company commits to take account of national and wider regional socio-economic development plans in making its mining-related investment and business decisions in producing countries, with the aim of enhancing socio-economic development.

In all countries, transport, water, energy, information and communications technology infrastructure are necessary for sustainable development and the maintenance of vibrant and resilient societies. However, in many developing countries infrastructure needs are vast, and out of reach for many citizens. In some regions there also may be little or no appropriate infrastructure (e.g., port, road or rail facilities, energy, water) in place to support a mine, resulting in reduced productivity and competitiveness of the operation.

Infrastructure development related to large mining projects provides a unique opportunity for developing countries to address weaknesses in their infrastructure sector, and for mineral infrastructures to be shared, leveraged and optimised for sustainable economic development. Infrastructure can be an important driver to “dis-enclave” mining communities, and facilitate linkages that can support different types of local economic activities.

The strategic development of shared infrastructure can provide a win-win situation that enables a new mining project to efficiently and affordably move its product to market. High costs and capital exposure risks can be managed by partnering with governments and other stakeholders, while also enabling producing countries to maximise national or regional benefits of that infrastructure (e.g., to create new industrial hubs or corridors, better connect markets and improve the movement of goods, services, and people).

If not well planned and managed, however, the potential benefits from the development of a mine and associated infrastructure may not be realised, and may actually have negative impacts such as increasing environmental degradation, conflict and poverty. Collaboration with government planning processes, including those related to potential in-migration (influx) that may accompany the development of major mining projects and associated infrastructure, can help to ensure that there are sufficient services (e.g., water and sewage, decent accommodations, hospitals, schools) and social resources available for communities and areas potentially impacted by the presence of mining companies.

When mines are developed in a manner that harmonises with national or regional interests, contributions from the mining industry have the potential to be transformative by attracting and stimulating trade and investment, business development, and maximising the potential of other economic sectors.

## A.2 Procurement

<p>A.2.1</p> <p><b>A</b></p>	<p>The company has systems in place to develop procurement opportunities for suppliers at national and wider regional levels.</p>	<p>GRI 204</p>
<p>A.2.2</p> <p><b>E</b></p>	<p>The company tracks its performance on national and wider regional procurement and acts upon the results, demonstrating continuous improvement in developing procurement opportunities at the national and wider regional levels.</p>	

The development and operation of a large-scale mine has the potential to contribute significant revenues and economic diversification opportunities in producing countries and regionally through mining company expenditures on goods and services and procurement contracts. In fact, the level of expenditure by major mining companies on in-country procurement is typically higher than their expenditures on taxes, salaries and community investment combined. Often, however, a large share of the value of goods and services used by mining projects are imported, which can create tensions between a mining company and communities or governments. The requirement for highly technical or specialised inputs, difficulties in accessing finance, lack of relevant skills, and short lead-times are all factors that can potentially constrain national or regional suppliers from meeting a mining project's needs.

Several countries have passed regulations or added stipulations to contracts that require or incentivise extractive industry companies to prioritise the use of products, businesses, services and workers from within the country or broader region. These approaches do not always deliver the anticipated benefits, however, due to corruption, opposition by vested interests within the country, and lack of local capacity to deliver needed goods and services.

In some countries, trade restrictions prevent the use of mandatory local content requirements. Where no regulations exist, some mining companies are voluntarily creating procurement targets and initiatives to support national or regional suppliers, including by placing obligations on their own contractors to source from within the country or wider region.

Building capacity within national or wider regional suppliers to meet a company's standards and specifications may take significant lead time, so it is advisable for companies to assess their procurement needs early in the project planning stage, and identify procurement opportunities for the various stages of the mine lifecycle, including development, production and closure. Responsible procurement strategies can best be optimised when there is extensive collaboration between government, industry associations, civil society and other mining companies to develop approaches that align with national and wider regional supply and demand.

The benefits of enhancing procurement opportunities at the national or regional level are myriad. Prioritising national and regional procurement and fostering related research and development (See **A.3**) can help build stronger economies through the creation of jobs, tax revenues, skills and technological capacities that reach well beyond the mine. (For the benefits of fostering local community procurement opportunities, see **D.3**) Also, by supporting new and established suppliers to meet high labour, environmental, social and human rights standards mining companies can strengthen the potential for local suppliers to diffuse their products and services beyond the mining sector, into regional or global supply chains.

Mining companies also realise strategic benefits from advancing the development of national and wider regional procurement such as reducing production costs, logistic costs and delivery times, facilitating secure access to critical goods and services, reducing the environmental footprint of their sourcing practices, and strengthening their social license to operate.

### A.3 Capacity Building

A.3.1

A

The company has systems in place to support in-country capacity building through Research & Development aimed at addressing socio-economic and environmental issues related to mining within producing countries.

UNGC Principle 7, Principle 9

Mining companies are well-placed to support research and development (R&D) programmes to stimulate innovation and socio-economic diversification in producing countries. Mining companies alone, collectively as an industry, or in partnership with others can support R&D that aims to improve the positive and minimise the negative environmental or socio-economic impacts of mining.

Mining companies may contribute to producing-country R&D efforts in a number of ways, including through the provision of financial support to research institutions, partnerships with government agencies, universities or NGOs, funding of research scholarships, or by providing researchers with access to data or equipment. Any support for building R&D capacity, however, should be done in close collaboration with the relevant institutions and government authorities. By taking a collaborative approach in assessing needs and developing capacities, companies can be strategic with their investments, and avoid costly and time-consuming efforts that fail to create long-term value for the company or producing country.

Mining companies have much to offer in, and benefit from, these kinds of capacity building efforts, beyond any R&D the companies undertake themselves as a regular part of their operations (e.g. EIA-related research). Support for producing-country R&D can generate public-good knowledge on a wide range of mining-related issues relevant to the country in question.

For example, research can be targeted at reducing energy, water usage or the environmental footprint of operations, or researching strategies to prepare for and adapt to climate change. Other efforts might include R&D related to occupational health and safety issues, socio-economic studies to facilitate downstream opportunities such as mineral beneficiation, or cooperation with government and academic institutions on influx management.

R&D supported by mining companies, however, need not only be focused on mining-related issues. Companies can invest in initiatives that address the needs of mining-impacted communities, for example by supporting R&D in sectors like agriculture, water treatment or renewable energy technologies to promote food, water and energy security. In addition to creating opportunities for economic growth, such investments may help to contribute to a shared pool of knowledge and innovation and address social-economic challenges including poverty and health, or environmental issues such as soil erosion and water contamination.

The value of contributing to socio-economic development in producing countries is well understood by mining companies. Through contributions to socio-economic R&D mining companies can help to develop technologies and practices that are tailored to the needs and realities of the producing country but also have potential to be applied elsewhere. Also, building R&D capabilities and economic capacity in a country or region makes it more attractive to investment, and may lead to a more stable operating environment.

## A.4 Enhancing the National Skills Base

A.4.1

A

The company has systems in place to ensure its operations support skills development and skills transfer, especially at technical, and mid and upper management level, in producing countries.

GRI Disclosure 404-2

Mining developments create the potential for economic and social benefits through the creation of procurement and employment opportunities (See **A.2** and **D.3**). How a mining company responds to the short- and long-term-skills needs of a project can have a significant impact on the skills base and employment levels in producing countries, providing multi-generational multiplier potential. When a company is over-reliant on imported labour, expertise and goods, mining and other skills are not transferred to the local population and there is little opportunity to enhance the national skills base or the development of a sustainable economy.

Most mining companies invest in worker training programmes to ensure the efficient running of their organisations and operations. Some companies also provide apprenticeships and mentoring to foster skills transfer, and “upskilling” and leadership programmes to provide their workers with career advancement opportunities. A focus on mining skills development at the local or national level helps companies meet producing country local employment expectations or targets and reduce costs associated with expatriate transfers. Educating and training workers may also lead to greater worker productivity, and reduce the potential for community conflicts that may arise if a mine is overly reliant on foreign labour, especially for higher paying jobs.

Increasingly, governments and companies are looking at how the mining industry can expand its efforts by cultivating skills that are applicable to other sectors of the economy. For example, mining companies can foster the development of local and national businesses that reach far beyond the mine site by mentoring or training mine suppliers and contractors (See **A.2** and **B.9**), or supporting enterprises unrelated to mining, e.g., through access to finance at favourable rates. Mining companies can also help deepen the level of expertise in fields such as process control, construction and materials handling, which can be used in a wide number of economic sectors other than mining; and promote the development of highly transferable skills such as communications or competencies related to management and supervision.

Provision of skills training and support in a broad range of areas, including but not limited to those related to mining, helps companies foster a larger talent pool from which they can draw, while helping to positively integrate themselves at a national and regional level.





## B. Business Conduct

Mining companies, like other global businesses, are answerable to their owners and shareholders, whether these be private individuals, corporations, governments or tax payers. They are also increasingly being held to account by stakeholders and the global marketplace, which expect companies to apply ethical business practices and sound systems of corporate governance and transparency to their operations. In response to this demand some mining companies have made commitments to more responsibly manage the economic, environmental, social and governance (EESG) aspects of their operations.

Just as a mining company’s economic development efforts can contribute to the achievement of the UN’s Sustainable Development Goals (SDG) (See **Issue Area A**), responsible business conduct by mining companies can help producing countries progress toward these goals. For example, transparency of mining business practices, especially in countries with weak governance or corruption, not only helps to showcase a company’s good practices, but also can contribute to greater producing-country accountability (SDG 16) and a higher potential for mineral wealth to reduce poverty (SDG 1) and provide benefits to the whole population.

Conducting businesses with integrity also enables companies to respect human rights, workers and the environment; protect against corruption; and create value for producing countries and affected communities affected by mining activities, all of which are important concepts within the SDG.

### B.1 Business Ethics

<p>B.1.1</p> 	<p>The company commits to an integrated cross-departmental approach to business ethics.</p>	<p><i>GRI Disclosure 102-16</i> <i>CHRB A.2.1</i></p>
<p>B.1.2</p> 	<p>The company has effective whistle-blowing mechanisms in place, throughout its operations, for reporting concerns about unethical behaviour.</p>	<p><i>GRI Disclosure 102-17</i></p>

Business ethics is the application of ethical values to the conduct of a company or individuals within that company. The set of ethical values adopted by a company is discretionary, but often includes values such as: integrity, fairness, honesty, trustworthiness, freedom, respect and openness. These values can then be applied to relevant economic, environmental, social and governance (EESG) issues such as conflicts of interest; gifts and hospitality; political donations and lobbying; bribery and corruption; data privacy; use of social media; diversity; human rights; and treatment of or interactions with workers, communities and the environment.

Often, a company’s values are laid out in codes of ethics or conduct (or similar documents), which outline the company’s commitment to a particular ethical standard, and the expected behaviour of its governing bodies, employees, and even business partners. While boilerplate corporate codes of conduct are available, a company is more likely to be successful at conducting its business ethically if it develops a company-specific code that reflects a shared statement of values developed and agreed between the organisation, its leaders and employees. This may be achieved, for example, through a cross-departmental committee.

Additionally, ethical conduct is more likely to be achieved if values are embedded in the company’s culture, throughout all of its departments and operations; expected behaviour is clearly communicated to all employees, relevant business partners and stakeholders; there are sanctions for breaches of conduct, but also incentives for achieving high ethical conduct; and monitoring mechanisms are in place to understand the extent to which the company is living up to its stated values. Also important is reporting to employees and stakeholders, which promotes learning and accountability at all levels of the company, and provides a means to demonstrate that commitments made at the corporate level are being carried out at the mine operational level.

Companies committed to ethical conduct will also have effective mechanisms in place that enable individuals from within or external to the company to raise concerns about unethical or unlawful conduct, including whistle-blowing hotlines or similar procedures that allow anonymous, confidential reporting without fear of retaliation. In some situations, in order to build trust in the mechanism it may be helpful to have an independent third-party manage the mechanism and report back to the company on the results. The creation of a culture of trust and openness, where employees have the confidence to raise issues of concern (and where protection is provided to those who speak out), is more likely to result in the early identification and prevention of unacceptable behaviours, enabling companies to protect their reputation, reduce financial losses, improve employee morale and reduce turnover.

## B.2 Board and Senior Management Accountability and Diversity

<p><b>B.2.1</b></p> <p><b>A</b></p>	<p>The company has systems in place to hold individual board directors and senior managers accountable for responsible business conduct on economic, environmental, social, governance and human rights issues.</p>	<p><i>GRI Disclosure 102-16; 102-19; 102-20</i></p> <p><i>CHRB A.2.3; B.1.2</i></p> <p><i>UNGP (RF) A.2.1</i></p> <p><i>CDP CC1.1; CC.1a; CC1.2; CC1.2a; W6.1</i></p>
<p><b>B.2.2</b></p> <p><b>E</b></p>	<p>The company actively supports diversity and inclusivity of persons and perspectives on its board and in its senior management.</p>	<p><i>GRI Disclosure 102-22; 202-2; 405-1</i></p>

Corporate sustainability is a concept that has been embraced by companies around the globe. It is increasingly viewed as essential to long-term corporate success. It involves businesses respecting fundamental responsibilities in areas such as human rights, labour, environment and anti-corruption, and taking actions to support and create value for societies around them.

Increasingly, companies are developing policies that demonstrate a commitment to responsible conduct on economic, environmental, social (including human rights) and governance (EESG) issues. However, policies do not always translate into long-term positive changes in producing countries or a sustained shift in corporate culture and values toward more responsible behaviour. Successful implementation of policies typically requires commitment, leadership and accountability from corporate boards and senior managers (at the corporate and mine-site levels), as well as dedicated personnel at the operational level to ensure that strategic decisions are applied throughout a company’s operations.

The composition of corporate boards and senior management may also influence the successful implementation of EESG goals. Board members and managers of different genders, ethnicities and ages, and a diversity of backgrounds and qualifications, including on economic, environmental and social issues, can contribute to a broad spectrum of knowledge on how external factors may impact the company.

Similarly, engagement with a diverse set of stakeholders can be instrumental in helping boards understand what society expects. More and more companies are creating groups, such as independent stakeholder advisory committees, to provide input that feeds directly into corporate decision-making on the company’s economic, environmental and social efforts and performance.

Studies have shown that diversity on boards of directors and in senior management positions, as well as increased integration of stakeholder interests into corporate decision-making, can lead to better overall financial performance, good corporate governance, greater adherence to global EESG standards, fulfillment of human rights due diligence expectations, better sustainability performance, enhanced innovation, better risk management, and an improved corporate reputation.

### B.3 Contracts Disclosure

B.3.1

A

The company publicly discloses all contracts, licenses and agreements that grant it access to the extraction of mineral resources and associated projects, and, where necessary, uses its leverage to urge governments to support contract transparency on a level-playing-field basis.

*CHRB D.3.2*

*EITI 2.2; 2.4*

Producing countries issue licenses and develop agreements with companies to explore or exploit mineral resources (e.g., through bids, leases, concession agreements, exploration and exploitation agreements, development agreements). Governments also sign contracts or negotiate agreements with companies to establish various terms and conditions related to mineral development, such as the financial benefits that a country will receive from taxes, production-sharing, profit-sharing and royalties; provisions related to critical infrastructure or other investments; and terms that can have implications for citizens such as environmental protection measures or rights related to land use or the displacement of local communities.

Governments bear the responsibility of managing their country’s resources in a manner that is in the interest of national development and the wellbeing of the people. Unfortunately, corruption, lack of information or institutional capacity challenges have prevented some countries from negotiating the best deals for their citizens – often resulting in the loss of millions or billions of dollars in potential revenue.

The contracts governing mining or other extractive projects may constitute the most significant rules governing the benefits received by producing countries and affected communities, and yet, too often they are hidden from public view. According to a 2015 report by the Extractive Industries Transparency Initiative, while some countries publish contracts, transparency is not universal. In some cases there are legal or contractual prohibitions on disclosure, and in others, even though laws support disclosure it is only partially done, or is not occurring at all.

Contract disclosure, however, is increasingly being recognised as necessary to enable the responsible management and good governance of natural resources, and to promote growth and economic development by ensuring a level playing field for companies. By systematically making contracts publicly available, government officials have more tools and a stronger incentive to negotiate contracts that ensure that their countries receive an equitable share of the benefits from mineral development. Contract transparency enables civil society to play a greater role in the debate over how developing countries manage their non-renewable resources, and can also help companies and governments demonstrate to citizens the value of mining projects and what are realistic income expectations over time.

A growing number of mining companies and associations publicly support the practice of contract publication, arguing that it ensures a level playing field for companies and helps increase the quality of their relationship with society at large and more effectively match citizen expectations. Some companies are also taking leadership roles in advancing transparency by disclosing contracts in countries where it is not required, and others are proactively including exception clauses in contracts with governments that enable public disclosure.

### B.4 Tax Transparency

B.4.1

A

The company practices tax transparency in all its tax jurisdictions.

*GRI Disclosure 201-1; 201-4*

*CHRB D.3.2*

*EITI 4.1*



Mining-related taxes are a significant and critically important source of income for mineral-rich countries. Revenues from taxes allow countries to pay for essential public services and infrastructure. In the case of developing countries, a solid tax base can reduce reliance on foreign aid, enabling countries to have a greater say in their own development. If managed carefully, the taxes received over the lifecycle of a mine can fund economic and social development initiatives that will continue to generate benefits long after the mining operations have ceased.

There is ample evidence that many producing countries are failing to collect a significant proportion of taxes from extractive industries, especially from companies with operations in many countries. Companies are able to avoid paying taxes through questionable but nominally legal tactics, such as transfer pricing manipulation (by shifting profits to subsidiaries in low-tax or secrecy jurisdictions), trade mispricing (by under-declaring the value of products being exported) or through the use of complex ownership structures. Tax evasion may also occur through illegal activities, such as smuggling.

Developing countries may also lose out on tax revenues by offering incentives such as tax holidays or reduced tax rates. Often, tax incentives in producing countries are not guided by proper cost-benefit analyses but are driven instead by the pressure to create a more attractive investment climate than the next country, and given the location-specific nature of mining operations there are numerous examples showing that investment would have occurred even without tax incentives. Although not illegal, overly generous or ill-conceived tax incentives may be viewed with suspicion, create legitimacy issues for governments and companies, and do nothing to improve the investment climate in a country.

Much work needs to be done to establish tax policies, structures and enforcement capacity in a manner that both attracts investment and delivers economic benefits to the country. Some efforts are underway, however, There is no single definition of tax transparency, but it generally includes the disclosure of information on how much profit a company makes in each country where it operates and how much taxes it pays in each country (See **B.6**), and reporting on tax strategies, such as its approach to taxation, details on management of tax risk and tax planning, and information on tax havens.

Increasingly, global companies are recognising that tax-related policy commitments and proactive disclosure of tax strategies and practices at a country level, are crucial to building and maintaining relationships and credibility with investors and producing countries, and fostering a stable investment climate in the countries where they operate.

## B.5 Beneficial Ownership

B.5.1

A

The company publicly discloses the beneficial ownership of each of its wholly or partly-owned entities that bids for, operates or invests in extracting mineral resources.

*GRI Disclosure 102-5; 102-7*

*EITI 2.5*

The identities of the people who ultimately own, control and reap the profits from a mining company's activities – the beneficial owners – are not always disclosed. In some cases they are hidden behind a chain of corporate or private entities that spans multiple countries.

When ownership of a company is opaque it creates avenues for corruption, tax evasion, money laundering and other types of financial misconduct, which can then lead to negative economic, environmental or social impacts. For example, an individual with an ownership stake in a company may be in a position to unduly influence the granting of government contracts, mining licences or permits to unqualified companies, or approve overly lenient terms and conditions. Knowing the identity of the beneficial owners is important both to deter corruption and to ensure that a company that has obtained a license has the intention and necessary financial and technical expertise to develop, operate and close a mining project in a responsible manner.

Governments, financial institutions, voluntary initiatives and even mining company executives are increasingly advocating for and moving towards increased transparency in the beneficial ownership of companies. For example, the Extractive Industries Transparency Initiative has put in place requirements that by 2020 “all implementing countries have to ensure that all oil, gas and mining companies that bid for, operate or invest in extractive projects in their countries disclose their real owners,” and reveal the level of ownership and details about how ownership or control is exerted (e.g., through a percentage ownership of shares in the company, or control through contractual arrangements or powers of attorney).

Proactive disclosure of beneficial ownership is fast becoming standard practice within the extractive industry. Such disclosure demonstrates commitment to transparency and to the integrity of mineral licensing and contracting processes. It will also help to build greater trust from mining stakeholders, help avoid the risks of corruption and tax evasion, and enable governments to better assess the credibility of mining proposals, thereby improving the investment climate for the mining sector globally.

## B.6 Payments to Producing Countries

B.6.1

A

The company publicly discloses all payments it makes to sub-national and national governments, providing disaggregated data on a project-level basis.

GRI Disclosure 201-1

EITI 4.1; 4.6

Governments grant mining companies the right to explore and exploit mineral resources, and, in exchange, companies pay taxes, royalties, license fees, bonuses, or make other contributions to compensate a country for the minerals being extracted. The payments made by mining companies can be a significant source of revenue for developing countries, and have the potential to fuel economic growth and social development.

Information on payments to governments is often not publicly available. Greater transparency from mining companies would help governments and citizens know if companies are meeting their contractual obligations (See **B.3**), and it would enable companies to demonstrate their economic contributions to workers, local communities, and to the national economy at large.

It is generally agreed that transparency of payments made by extractive companies to governments can enhance good governance by removing conditions that enable corruption and misuse of revenues. Better management of mineral revenues, in turn, increases the potential to reduce poverty and foster sustainable economies. Disclosure of payments is also a way for countries to reduce political risk and create a more stable investment environment.

In the past decade efforts to increase payments transparency have gained traction. In particular, the Extractive Industries Transparency Initiative, a global standard that promotes open and accountable management of oil gas and mineral resources, and regulations in the European Union and Canada, have created legal obligations for many companies to report payments made to national and sub-national government bodies, and to disclose these payments for each country where they operate.

Project-level disclosures are also becoming standard practice in many developed nations, and there are calls for similar project-by-project reporting in other regions. Communities located close to mines experience a wide range of social and environmental impacts, yet often they do not receive adequate funds to alleviate impacts and promote economic growth, even when they are legally entitled to a percentage of the revenue generated by mining projects.

Access to both country-level and project-level revenue data allows local governments to better monitor company compliance with contract obligations, and enables local communities to track their entitlements and hold their governments accountable if revenues are not being appropriately allocated.

In countries that do not yet have project-level requirements, companies that demonstrate a willingness to disclose payments, can increase trust and support and enable producing country communities to become better informed about the revenues received from mining and how these are being spent.

## B.7 Lobbying Practices and Policy Engagement

<p><b>B.7.1</b></p> <p><b>A</b></p>	<p>The company publicly discloses its lobbying practices and positions.</p>	<p><i>GRI 415; Disclosure 415-1</i> <i>CDP CC2.3 (a-g)</i></p>
<p><b>B.7.2</b></p> <p><b>C</b></p>	<p>The company commits to engage constructively in multi-stakeholder forums to improve the transparency of mineral revenues, including their management, distribution and spending.</p>	

In many countries lobbying plays a prominent role in policy-making. Private lobbyists, industry groups and civil society organisations work in a variety of ways to influence politicians and decision-makers. Lobbying, however, is often highly unregulated, creating the potential for powerful interests to exert undue influence through corrupt or otherwise questionable practices. The general lack of transparency and accountability around lobbying creates suspicion that companies, either independently or through industry bodies, are advocating for rules that are not in society’s best interest.

Mining companies can take proactive steps to help foster greater integrity and trust in public decision-making processes and elicit greater trust from stakeholders. For example, they can voluntarily disclose information related to lobbying policies, practices and political contributions. They can also disclose lobbying positions, which not only demonstrates a willingness to be transparent, but may also reveal areas of common ground with stakeholders, and present opportunities for working together to develop public policies that can serve affected communities, producing countries, and the mining industry alike.

While lobbying is a legitimate activity and an important part of the democratic process it is not the only avenue for mining companies to influence mining policy and institutional or economic reforms. Many mining companies are engaged in partnerships with governments and other stakeholders to help increase the capacity of producing country governments to manage mineral resources and develop economic opportunities.

Increased transparency in lobbying and engagement in multi-stakeholder dialogues to improve mineral transparency and resource governance are important means to building stakeholder trust, combating bribery and corruption (See **B.8**), and creating a more stable and attractive climate for investment.

## B.8 Bribery and Corruption

<p><b>B.8.1</b></p> <p><b>C</b></p>	<p>The company commits to prevent all direct and indirect forms of bribery and corruption.</p>	<p><i>GRI 205</i> <i>SASB NR0302-21</i></p>
<p><b>B.8.2</b></p> <p><b>E</b></p>	<p>The company tracks its performance on anti-bribery and corruption and acts upon the results, demonstrating continuous improvement in preventing all direct and indirect forms of bribery and corruption.</p>	<p><i>GRI Disclosure 205-3</i> <i>UNGC Principle 10</i></p>

In 2003, the United Nations General Assembly adopted the United Nations Convention Against Corruption. In the convention document, UN Secretary General Kofi Annan stated that, “Corruption hurts the poor disproportionately by diverting funds intended for development, undermining a Government’s ability to provide basic services, feeding inequality and injustice and discouraging foreign aid and investment. Corruption is a key element in economic underperformance and a major obstacle to poverty alleviation and development.”

The mining sector is classified as one of the highest-risk sectors for corruption. Mining companies must obtain numerous licences and approvals to explore and develop mineral resources. Some government officials or others with enough political influence to block or delay mining projects may attempt to solicit bribes in exchange for facilitating those processes. This practice is especially prevalent when mining operations are located in countries that have a weak regulatory environment and rule of law.

The problem, however, cannot be placed solely at the feet of unethical government officials and other intermediaries. Some mining companies admit that they would willingly make cash payments or give unethical gifts to help their business during financially difficult times. Also, companies may be indirectly and in some cases unknowingly implicated in bribery or corruption through their relationships with agents, consultants or joint-venture partners.

Bribery and corruption can be prevented or greatly reduced through implementation of robust and transparent anti-corruption due diligence and compliance programmes and other measures such as transparency around taxes and payments made to producing countries (See **B.4** and **B.6**). Anti-corruption due diligence helps companies fight corruption within their own businesses, and reduce the potential of being associated with corruption through the actions of third parties such as agents, consultants, or suppliers. Such due diligence is now an expectation in many countries, and companies are also taking voluntarily steps to implement anti-corruption programmes to minimise their risks.

Less corruption in a society will lead to a more predictable and stable investment environment for companies, and help producing countries demonstrably maximise the benefits from the development of their natural resources.

## B.9 Responsible Contracting and Sourcing

B.9.1

A

The company has systems in place to carry out regular due diligence on the practices of contractors, sub-contractors and suppliers to identify and assess any environmental, social, governance risks and human rights risks.

*GRI 401; Disclosure 308-1; 308-2; 412-3; 414-1; 414-2*

*CHRB B.1.6; B.1.7*

*UNGC Principle 2*

Increasingly, there is a global expectation that businesses not only demonstrate a high level of human rights, social and environmental responsibility in their own actions, but also demand the same of their business partners and supply chains.

Mining companies often contract with firms to deliver specialised services such as welding repairs, mechanical work, and facility maintenance. In the past decade, labour shortages or cost-cutting efforts have increased the use of contracted workers for core mining operations as well.

The use of contracted labour has implications for mining companies. Hiring workers via a contractor may present occupational health and safety challenges that must be managed. Also, poor labour, social or environmental practices by contractors create reputational and financial risks for mining companies. For example, discrepancies in wages and working conditions between workers and contractors are of concern due to issues of inherent inequality, and also because they have led to violent protests and mine shutdowns.

Mining companies also face risks related to the practices of their suppliers, such as interruptions in supply and reputational damage resulting from accidents, labour challenges, corruption, association with armed groups or illegal activity, human rights abuses, community protests or legal actions related to supplier non-compliance with social or environmental regulations.

Companies can minimise risks to workers, communities, the environment and their own reputations by assessing the social, environmental, labour and human rights risks associated with suppliers and contractors, and ensuring that contractors, sub-contractors and suppliers commit to and implement high social, environmental and ethical standards in their activities and throughout their own supply chains.

This approach is increasingly being taken by leading mining companies. For example, numerous mining companies have codes of conduct that apply equally to employees, contractors, sub-contractors and suppliers, although often these codes are non-binding. As a result, some mining companies are now incorporating social and environmental requirements into bilateral contracts to create legally binding obligations. Some companies also carry out audits to assess compliance and evaluate how well contractors, sub-contractors and suppliers are managing their own impacts and those that may be occurring within their supply chains.

In addition to formalising expectations in agreements, mining companies are investing in the training of contractors, sub-contractors and suppliers to help them meet the company's requirements. These programmes are mutually beneficial: mining companies reduce their labour and supply chain risks and create more stable, reliable relationships; meanwhile, suppliers, contractors and sub-contractors can reduce their own risks, build capacity and potentially gain access to more competitive supply chain finance.

Producing countries stand to benefit from these initiatives, as well. Home-grown businesses that can meet high social and environmental standards will be better able to compete and integrate into responsible global supply chains. Moreover, if mine contractors, sub-contractors and suppliers are held to high environmental, social, human rights and labour standards, such as ensuring safe workplaces and paying living wages, workers and their families will be better off, and mining will have greater positive benefits for local economies and communities.



## C. Lifecycle Management

The lifespan of a mine can be decades long, and there are a number of discrete lifecycle phases in the development and responsible closure of a mine. The process begins with mineral exploration. If a potentially viable ore deposit is identified, a company may then design and investigate the technical and financial feasibility of developing a mine. If a corporate decision is made to move forward with a project (See C.2), and the appropriate regulatory approvals are received, the mine enters the development or implementation phase, which involves constructing and operating the mine. Finally, when the ore has been extracted, the mine enters a closure phase, which can last many years or even decades if there are long-term environmental issues remaining at the site.

Due diligence should be carried out throughout all lifecycle phases, to ensure that risks to the company and communities and the environment are minimised, that opportunities for efficient, sustained extraction are maximised, and that safeguards are put in place to guarantee the ongoing and post-mining social and economic health of affected communities and protection of the environment. In particular, it is critical that companies work with communities and workers to plan ahead for the transition from the construction to operations phase, and operations to closure phase, to ensure that communities and workers have viable social and economic futures throughout the mine lifecycle and when the mine closes (See C.3).

In some cases, a single mining company will not shepherd a mining project through its entire lifecycle. Whenever there is a transfer of mine ownership, a due diligence process is necessary to ensure that risks and liabilities are disclosed and understood, and that adequate financial security is in place to prevent and manage social and environmental impacts (See C.4).

### C.1 Mine Lifecycle Management

<p><b>C.1.1</b></p> <p><b>C</b></p>	<p>The company commits to adopt a lifecycle approach throughout the project development and operational phases of its operations.</p>	<p><i>TSM Mine Closure Framework</i></p>
<p><b>C.1.2</b></p> <p><b>E</b></p>	<p>The company tracks its performance on managing socio-economic impacts on workers of all major changes in its operations (e.g. moving from construction to operations phase or downsizing) and acts upon the results, demonstrating continuous improvement in ensuring just transition for workers.</p>	

The potential economic, environmental and social impacts and opportunities related to mining will vary over time. As is now widely recognised, sound environmental and social management requires that companies consider and address the full spectrum of issues throughout all stages of the mine lifecycle.

A lifecycle approach to mining requires that systems be put in place to identify, assess and manage environmental and socio-economic risks, impacts and opportunities in a structured, ongoing manner, and with stakeholder engagement.

Although mine closure is the end stage of the mine lifecycle, effective planning for closure will begin as early as the exploration phase, as simple changes early on in the design and construction of a mine can have profound implications during the mine lifecycle and post-closure. A closure plan will include concepts such as concurrent remediation of environmental impacts; strategies to prepare workers and affected communities for planned or unplanned fluctuations in jobs and income, such as the move from construction to operations, or temporary mine closures; and programmes that will enable workers and communities to emerge post-closure with viable social and economic opportunities (See also **C.3**). Closure plans will be regularly updated to reflect changes in mine operations and environmental and social circumstances.

When mining companies take a proactive and collaborative approach to planning, assessing, and managing for risks and opportunities during all stages of the mine lifecycle, they demonstrate to workers, communities, producing country governments, investors and other stakeholders that they are committed to responsible mining and delivering positive outcomes. This can lead to greater trust and support for the project from stakeholders, increased worker morale, reduced long-term liabilities, longer-term commercial viability of operations, lower mine closure costs, and greater access to financial resources.

## C.2 Project Approval Process

C.2.1

A

The company has systems in place to integrate environmental, social, governance and human rights factors into the stage-gating process at investment committee level.

UNGC Principle 2

Developing a mine is a capital-intensive endeavour. As a result, mining companies carry out comprehensive evaluations to determine whether or not to invest in a project.

One proven and effective way to manage the complexity of capital projects in the mining industry is to take a stage-gate approach as a project moves through its lifecycle from concept to project approval. At each 'gate' a go/no-go decision is made based on information gathered during that stage. Information analysed may be of a technical nature (e.g., ore body characteristics) or financial (the market for the particular mineral, the cost of regulatory compliance, the availability and cost of labour). However, if done responsibly, a company will include other risk factors.

For any proposed mine a complex mix of social, political, human rights, financial, and environmental issues will influence the viability of a project. For example, a project may require lengthy negotiations to obtain the free, prior and informed consent of indigenous peoples (See **D.7**), with no certainty of a positive outcome for the company; projects may require involuntary resettlement (See **D.8**), which could have high costs associated with compensation for affected households and mitigation of social and human rights impacts; or environmental factors such as site geology or potential changes in precipitation from climate change may pose potentially unacceptable long-term risks or costs related to tailings management (See **F.2**).

Companies sometimes make capital investment decisions and operational choices that are based on a narrow definition of financial risk that assumes social, political, environmental and other factors are less critical to the success of the project. As a result, the threshold for those risks to influence a project approval decision may be disproportionately high, for example, only being considered if they are strong enough to shut down a project. A rigorous analysis of environmental, economic, social, governance and human rights risk factors increases the likelihood that responsible, informed decisions will be made at the project investment stage.

The ability to influence project success and enhance value is greatest at the start of project appraisal and rapidly declines as a project advances towards implementation. Early identification and analysis of environmental, economic, social, governance and human rights risks alerts company decision-makers to potential problems, and enables the planning of pre-emptive mitigation strategies that can produce significant project-related cost savings. Alternatively, analyses may result in the avoidance of projects that present too great a risk of causing significant impacts to communities or the environment. For example, some mining companies now screen prospective investments to determine if sites are in or adjacent to World Heritage Sites, to ensure that they avoid operating in these internationally recognized areas of outstanding natural or cultural values.

Increasingly, financial institutions and private investment firms that finance mining projects are integrating EESG factors into their lending decisions. Aside from the clear inherent benefit of leaving a more positive legacy, mining companies that can demonstrate that they have evaluated the risks and have a clear strategy for mitigating environmental risks and potential impacts on workers and communities are more likely to be attractive opportunities for investors to put their funds.

### C.3 Post-Closure Viability for Communities and Workers

<p><b>C.3.1</b></p> <p><b>A</b></p>	<p>The company has systems in place to plan for appropriate land rehabilitation and post-mining land-use opportunities.</p>	<p><i>TSM Mine Closure Framework</i></p>
<p><b>C.3.2</b></p> <p><b>A</b></p>	<p>The company designs and plans operations to manage post-closure transition for affected communities, to ensure continued viability of their livelihoods.</p>	<p><i>TSM Mine Closure Framework</i></p>
<p><b>C.3.3</b></p> <p><b>A</b></p>	<p>The company designs and plans operations to manage post-closure transition for workers, to ensure continued viability of their livelihoods, both around the mine and in any labour sending areas.</p>	<p><i>GRI Disclosure 404-2</i></p>
<p><b>C.3.4</b></p> <p><b>A</b></p>	<p>The company provides financial surety for mine closure and post-closure liabilities and publicly discloses financial surety arrangements, throughout its operations.</p>	<p><i>TSM Mine Closure Framework</i></p>

Just as the construction and operation of a large-scale mine creates radical changes to the natural and socio-economic landscapes of a region, the closure of a mine also creates the potential for significant impacts. The economic and social viability of communities that host, neighbour or send labour to mines are often intimately tied to revenues from taxes, wages or mine-related procurement, as well as any infrastructure and services provided by the mining company (See **D.3**).

Following the permanent or even temporary closure of a mine, the cessation of revenue streams and other mine-related benefits can have devastating and long-lasting effects on communities such as: outmigration; crumbling infrastructure; decline in social services; stagnation of local and regional economies; soaring unemployment; and increased levels of poverty and malnutrition.

Planning for mine closure is key, and when companies work collaboratively with local communities and labour-sending areas to plan for mine closure many of the negative impacts, especially those deriving from an unhealthy economic or social dependency on the mine, can be avoided or mitigated. An effective mine closure planning process involves communities in the setting of closure goals, the development of action plans, and estimation of the costs involved in achieving the desired outcomes. Also, the early involvement of workers and communities in planning for closure, ideally at the outset of mining exploration (See **C.1**), increases the transparency, credibility and chances of successful outcomes.



Some of the potential strategies for minimising impacts related to closure include: putting programmes and systems in place to support a diverse economy (See **D.3**); building capacity and skills to manage and maintain services and infrastructure initially supported by the mine (e.g., health, education, water or energy facilities); and creating mechanisms to ensure that benefits established in local or community development agreements or through other initiatives will continue to accrue beyond the life of the mine.

Additionally, the involvement of workers in retrenchment planning and provision of assistance such as training, career and financial counselling, job transfer opportunities and other resources will help them better manage the transition when the mine closes.

In addition to socio-economic considerations, effective mine closure planning aims to ensure that the post-mined landscape is physically safe and stable, functional ecosystems are restored, the risk of long-term pollution is minimised, and surrounding water supplies are protected so that communities will have access to resources to support and sustain alternative livelihood ventures in a post-mining era. To the extent possible, restoration and rehabilitation efforts take place concurrent with mining operations. Not only does this reduce a company's long-term liabilities, it also demonstrates to stakeholders that the company is proactive in its approach to mitigating environmental impacts.

Leaving a positive post-mining legacy requires a significant investment. Environmental rehabilitation and restoration costs alone can run into the tens or hundreds of millions of dollars depending on the scale of the mining operation, the range of issues to be addressed prior to closure, and whether or not there are systems that need to be maintained post-closure to ensure long-term protection of the environment. It is therefore in the interests of all stakeholders that companies are able to demonstrate that they have sufficient funds set aside to cover the costs of mine closure and post-closure activities, and that these financial sureties are quarantined from other company assets so that they will be available in the event of bankruptcy or government abuse.

Financial sureties may also provide funds to support the continued longevity and success of social services, facilities and socio-economic programmes post mine closure. Mining companies in collaboration with affected communities and local governments, can develop post-closure socio-economic financial assurance mechanisms, even when they are not required by government regulations.

When mining companies leave behind negative socio-economic or environmental legacies, they discredit their own reputation as well as that of the industry as a whole. A portfolio of safe, stable and prospering post-closure sites and communities is more likely to engender support for a company's 'social licence to operate' in new areas. As a result, leading mining companies are increasingly integrating social and economic considerations in an operation's lifecycle planning to better ensure that mining projects will create long-term value for producing countries and affected communities and workers, both during mining and post-closure.

#### **C.4 Mergers, Acquisition, and Disposal Due Diligence**

**C.4.1**

**A**

The company has systems in place to carry out due diligence on mergers, acquisitions and disposals, to identify and assess potential economic, environmental, social, governance and human rights risks related to previous, current and future development.

*GRI Disclosure 412-3*

The global mining industry is subject to frequent buying, selling and combining of companies and mining properties. Every mining company and mine project has unique characteristics that may create financial, legal or reputational risks for purchasers and sellers. The merger, acquisition or disposal of a company or project can also create economic, environmental, social and human rights risks for communities and workers. For example, restructuring that often follows mergers may result in layoffs and associated community impacts.

It is difficult to predict how a change in mine ownership might affect environmental protection or social and economic development. Past commitments to communities may be ignored or overhauled completely, perhaps leading to increased conflicts, human rights abuses or environmental contamination; while in other cases, new owners can bring a stronger commitment to economic and social development, environmental protection and community relations.

Typically, prior to carrying out mergers, acquisitions or disposing of mining properties companies undertake due diligence to understand the inherited and future risks, and consider whether or not it is possible to adequately mitigate the risks before moving forward. Many companies now go beyond assessing only financial risks, and carry out more detailed assessments of environmental, social, governance and human rights risks such as those related to corruption or bribery (See **B.8**), in merger, acquisition or disposal decisions.

Full disclosure of existing and potential liabilities is often mandated by legislation. But companies can go beyond that, and integrate measures into sale and purchase agreements that ensure a high level of protection for the environment and communities. For example, prior to disposing of a mining property companies can ensure that buyers have the technical expertise to responsibly operate the mine, a demonstrated track record related to ESG, and that adequate financial securities will be in place after the sale to carry out environmental remediation.

ESG due diligence makes good business sense. Mergers and acquisitions have the potential to catapult companies into markets where legal regimes are not protective of human health or the environment; where economies are weak and services limited; where access to resources is more competitive; or where there is a history of poor relationships between the mining industry and communities. These situations can translate into high costs for companies in the form of legal actions, operational delays, staff time spent on mitigating unanticipated issues, reputational damage from conflicts with communities, and loss of confidence from investors.

Similarly, disposal of mining properties creates potential long-term liabilities for buyers, but also for sellers, governments and communities if purchasers do not have the technical expertise or financial wherewithal to adequately manage and remediate environmental liabilities.



## D. Community Wellbeing

Mining projects have the potential to transform communities in positive and negative ways. Economic benefits may be created through the provision of jobs and opportunities for local businesses to supply services or products to the mine. On the other hand, mining may also diminish or destroy natural resources that provide food, livelihoods and services to communities. The social character of a community may also shift with the influx of migrant mine labour, and mining-related income and benefits may be distributed in an inequitable manner, which can create conflicts within communities and even families. Together, the environmental and social impacts related to mining may result in the infringement of multiple human rights.

As with any long-term relationship, company-community relationships are complex. Mining companies are often faced with the challenge of satisfying the wishes of disparate groups, and without thoughtful planning and interventions it is inevitable that conflicts will arise. Companies that approach communities early in the project lifecycle, and demonstrate a willingness to engage with all stakeholders in an open, respectful manner are more likely to build trust, and those that put in place effective systems to receive and remedy community complaints will be more likely to maintain positive relationships and successfully prevent or remedy human rights risks and impacts.

The creation of positive economic, environmental and social benefits requires active engagement with communities throughout the mine lifecycle. Through ongoing collaboration with a wide range of stakeholders including marginalised and vulnerable groups in the planning, design and implementation of mine-sponsored community investments and mining-related opportunities, mining companies can better ensure that they will leave behind healthy, viable communities when a mine closes.

### D.1 Human Rights

<p>D.1.1</p> <p><b>C</b></p>	<p>The company commits to respect human rights, in line with the UN Guiding Principles on Business and Human Rights, with the aim of contributing to worker and community wellbeing.</p>	<p>CHRB A.1.1            UNGPA1 (A1.1; A1.2; A1.3); C1            UNGC Principle 1</p>
<p>D.1.2</p> <p><b>A</b></p>	<p>The company has systems in place, in line with the UN Guiding Principles on Business and Human Rights, to carry out regular due diligence to identify and assess any salient impacts of its activities on human rights, and to design and implement strategies and plans to prevent, mitigate, and account for how it addresses identified impacts, contributing to worker and community wellbeing.</p>	<p>GRI 412; Disclosure 412-1            SASB NR0302-17            CHRB B.1.3; B.1.6; B.2.1; B.2.2;            B.2.3; B.2.4            CHRB (RF) A2.5; C3; C4; C5            UNGC Principle 1; Principle 2</p>
<p>D.1.3</p> <p><b>A</b></p>	<p>The company publicly reports on its human rights management and performance, in line with the UN Guiding Principles on Business and Human Rights.</p>	<p>CHRB B.2.5            UNGC Principle 1</p>
<p>D.1.4</p> <p><b>C</b></p>	<p>The company commits to respect the rights and protections accorded to human rights defenders in its areas of operations.</p>	<p>CHRB A.1.6</p>

Mining operations have the potential to affect an array of human rights, ranging from those that are specific to workers (See **Issue Area E**), women (See **D.5**), children (See **D.3**) or indigenous peoples (See **D.6** and **D.7**) to those applying to all human beings. Depending on the political, social and operational context of the mine (e.g., See **D.8**, **D.9** and **D.10**), different human rights may be affected including the rights to health; safe water; an adequate standard of living; life, liberty and security of person; non-discrimination; safe work environment; freedom of movement; access to remedy; or others.

Human rights defenders are accorded particular rights and protections, as outlined in the United Nations' Declaration on Human Rights Defenders. Globally, however, community members, indigenous peoples and human rights defenders who express opposition to mining projects continue to suffer human rights abuses, stigmatisation, harassment, attacks, or worse. Global Witness recorded 185 killings of land and environmental defenders in 2015, with the mining industry being linked to more killings than any other sector.

It is now widely accepted that all businesses have a responsibility to respect human rights. The UN Guiding Principles on Business and Human Rights (i.e., UNGP) is the authoritative global standard on business and human rights, providing corporations with a framework for carrying out due diligence to manage their human rights risks and impacts.

The UNGP recommend that companies assess the risks to human rights from their own activities, or those that may be directly linked to their operations, products or services through business relationships (See also **B.9**). The Principles set out how a company's subsequent actions should prioritise those human rights that are most salient to the mining operation, i.e., those that are a risk of creating the most severe negative impacts on people.

When risks to human rights are identified, companies are expected to take steps to prevent, mitigate and remediate impacts, including providing redress for victims (See **D.11**). Additionally, when a company becomes aware of credible cases of human rights abuses in its area of operation, international norms require that the company should report those incidents to the relevant government authorities and international human rights bodies.

Other aspects of human rights due diligence include stakeholder engagement, which may include a collaborative and participatory approach to the assessment of human rights risks and impacts; having a mechanism for stakeholders to raise human rights related grievances (See **D.11**); monitoring the effectiveness of the company's actions; and communicating how risks are addressed. The UNGP Reporting Framework provides guidance to companies on how they can efficiently and cohesively report on how they manage risks to human rights.

Companies that undertake comprehensive human rights due diligence can experience financial and reputational benefits, and are more likely to contribute positively to the outcomes sought by the UN Sustainable Development Goals (i.e., ending poverty, protecting the planet and ensuring prosperity for all). Preventing, mitigating and remediating infringements on human rights increases the ability to retain the best workers by creating safe and secure work environments; enhances the health and wellbeing of communities; helps strengthen government institutions and accountability; and contributes to a more attractive investment climate, all of which help to foster sustainable development.

## D.2 Community and Stakeholder Engagement

D.2.1

A

The company has systems in place to ensure its operations support and facilitate ongoing and inclusive engagement of affected communities, including women and youth, with mechanisms for community members to raise any issues of concern and participate in discussions and decision-making on matters that may impact them.

*TSM Aboriginal and Community Outreach, 2*

*GRI Disclosure 102-43; 413-1*

*CHRB B.1.8*

*UNGP (RF) C2 (C2.1; C2.2; C2.3)*

**D.2.2****E**

The company tracks the quality of its relationships with affected communities and acts upon the results, demonstrating continuous improvement in establishing and maintaining relationships based on trust, mutual respect and understanding.

*TSM Aboriginal and Community Outreach, 2, 3*

Mining is a technically challenging industry, though it has been said that managing the complex relationships with communities and stakeholders may be even more difficult than getting the materials out of the ground. This is due in part to the fact that the stakeholders for any mining project are diverse, including women, men, youth, children, vulnerable or marginalised groups, community organisations, governments, non-governmental organisations, special interest groups and others) and they often hold vastly different opinions on, and interests in, the potential benefits and impacts associated with mining.

Many mining companies, governments and international financial institutions recognise that building relationships with those affected by or interested in a mining project can improve the identification and management of environmental and social risks, and long-term project viability. From the perspective of mining companies, the primary purpose of stakeholder engagement is to establish and maintain a constructive relationship with a variety of stakeholders over the lifecycle of a mine. However, developing relationships that are built on trust, mutual respect and understanding takes time and expertise. For this reason, many companies are beginning to engage with stakeholders from the earliest stages of project development, and are employing professional, dedicated staff to carry out engagement processes with appropriate management oversight and resources.

Stakeholder engagement is an active, ongoing process, which, depending on the mining project and the phase of mine development, may involve the following elements: stakeholder analysis and engagement planning; disclosure and dissemination of information; consultations related to project risks, impacts, mitigation strategies and benefits; community participation in project monitoring; a mechanism for raising complaints and ensuring remedy (See **D.11**); and reporting to stakeholders and affected communities.

The active participation of stakeholders in various impact assessments is key to ensuring that the interests, concerns and knowledge held by different stakeholders, particularly communities directly affected by a mining project, are adequately considered by the mining company. Stakeholder engagement in impact assessments will be most useful when communities are provided with timely and full information, to enable them to provide relevant input to the company.

There is a greater likelihood of meaningful engagement when companies collaborate with stakeholders to design culturally appropriate and accessible engagement processes, build stakeholder capacity, and remove barriers to participation. In particular, attention should be paid to including the participation of groups who may be disproportionately affected by a company's activities, such as women, youth, and marginalised or vulnerable groups within the affected communities. Additionally, the engagement of children should not be overlooked, as they can offer unique perspectives on their experiences, vulnerabilities, interests and aspirations. However, attention should be paid to when direct engagement with children is critical versus when engagement with child rights advocates and stakeholder groups may be more appropriate.

Effective stakeholder engagement creates opportunities for two-way dialogue, so that stakeholders feel heard and can explore with the company how their concerns have been addressed. Such feedback can help companies track the effectiveness of their engagement efforts, and provide insights into how their processes might be improved over time.

Meaningful, proactive, inclusive community and stakeholder engagement that includes opportunities for dialogue and feedback can help a company gain and maintain a social licence to operate and reduce conflicts, thereby avoiding reputational risks and costs that may occur if stakeholder concerns are not identified and adequately addressed. It can also reduce time required to obtain approvals and negotiate agreements; improve corporate risk profiles; and increase access to capital on more favourable terms.

### D.3 Economic and Social Viability

<p>D.3.1</p> <p><b>A</b></p>	<p>The company has systems in place to ensure its operations conduct and disclose regular assessments of their socio-economic impacts, through inclusive participation of affected communities, including women and youth.</p>	<p>GRI Disclosure 102-29; 413-1 SASB NR0302-13</p>
<p>D.3.2</p> <p><b>A</b></p>	<p>The company has systems in place to ensure its operations encourage local entrepreneurship, support local business development and develop local procurement opportunities, including for women and youth.</p>	<p>GRI 204; Disclosure 204-1; 413-1</p>
<p>D.3.3</p> <p><b>A</b></p>	<p>The company has systems in place to ensure its operations conduct and disclose regular assessments of their impacts of its activities on children, including those that are unlikely to be well represented through formal structures.</p>	
<p>D.3.4</p> <p><b>E</b></p>	<p>The company tracks its performance on managing socio-economic impacts and acts upon the results, demonstrating continuous improvement in contributing to social and economic viability in communities where it operates.</p>	
<p>MS1</p>	<p>Local procurement. The operating company tracks and regularly reports on its performance developing procurement opportunities for businesses in its area of operation.</p>	
<p>MS2</p>	<p>Local employment. The operating company tracks and regularly reports on its performance on providing direct employment opportunities for people in its area of operation.</p>	<p>GRI Disclosure 203-2</p>

Mining projects have the potential to transform the economic and social character of affected communities, neighbouring communities and labour-sending areas. The social and economic viability of mining-affected communities can be enhanced through the creation of business opportunities such as procurement contracts, as well as the creation of direct and indirect jobs.

The number of direct mine-related jobs for local workers can be significant, but many of those jobs are temporary, lasting only through the construction phase. During the mineral extraction phase jobs become more specialised, and without adequate training these jobs may go to skilled workers from outside local communities or producing countries. Generally of more significant and lasting benefit is the sourcing of goods and services from local businesses; procurement from local communities, especially when supported by strategic efforts to strengthen local entrepreneurship and business development, can transform local economies, build skills and generate employment opportunities, including for stakeholder groups unlikely to find work in the mine. (See **A.2** for the benefits of supporting procurement opportunities for national and wider regional suppliers). Mining companies are increasingly reporting on their local procurement processes and performance and efforts are underway to encourage more mine-site-level reporting in order to support companies' management of local procurement and inform and empower suppliers, communities, governments, and other stakeholders.

If not properly managed the influx of new income and in-migration of workers and others can threaten the social and cultural integrity of communities, create social conflicts, lead to abuses of human rights, and disrupt traditional economic activities and the ecological services upon which communities depend.

If not properly managed the influx of new income and in-migration of workers and others can threaten the social and cultural integrity of communities, create social conflicts, lead to abuses of human rights, and disrupt traditional economic activities and the ecological services upon which communities depend. Social impact assessment (SIA) is an important tool for reducing potential impacts and enhancing the social and economic prospects associated with mining projects. SIA is an ongoing process to identify how the wellbeing of a community, or particular groups within the community, might change as a result of the mining project, and then develop strategies to avoid, mitigate and manage impacts throughout the lifecycle of the mine. SIA is more likely to produce reliable information and viable long-term strategies when it is started early in the mining project cycle, and undertaken as a collaborative effort between the company and affected community and workers, ensuring the participation of women, youth and children or child rights advocates (See **D.2**), as well as other vulnerable groups. In some cases, companies assess potential human rights impacts as part of the SIA (or part of an integrated environmental and social impact assessment). If this is not done, it is critical that an assessment of human rights risks be carried out as a standalone activity (See **D.1**), otherwise important risks to social viability may be overlooked.

Strategies to reduce impacts and increase long-term economic and social viability come in many forms. Some mining companies develop employment policies or agreements with communities that include local recruitment targets, training and career advancement opportunities focused on cultivating local mining professionals and supporting broader skills development (See **A.4**), or other initiatives like skills transfer or microfinance programmes to stimulate and diversify local economies. These policies, agreements and initiatives can help to ensure that local communities are able to benefit in the long term from both the direct and indirect job opportunities, and services or infrastructure created as a result of mine development. However, employment policies and programmes often fail to deliver equitable benefits to all segments of a community. To overcome this, some strategies specifically target youth, women, and other potentially marginalised or vulnerable groups, including indigenous peoples.

Social impact assessment and economic initiatives are most likely to deliver long-term social and economic benefits when they are developed through inclusive, participatory processes, provide transparency around terms and conditions, and include provisions for monitoring and evaluation (M&E) of the processes, outcomes and impacts. Local stakeholders will often have their own criteria for measuring the success or failure of social and economic policies and initiatives, and as a result M&E programmes that include communities directly are more likely to build trust in the processes and enhance the credibility and effectiveness of social, health and economic outcomes.

When planned and implemented well, mining-related social and economic initiatives can improve the current and long-term economic prospects and social wellbeing of mining-affected communities, which can in turn benefit mining companies by supporting a healthier workforce and improving productivity of mines, strengthening community relations and company reputation, earning and maintaining a social license to operate, and reducing conflicts that could lead to project delays or shutdowns.

#### D.4 Community Health and Safety

D.4.1

A

The company has systems in place to ensure its operations conduct and disclose regular assessments of their impacts on community health and safety, and to implement management plans to address these impacts.

Mining activities may impact community health in various ways. Adverse health effects may result from being exposed to mine-related noise, contaminants in air, water or soil, or from the degradation of ecosystem services. Non-environmental factors such as traffic, the influx of migrant workers, or a mine's security arrangements can also influence the physical and mental health and wellbeing of communities, both directly and indirectly.

The particular community health risks associated with a mining operation will vary depending on the mine's location and the minerals being mined. For example, mining projects in conflict-affected areas may place additional stress on scarce local resources and exacerbate existing health problems. Also, there may be vulnerable groups of women, men, children, elderly, and persons with disabilities who are more susceptible to certain health risks. Children, due to their progressive and incomplete development, hand-to-mouth behaviour, time spent outdoors and other factors, are particularly vulnerable to air pollutants and mining-related contaminants that may be found in soil or water.

Companies can collaborate with affected communities and other stakeholders such as local governments and public health professionals to assess the potential impacts of mining operations on community health, and develop strategies and plans to manage and monitor identified risks and impacts. As community health is often linked with environmental and social issues, community health assessments may be integrated with the environmental and social impact assessments (See **F.1** and **D.3**). Stakeholder engagement in community health assessments is essential to the effectiveness of these projects, as it improves the quality of the health data, and helps to identify acceptable ways of monitoring and mitigating community health impacts.

Community health monitoring looks at the positive and negative impacts of the mining operation on community health, and can provide early warning of health problems at the community level. Monitoring includes both health outcomes, such as incidence of malnutrition, diseases or mental ill health, and health determinants, such as levels of air, water and soil pollution. Mining companies are increasingly partnering with communities and other stakeholders in the monitoring of community health, as well as environmental and social commitments more generally.

Although community health is primarily the responsibility of producing country governments, mining companies may, where appropriate, take a proactive supporting role in developing opportunities that complement governmental capacity, especially in developing countries where local health services may be lacking. Mining company investment in community health initiatives, such as the development of infrastructure to provide potable water and sanitation or health campaigns related to high-burden diseases, can create significant positive health benefits. Care must be taken, however, to ensure that any critical community health initiatives or infrastructure supported by the company align with community needs and priorities, and can be sustained after mine closure (See **C.3**).

Health risks and impacts, both for mine workers and for those living near a mining project, are amongst the most important issues for local communities. A proactive approach to minimising health impacts and maximising community health and wellbeing can improve the financial and social performance of the company; lower the risk of community-led liability and litigation; increase access to international funding; reduce absenteeism and health care costs for worker and local communities; and improve general worker morale and community relations.

## D.5 Gender Equity

D.5.1

E

The company tracks its performance on managing any impacts of its activities on women, and acts upon the results, demonstrating continuous improvement in avoiding, minimising and mitigating these impacts, while contributing to women's empowerment.

GRI Disclosure 413-1

The mining industry creates employment and economic opportunities and benefits; however, men are more likely than women to be directly employed by mining operations, and are also more likely to benefit from social programmes and projects supported by mining companies.



Women, on the other hand, often bear a disproportionate share of social, economic, and environmental risks related to mining. For example, research indicates that sexual harassment, abuse and sexual exploitation involving girls and women are widespread in some mining areas. Yet women and girls are often absent from mining stakeholder engagement processes (See **D.2**), which skews the information received by the company regarding community interests and priorities. Within community decision-making processes, women also may be marginalised, giving them less of a voice in how impacts are addressed or resources from mining are allocated.

An emerging practice is the use of gender impact assessments to identify the impacts of mining projects on women and men (and the relationship between them), to develop strategies to mitigate the impacts, and to promote women’s empowerment and participation. For example, gender impact assessments can help identify barriers to the participation of women and girls in project-related assessments, monitoring and decision-making. Through capacity building such as training in negotiating, communications or data collection and monitoring, women can gain skills that are transferable to other life situations. Gender impact assessments can also help to differentiate between age-related differences in impacts, needs and interests, by including girls and boys in the assessment.

Increased attention is also being paid to enhancing the participation of women in decision-making related to mining projects. This movement has resulted from the widespread acknowledgement amongst development agencies and companies that the empowerment of women to participate in decisions and planning of social programmes leads to poverty reduction and more broad-based and sustainable development outcomes.

In recent years, the financial sector has highlighted the issue of gender inequity in the mining sector, and as a result some companies have begun to create more opportunities for women at the corporate board and senior management levels (See **B.2**) and in core mining activities. However, numerous challenges persist for women mine workers, such as sexual harassment, lack of acceptance by male co-workers, physical constraints, lack of gender-appropriate facilities or protective equipment, balancing family responsibilities and shift work, and others. More holistic approaches to risk management, including the involvement of women workers in occupational health and safety risk assessments, is needed to protect women workers and increase their participation in mining.

Mining companies that take a gender-equity approach to employment, occupational health and safety, impact assessment, and engagement are likely to experience increased productivity at mining operations, stronger relationships with communities, and a decreased potential for conflicts, while women and their communities will experience greater economic opportunities and development benefits. Combined, these factors can result in financial and reputational benefits to the companies.

## D.6 Indigenous Peoples

<p><b>D.6.1</b></p> <p><b>A</b></p>	<p>Where applicable, the company has systems in place to ensure its operations identify, through inclusive participation, the rights, interests, needs and perspectives of all indigenous peoples groups potentially affected by current and planned mines and associated facilities, and to design and implement strategies and plans to respect identified rights, interests, needs and perspectives.</p>	<p><i>TSM Aboriginal and Community Outreach, 1</i></p> <p><i>GRI 411</i></p> <p><i>CHRB D.3.5</i></p>
<p><b>D.6.2</b></p> <p><b>E</b></p>	<p>Where applicable, the company tracks its performance on respecting the rights, interests, aspirations, culture and natural resource-based livelihoods of all indigenous peoples groups potentially affected by current and planned mines and associated facilities, demonstrating continuous improvement in avoiding adverse impacts and ensuring sustainable benefits and opportunities for these groups.</p>	

There is no single authoritative definition of indigenous peoples, though self-identification is one of the primary criteria for identifying indigenous peoples. It is generally understood, as well, that the cultures and livelihoods of many indigenous peoples are strongly tied to ancestral territories and surrounding natural resources. As a result, extractives industries like mining, which often dramatically transform and degrade lands and resources, create a high potential for negative, and possibly devastating impacts on the lives, livelihoods and cultures of indigenous peoples.

It is now a global expectation that corporations respect the human rights of those affected by their activities (See **D.1**). Indigenous peoples have both individual and collective rights that may be affected by the development of a large-scale mining project, including rights to participation, self-determination, and pursuit of their own priorities for developing natural resources, to rights related to property, culture, religion and health.

Many mining companies recognise the need to respect the rights and interests of indigenous peoples, including their right to Free, Prior and Informed Consent (See **D.7**). It is commonly agreed that relationships between companies and indigenous peoples should be founded on respect, meaningful engagement and mutual benefit.

Companies seeking to operate within or near indigenous territories can start building trust with indigenous peoples by initiating early and inclusive engagement (See **D.2**) with all potentially affected groups, such as tribes, nations and communities of indigenous peoples. Any group of indigenous peoples potentially affected by a mining project or its associated facilities, such as tailings dams, roads or smelters, should participate in the identification and assessment of the potential impacts of mining-related activities on their rights and interests. To ensure the integrity and long-term reliability of engagement, it is advisable for companies to take deliberate steps to correct any significant imbalances of power and address barriers to meaningful participation. Proper engagement with indigenous peoples will also be based on full access to information about potential environmental and social impacts, technical and financial viability of proposed projects, and potential financial benefits.

If projects proceed, responsible mining requires that companies work with indigenous peoples to develop acceptable mitigation strategies, and involve them in long-term project monitoring. Companies can also demonstrate respect for indigenous peoples by making an effort to understand and protect the cultural heritage values that are integral to their beliefs, languages, customs, practices and identities, and ensuring that all company personnel understand their responsibility to respect indigenous peoples' rights and cultural heritage.

Indigenous peoples worldwide continue to resist extractive industry projects for understandable social, cultural and environmental reasons. Companies that have a track record of working with indigenous peoples in a respectful manner, acknowledging the legitimacy of their concerns, are less likely to encounter conflict, delays and difficulties in negotiating and finalising agreements. This includes acceptance of the wishes of indigenous peoples where there is no agreement to be found.

## D.7 Free, Prior and Informed Consent

D.7.1

C

The company commits to respect the right of indigenous peoples to Free, Prior and Informed Consent (FPIC), and to support the extension of the principle of FPIC to other project-affected groups.

CHRB A.1.3; D.3.5

Free, Prior and Informed Consent (FPIC) is the principle of informing and consulting in advance of projects or major developments that may impact peoples' rights and interests, and providing the opportunity for collective approval or rejection of the development in a manner that is free from intimidation or coercion and prior to any activity taking place. FPIC is an internationally recognised right of indigenous peoples and a mechanism to ensure that their rights and interests will be respected.

The encroachment of mining into indigenous peoples' territories can generate social conflict and create significant and often irreversible impacts on their cultural values, rights, resources and livelihoods. FPIC provides an important means of balancing the power relationship between indigenous peoples and external actors (e.g., governments or corporations), and enables indigenous peoples to determine their development priorities, and more effectively negotiate community-level benefits and safeguards. It is now understood that when proposed exploration or mining projects may affect indigenous peoples or their territories, that companies promoting the project acquire the consent of the indigenous peoples concerned, even if not required to do so by producing country law (See **C.2**).

FPIC from indigenous peoples has become a pre-requisite for companies to obtain financing through the International Finance Corporation and other international finance institutions. Demonstration of FPIC is also a requirement for companies participating in various voluntary certification programmes established for extractive industry sectors such as forestry, palm oil and mining.

Although FPIC was originally established as a right applying only to indigenous peoples, FPIC principles are starting to be applied more broadly. Since 2009, regional and international bodies have begun to apply the general principles of FPIC to non-indigenous communities and constituencies, and various civil society organisations and industry associations have expressed support for a broader application of FPIC. For example, in 2013 the members of the International Council on Mining and Metals released a position statement that said, "Where both indigenous and non-indigenous peoples are likely to be significantly impacted, members may choose to extend the commitments embodied in this position statement [including FPIC] to non-indigenous people." Also, in 2016 the UN Committee on the Elimination of Discrimination against Women recommended that governments obtain FPIC from rural women prior to the approval of projects affecting rural lands and resources.

Taking a proactive stance on FPIC signals to producing country governments, civil society and the investment community that a company respects the rights and interests of indigenous peoples and affected communities and is strongly committed to building positive relationships with them. By incorporating FPIC into company policies and implementing FPIC systematically throughout the lifecycle of their operations, mining companies can reduce conflict, legal and reputational risks; establish positive relationships with communities and a social license to operate.

## D.8 Land Use and Resettlement

<p><b>D.8.1</b></p> <p><b>A</b></p>	<p>The company has systems in place to ensure its operations identify and assess potential opportunities for shared land use, and to design and implement strategies and plans to optimise these opportunities, while avoiding, minimising and mitigating any adverse impacts.</p>	
<p><b>D.8.2</b></p> <p><b>A</b></p>	<p>The company has systems in place to ensure its operations identify and assess the potential impacts of the physical and/or economic displacement of project-affected people, and to design and implement strategies and plans to avoid, minimise and mitigate identified impacts, through inclusive participation, including by women and youth.</p>	
<p><b>D.8.3</b></p> <p><b>E</b></p>	<p>The company tracks its performance on resettlement and acts upon the results, demonstrating continuous improvement in ensuring that livelihoods, livelihood security and living standards have been improved or restored.</p>	

Mining operations typically involve the transformation of large areas of land. Often, mines are proposed and developed in areas with long-established land uses such as agriculture, harvesting of traditional plants and animals, cultural activities, recreation, conservation or human settlements. This can create conflict, for example, when companies are granted mineral concessions without the relevant individuals or communities agreeing to and receiving suitable alternative land or shared-land-use opportunities.

In some countries, particularly in Africa, communities may not have written proof of ownership of lands that they have collectively used for centuries in accordance with customary laws. These community lands and resources are particularly vulnerable to being taken by government, companies or private individuals without adequate safeguards for those who depend on them for food security, livelihoods or cultural survival.

Both the acquisition of land by mining companies and environmental damage caused by mining may lead to the physical relocation (displacement) of people, or economic displacement as a result of lost access to subsistence or income-generating lands or resources. If done poorly, physical and economic displacement can violate human rights and threaten the social, cultural, economic, physical and psychological health and wellbeing of individuals and communities.

Although any displacement of peoples can have devastating effects, mining-induced displacement and resettlement (MIDR) presents formidable challenges. Mining projects are often located in remote areas where governments are weak or unstable, people lack political power, land tenure is insecure, and alternative land or livelihood opportunities are limited. Studies of MIDR consistently reveal high levels of impoverishment among displaced people. Both the communities receiving displaced people and those being resettled face high risks of conflict, human rights violations, poverty and social instability.

In some countries proposed large-scale mines overlap with areas traditionally used for artisanal or small-scale mining (ASM). MIDR can have particularly severe impacts on ASM communities: it can be difficult to relocate ASM miners because opportunities to practice their traditional livelihoods are not easy to find; and because many ASM miners do not have formally recognised rights to land and minerals they may not be compensated through resettlement processes for loss of livelihood.

Given the high potential for impoverishment and conflict, mining-induced displacement and resettlement should only take place under exceptional circumstances, and with sufficient safeguards to ensure that the living standards and livelihoods of affected peoples are maintained or improved. However, while avoiding resettlement is often viewed as a top priority for companies and lending institutions, it should also be recognised that avoidance may not always provide the most positive outcomes for communities.

Some of the critical safeguards related to resettlement include: prioritising provision of land over cash compensation; basing all compensation on full replacement costs; providing a choice of options for adequate housing with security of tenure regardless of whether legal title to land and assets was previously held; restoring or improving livelihoods; and enabling displaced persons to share in a project's benefits.

Importantly, responsible mining requires that those likely to be adversely affected by resettlement be allowed to participate in all processes and decision-making related to resettlement, including: the evaluation of project alternatives; the assessment of impacts; planning of mitigation measures; implementation of resettlement programmes; and resettlement monitoring and evaluation. In order to ensure effective participation, engagement should be inclusive of women, youth, vulnerable groups including artisanal miners if relevant, and communities receiving displaced persons; and affected communities should be provided with free legal and technical assistance. Additionally, respect for human rights requires that grievance mechanisms be in place to enable affected peoples to raise concerns and seek appropriate remedy.

Some conflicts related to land use may be avoided or minimised if inclusive, collaborative processes between mining companies, governments and local communities are undertaken to develop regional land-use or landscape-scale planning strategies. Such processes can explore options such as multiple and sequential land use development to manage competing land-uses, promote environmental stewardship, and maximise economic and social benefits for present and future generations (See also **F.1**). Additionally, shared-land-use agreements can be developed that provide access for mining development while supporting the ability of individuals and communities to use and enjoy their land to the greatest extent possible, free from unreasonable interference or disturbance.

It is advisable for mining companies to devote time and resources to understand land rights and regional land use priorities, and plan resettlement programmes; and that they carry out monitoring and external evaluation of resettlement outcomes with the participation of affected communities to ensure that they are making good on their commitments to improve livelihoods and standards of living. Failure to deliver positive outcomes for displaced and resettled communities creates high risks for companies including increased conflicts, reputational damage, higher operating costs, and reduced access to land.

## D.9 Artisanal and Small-Scale Mining

<p>D.9.1</p> <p>A</p>	<p>Where applicable, the company has systems in place to ensure its operations facilitate ongoing and proactive engagement with artisanal and small-scale mining (ASM) communities and operations in and around its operations.</p>	
<p>D.9.2</p> <p>A</p>	<p>Where applicable, the company has systems in place to ensure its operations support technical assistance programmes and/or alternative livelihood programmes or ASM miners.</p>	

Artisanal and small-scale mining (ASM) has been historically present in many countries, and is a traditional source of permanent or seasonal livelihood for vast numbers of people. ASM mining is labour intensive; tends to exploit surface deposits that are not viable for large-scale mining (LSM); requires low investment and low levels of mechanisation; and operations have poor access to markets, low standards of health and safety and a significant impact on the environment.

ASM activities are often viewed negatively by governments, and viewed with concern by civil society and others due to issues such as child labour and forced labour (See **E.6**), the potential for ASM revenues to finance illegal activities or conflict, environmental pollution, or social disruption. In some situations, conflicts arise between ASM and large-scale mining (LSM) companies, and in others tensions exist between ASM miners and local communities, especially if ASM mining is not a traditional activity in the area or there are community resources at risk from the ASM mining operations.

Artisanal and small-scale mining, however, is also a poverty-alleviating activity, and can be critically important for many poor communities when there are few other livelihood alternatives.

Worldwide, ASM currently employs an estimated 20-30 million people, including children and women. Despite the fact that artisanal mining can be risky, labour-intensive work, both the number of commodities being mined and the number of ASM workers continues to grow.

As ASM expands, so do the risks of conflict and violent interactions between ASM and large-scale mining operations. ASM can also create reputational and investment risks and undermine the LSM company's social licence to operate by creating environmental and public health problems, clashing with mine security forces, and disputing rights to land and ownership of the resources. These risks, in turn, may threaten the viability of the LSM company's current and future projects. Consequently, many LSM companies, and others, are seeking ways to help reduce the social and environmental impacts of ASM, and enhance the potential for the ASM sector to become a catalyst for local economic growth.

The variability of the ASM sector prevents a one-size-fits-all solution, but there are some promising efforts that may be strategically applied by LSM companies, depending on a given mining context. For example, engagement with ASM communities during the earliest stages of mining development and throughout the project lifecycle can help to diffuse tensions between the two sectors. In some cases, to promote trust and effective participation by all parties it may be helpful to use a facilitator, or to agree on rules of engagement.

It may also be appropriate under certain circumstances for large-scale mining companies to: engage with governments to help forward policies that will benefit the ASM sector and support ASM-LSM relations; work to promote a strong legal and regulatory ASM framework; help ASM to get organised and formalised; share a portion of the LSM mining leases with ASM; purchase mined ore from ASM miners; provide technical assistance to ASM miners; employ ASM miners as subcontractors; promote livelihood diversification; or support access of ASM miners and communities to basic services.

ASM has the potential to offer sustainable livelihoods for poor and small-scale producers in developing countries. By focusing on relationship building, and providing real benefits through targeted initiatives, large-scale mining companies can reduce conflicts with ASM, and improve the livelihoods of ASM workers and local communities. All of these activities will provide reputational benefits for companies, help to reduce their risk, and contribute to the goal of ending poverty (SDG1) by creating stronger local economies and a more stable and attractive investment climate in producing countries.

### D.10 Security and Conflict-Affected Areas

<p><b>D.10.1</b></p> <p><b>E</b></p>	<p>The company tracks its performance on addressing potential human rights abuses related to its security management and acts upon the results, demonstrating continuous improvement in preventing and minimising these risks, in line with the Voluntary Principles on Security and Human Rights.</p>	<p><i>GRI 410</i> <i>CHRB D.3.7</i> <i>VPs C.13; D.14</i> <i>UNGC Principle 1</i></p>
<p><b>D.10.2</b></p> <p><b>A</b></p>	<p>The company has systems in place to ensure its operations carry out regular due diligence to identify and assess risks for workers and communities associated with their presence in any conflict-affected and high-risk areas, and to design and implement strategies to address identified risks.</p>	<p><i>SASB NR0302-17</i></p>

Mining is a global industry. When mines operate in countries with weak governance, or in conflict-affected or high-risk areas, risks to the operation and also to workers and communities are heightened. Such areas are often characterised by armed violence, criminal activity and widespread or serious human rights abuses, including sexual and gender-based violence, and, in some cases, the kidnapping or killing of company employees.

Mines located in conflict-affected areas may be pressured to make payments to armed forces or criminal elements, resulting in a company’s complicity in illegal acts or human rights abuses. In some cases, the mere presence of a mine, with its real or perceived impacts and benefits, may create or exacerbate inter- or intra-community conflicts in what are already fragile circumstances. Given the high risks to companies, their workers and local communities, it is now a global expectation that businesses operating in conflict-affected or high-risk areas carry out due diligence and mitigation to avoid contributing to conflict, insecurity and human rights abuses when operating in those areas (See also **D.1**).

Many mines operating in challenging contexts rely on private or public security forces to protect their employees, products and properties. While security providers can help to maintain stability and safeguard the rule of law at mine sites, there is also a risk that a lack of oversight, inadequate training or other circumstances may lead to the inappropriate use of force and infringements of human rights by security providers.

When security is not carried out in a manner that respects human rights, the impacts may be disproportionately felt by certain groups such as human rights defenders (See **D.1**), women, or children. There are numerous examples where extractive companies have been accused of complicity in the violent repression of protests, sometimes leading to fatalities or the sexual assault of local women and children. In certain cases, allegations have been made in relation to private security forces hired by extractives companies; in others, police or government military forces were the alleged perpetrators of the human rights violations.

Governments bear the ultimate duty of maintaining law and order, and also of protecting their citizens from human rights abuses by third parties, but in some regions weak enforcement leaves people vulnerable to abuses. Regardless of whether or not producing country governments uphold their duty to protect the human rights of their citizens, there is a recognised global expectation that corporations must respect human rights throughout all of their operations (See **D.1**). This includes taking action to prevent complicity in human rights abuses perpetrated by those linked in some way to their businesses, such as public or private security forces protecting their assets.

In 2000, the Voluntary Principles on Security and Human Rights (VPs) were developed through a multi-stakeholder initiative to provide guidance specifically for extractive industries on maintaining the safety and security of their operations within an operating framework that encourages respect for human rights. The VPs encourage companies to, among other things: assess risks related to security, potential for violence, human rights records of security providers, rule of law, conflict and equipment transfers; consult with communities and communicate security arrangements; ensure appropriate deployment and conduct of security forces; report or investigate allegations of human rights abuses; and train security forces and strengthen state institutions to ensure respect for human rights.

Some companies enter into contracts with private security forces or sign memoranda of understanding (MOU) with public security forces to delineate respective roles, duties, and obligations regarding security provision. The VPs recommend that companies encourage governments to make information on security arrangements transparent and accessible to the public, except for information that may create security, safety or human rights risks, and in an effort to increase transparency and build trust with affected communities and stakeholders some extractives companies have begun to disclose publicly their MOUs with public security forces.

While not mandatory, extra due diligence in conflict-affected areas and in the management of security arrangements is increasingly being supported by governments and adopted by mining companies who recognise that diligent management of conflict, security and human rights can contribute to: maintenance of company reputation and social license to operate; increased access to financing; a reduction in production delays; and reduced risk of human rights abuses and litigation.

### D.11 Grievance and Remedy

<p><b>D.11.1</b></p> <p><b>E</b></p>	<p>The company tracks the performance of its grievance mechanisms for communities and acts upon the results, demonstrating continuous improvement in effectively addressing claimants' concerns through appropriate remedy.</p>	<p><i>GRI Disclosure 413-1</i></p> <p><i>CHRB C.7</i></p> <p><i>UNGP C6 (C6.1; C6.2; C6.3; C6.4; C6.5)</i></p>
<p><b>MS3</b></p>	<p>Community grievance mechanism. The operating company tracks and regularly reports on the performance of its community grievance mechanism in providing appropriate remedy, taking into account the views of local communities.</p>	<p><i>GRI Disclosure 413-1</i></p> <p><i>CHRB C.7</i></p> <p><i>UNGP (RF) C6 (C6.1; C6.2; C6.3; C6.4; C6.5)</i></p>

Large-scale mining has the potential to profoundly affect the lives, properties, environmental resources and rights of nearby community members and other stakeholders. It is inevitable, therefore, that questions, concerns and complaints will be triggered by either real or perceived impacts of a company's mining operations.

Operational-level (or project-level) grievance mechanisms are formal processes that enable individuals or groups to raise concerns and seek remedy for negative effects from a company's activities. Ideally, these mechanisms provide a process for receiving, evaluating and addressing minor concerns as well as more significant issues, including the infringement of human rights. When there are allegations of serious or widespread human rights abuses, however, operational-level grievance mechanisms may not be the most appropriate means of providing remedy as this may require the involvement of state entities. Furthermore, utilising an operational-level grievance mechanism should not preclude complainants from accessing judicial or other non-judicial grievance mechanisms.

Operational-level grievance mechanisms can be an effective means of providing remedy for a grievance if the mechanisms meet the effectiveness criteria outlined in the UN Guiding Principles on Business and Human Rights. These criteria include being legitimate, accessible, predictable, equitable, transparent, rights-compatible, a source of continuous learning, and based on engagement and dialogue with stakeholders.

Remedies offered through a grievance mechanism should counteract or "make good" any harms that have occurred. The appropriate remedy, however, may vary depending on the circumstance. For example, remedy may take the form of apologies, restitution, rehabilitation, financial or non-financial compensation, or measures to prevent recurrence of the harmful act.

Operational-level grievance mechanisms will not serve their purpose if they are not used. By engaging with a diversity of affected stakeholder groups in the design, accessibility and performance of the grievance mechanism, mining companies can help ensure that it meets stakeholders' needs and is culturally appropriate, thereby increasing the likelihood that stakeholders will trust and use the process, and that remedies are effective and appropriate.

Complainants want to be sure that they are taken seriously, and treated fairly. Mining companies can promote confidence in the grievance process by involving stakeholders in the monitoring and verification of compliance with commitments made through the grievance mechanism, and creating ample opportunities for stakeholders to provide feedback on its effectiveness. Public reporting on grievances, such as the types of issues being raised, the number of complaints and the proportion resolved to the complainant's satisfaction, can help demonstrate that the company treats local concerns seriously.

There is an increasing global expectation that companies will implement operational-level grievance mechanisms. When they are effective, such mechanisms enable companies to identify minor concerns before they escalate into unmanageable conflicts; help avoid costly legal battles, protests or opposition to mining projects; and increase access to project finance. Information generated through the operational-level grievance mechanisms can also facilitate learning that can support better management of relations with communities over the long term.





## E. Working Conditions

Large-scale mining operations can provide jobs for hundreds of workers. However, “decent work,” as defined by the International Labour Organization, encompasses more than a steady job. It involves work that delivers a fair income (See E.1); safety, health and security in the workplace (See E.2); social protection for families; freedom for workers to express their concerns, organise and participate in the decisions that affect their lives (See E.3 and E.4); and equality of treatment and opportunity for advancement for all workers (See E.5).

Many of these concepts are entrenched as internationally recognised human rights in eight International Labour Organization core conventions that protect the fundamental rights of workers. Globally, however, hazardous working conditions persist, child labour or forced labour can be found at mines and in mining supply chains (See E.6), and discrimination and gender inequality remain a challenge at many mining operations.

Some mining companies recognise that respecting the rights of workers and promoting decent work are good for business and society. Mine productivity improves when workers are physically well, and when they feel respected and supported in the work that they do. Additionally, through the creation of safe and secure jobs and training opportunities mining companies can help to reduce poverty and provide equitable opportunities for economic and social development.

### E.1 Living Wage

E.1.1

E

The company tracks its performance on wages and acts upon the results, demonstrating continuous improvement in meeting or exceeding verified living wage standards, or legal minimum wage, whichever is the highest.

CHRB D.3.1

A living wage – one that enables workers and their families to afford a basic but decent lifestyle, live above the poverty level, and be able to participate in social and cultural life – is a human right. A number of countries and regional governments have laws requiring that living wages be paid to citizens, and numerous benchmarking or standard systems that promote responsible environmental and social practices have integrated the living wage concept into their requirements.

While the living wage concept is being more broadly recognised, issues such as the measurement and definition of a living wage are often used as an excuse for not paying a living wage. Although there is no single method for calculating living wage there are several methodologies that can be drawn upon. The most important factor for mining companies is to ensure that relevant stakeholders, such as workers and community representatives, are involved in living wage discussions and assessments, so that companies ensure that wages are enough to provide for the needs of workers and their families in the specific local context.

Some mining companies are beginning to take leadership positions by incorporating living wage into company policies or commitments on wages paid to workers, contractors and suppliers.

Mining companies that proactively work to ensure that mine workers and contractors are paid a living wage are fulfilling their responsibility to respect the human rights of their workers. They can thus strengthen relationships with workers and increase their morale and productivity; and demonstrate to investors and stakeholders that they are fulfilling their responsibility to respect the human rights of their workers. Fair remuneration can also help decrease the potential for worker protests and their associated financial losses and reputational damage.

## E.2 Occupational Health and Safety

<p><b>E.2.1</b></p> <p><b>C</b></p>	<p>The company commits to ensure safe and healthy working conditions.</p>	<p><i>TSM Safety and Health, 1</i>  <i>GRI 403</i>  <i>CHRB A.1.2</i>  <i>UNGC Principle 1</i></p>
<p><b>E.2.2</b></p> <p><b>A</b></p>	<p>The company has systems in place to ensure its operations address specific health and safety needs of women workers.</p>	
<p><b>E.2.3</b></p> <p><b>E</b></p>	<p>The company tracks its performance on occupational health and safety and acts upon the results, demonstrating continuous improvement in ensuring a safe and healthy working environment for workers.</p>	<p><i>TSM Safety and Health, 5</i>  <i>GRI 403; Disclosure 403-2; 403-3</i>  <i>CHRB D.3.4</i></p>

Mining is an inherently hazardous occupation. According to the International Labour Organization, worldwide approximately 8% of fatal workplace accidents are related to mining, even though the mining sector comprises just 1% of the global workforce. Workplace injuries, noise-induced hearing loss, impacts on mental health, and occupational illnesses and diseases from exposure to chemicals, heat, radiation, metals and particulates are also significant in the mining sector.

As technologies change, some mining operations are becoming less dependent on physical labour and are moving to the use of high-tech equipment and machinery that can be operated from remote control rooms. While such working conditions may reduce the potential for fatal accidents and offer better air quality, personal protective equipment and technical safeguards, these work environments may come with their own set of issues, such as repetitive injuries and stress.

Mining companies can address potential health and safety risks through an integrated occupational health and safety (OHS) management system that includes ongoing OHS risk assessment; development and updating of OHS risk management plans; health and safety trainings; workplace monitoring and worker health surveillance; regular inspections; reporting; investigation of incidents; provision of appropriate protective equipment at no cost to workers; and worker participation in health and safety management and decision-making.

Responsible mining requires that companies take a gender-equity approach to all aspects of their operations, including health and safety. More holistic approaches to risk management, including the involvement of women workers in occupational health and safety risk assessments and decision-making, can lead to increased protections for women workers. During the assessment of risks and development and implementation of OHS measures, particular attention should be paid to the risks and health and safety needs of women workers, including provision of gender-appropriate sanitation facilities and equipment, and measures to prevent sexual violence, intimidation and harassment in mines.

A strong corporate occupational health and safety culture recognises that workers must be both physically and mentally healthy for a safe and productive environment to flourish. When such a culture exists, mining projects experience higher worker productivity, and companies are better able to attract and retain personnel as well as investors. Additionally, by reducing fatalities, accidents and injuries a company will experience reputational benefits, and reduce costs associated with accident investigations, worker compensation payments, increased insurance premiums and litigation.

### E.3 Rights to Organise, Collective Bargaining and Freedom of Association

<p><b>E.3.1</b></p> <p><b>A</b></p>	<p>The company has systems in place to ensure its operations actively respect the rights of workers to organise, collective bargaining and freedom of association.</p>	<p><i>GRI Disclosure 102-41; 407-1</i></p> <p><i>SASB NR0302-19</i></p> <p><i>CHRB D.3.3</i></p> <p><i>UNGC Principle 1; Principle 3</i></p>
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The freedom to associate, and the rights to organise and bargain collectively are fundamental worker and human rights that are now recognised in much of the world, although in some countries, mine workers and union representatives are still denied these rights, or are threatened or killed trying to exercise them.

The relevant instruments protecting these rights are the International Labour Organization’s (ILO) core conventions of Freedom of Association and Protection of the Right to Organise, 1948 (No. 87) and the Right to Organise and Collective Bargaining, 1949 (No. 98). These conventions set forth the rights for both workers and employers to form or join organisations of their own choosing; protections for workers against acts of anti-union discrimination, such as dismissal for union membership or interference by companies in organising efforts (e.g., barring organisers from accessing sites); and for workers, typically organised as a union, to collectively negotiate their terms of employment with mine management.

The aim of collective bargaining is to form a joint, written agreement that governs the employment relationship, including wages and working time, and even issues such as job security, training, parental leave and equal opportunity. Collective bargaining provides a way to balance power and by so doing promote equity in the distribution of benefits from mining, and facilitate stability in employment relations.

Many mining companies have established policies and commitments to uphold the ILO core labour conventions, and increasingly they are placing the same expectations on their contractors and suppliers. Some companies have signed international or global framework agreements with global union federations, demonstrating a stronger commitment to applying the same high labour standards globally within their subsidiaries and contractors, and along their global supply chain.

In many parts of the globe there is growing concern about the rise in income inequality, insecurity, social instability and slow economic growth. Collective bargaining can be a powerful tool for engagement between employers’ and workers’ organisations to address economic and social concerns, strengthen weak voices and reduce poverty and social disadvantage. This helps to contribute to an equitable and inclusive growth path.

For mining companies, in addition to fostering better relations with workers, collective bargaining agreements can lead to more stable and predictable operating environment; and may enhance a company’s performance and competitiveness. Companies that fail to respect workers’ rights to freedom of association and collective bargaining may find themselves facing strikes, protests and campaigns from labour organisations and shareholders.

### E.4 Worker Recourse

<p><b>E.4.1</b></p> <p><b>E</b></p>	<p>The company tracks the performance of its grievance mechanisms for workers and acts upon the results, demonstrating continuous improvement in effectively addressing claimants’ concerns, through appropriate remedy.</p>	<p><i>CHRB C.7</i></p>
<p><b>MS4</b></p>	<p>Workers grievance mechanism. The operating company tracks and regularly reports on the performance of its workers’ grievance mechanism in providing appropriate remedy, taking into account the views of its workers.</p>	<p><i>CHRB C.7</i></p>

It is now an expectation that companies provide a means for stakeholders to file complaints and obtain remedy for business-related human rights abuses (See **D.1** and **D.11**), which includes the infringement of labour rights. For example, the United Nations and others recommend that companies establish mechanisms that enable them to hear and address complaints raised by stakeholders, including workers. In the workplace context, grievance mechanisms should enable workers to file complaints related to labour (human) rights, working conditions or terms of employment, and to suggest workplace improvements.

Most mining companies have grievance mechanisms for workers, but they are not equally effective. As mentioned in **D.11**, operational-level grievance mechanisms will be most effective if they meet certain criteria such as being: legitimate, accessible to all workers, predictable, equitable, transparent, and rights-compatible. For example, in the labour context, an equitable mechanism could enable workers to have a colleague or representative from a workers' organisation present when they raise grievances, or provide workers with access to training or advice to facilitate their effective participation in the grievance process.

Grievance mechanisms should enable workers to file complaints anonymously or confidentiality, if requested, and without fear of punishment or retribution. Also, any operational-level grievance mechanism available to workers should not prevent them from seeking remedy through labour tribunals or other judicial or non-judicial mechanisms.

As with grievance mechanisms designed for other stakeholders, worker grievance mechanisms will be most useful and effective if they are designed in a collaborative manner with workers or workers' representatives. Well-designed and implemented grievance processes can reduce conflicts with workers by providing a fair hearing and remedy process, so that workers are satisfied that their complaints have been heard and taken seriously, even if the outcome is not viewed as entirely optimal.

If a mining company does not provide an effective means of actively engaging with workers in the remediation of impacts it cannot fully meet its responsibility to respect human rights. Failing to identify grievances early and to address them effectively can also have significant negative ramifications for mining operations. These range from low morale, reduced productivity, high turnover, absenteeism, and illness among its workforce, to strikes or violent actions against the company. The subsequent reputational damage can harm a company's ability to win future contracts or realise new investment opportunities.

## E.5 Non-Discrimination and Equal Opportunity

E.5.1

A

The company has systems in place to ensure its operations base their employment relationships on the principle of equal opportunity, actively preventing all forms of discrimination in the workplace and promoting workforce diversity.

GRI 406; Disclosure 406-1

UNGC Principle 1; Principle 6

Both non-discrimination and equal opportunity are rooted in the principle that all employment decisions should be based solely on the ability of the individual to do the job in question, and not personal characteristics that are unrelated to the inherent requirements of the work, that benefit from employment is equitable, and that no workers experience discrimination from either management or fellow workers. The concepts of non-discrimination and equal opportunity are enshrined in numerous international instruments, including conventions of the United Nations and the International Labour Organization.

Discrimination in employment may include the exclusion or preferential treatment of a person based on age, race, ethnicity, gender, religion, political opinion, indigenous or social origin, disability, sexual orientation or other characteristics. Discrimination may affect access to employment or specific occupations; it may be reflected in the terms and conditions of employment, or may be experienced in the workplace via harassment or victimisation.

In the mining context, there may be vulnerable individuals, groups or communities that face a higher risk of being exposed to discrimination, such as women, indigenous peoples, persons belonging to ethnic or other minorities, migrant workers, or workers with HIV/AIDS or other diseases. Discrimination may be direct or indirect. For women workers in particular, numerous challenges persist, such as sexual harassment and lack of acceptance by male co-workers (See also **E.2**). Indirect problems include balancing family responsibilities and shift work.

Many countries have laws that prohibit employment-related discrimination, however, these laws are often weak or limited in scope. In some producing countries, certain cultural behaviours and attitudes may be deeply entrenched, which create challenges for combating discrimination amongst workers.

Leading companies are increasingly going beyond legal requirements, and are making concerted efforts to eliminate discrimination and foster diversity and equal opportunity in the workplace. They are instituting clear and transparent recruitment practices that are based on qualifications and experience, not personal characteristics; developing and implementing anti-harassment policies; providing confidential grievance mechanisms (See **E.4**); creating family friendly policies; providing cultural, religious, gender or other diversity trainings to supervisors and workers; training and recruiting under-represented groups; and implementing other initiatives.

Mining companies that adopt progressive anti-discrimination and equal opportunity approaches may derive a number of business advantages, including improved worker morale, a wider pool of talent from which to recruit, reduced exposure to legal challenges, and reputational benefits.

## E.6 Elimination of Forced Labour and Child Labour

E.6.1

A

The company has systems in place to carry out regular due diligence to identify and assess potential risks of all forms of forced, compulsory, trafficked and child labour in its areas of operations and entire supply chain, and to design and implement strategies to address identified risks.

GRI 408; 409

UNGC Principle 1; Principle 4; Principle 5

Forced or compulsory labour is any work or service performed against a person's will under the threat of punishment, and includes debt bondage, human trafficking and other forms of modern slavery. It is estimated that more than 20 million people worldwide are trapped in jobs that they cannot leave, condemning them to lives of poverty or servitude.

Child labour is work that deprives children under the age of 18 of their childhood, their potential and their dignity, and that is harmful to physical and mental development. Many child labourers never receive adequate education, and suffer lifelong physical or psychological damage. Despite recent gains in reducing child labour, there are still an estimated 168 million child labourers in the world today.

Both forced labour and child labour are violations of fundamental human rights. While there are some cases of forced labour alleged or found in large-scale mines, the vast majority of mining-related forced labour and child labour cases are associated with artisanal and small-scale mining (See **D.9**). However, under certain circumstances large-scale mining companies may be complicit in child labour or forced labour through the actions of others, including contractors, suppliers or businesses associated with its mines.

It is now a global expectation that in order to fulfil their responsibility to respect human rights, all mining companies must carry out due diligence to eliminate human rights abuses, including child labour and forced labour, in their own operations, and seek to prevent these abuses in their supply chains. Due diligence involves taking proactive steps to identify, prevent, mitigate and account for how they address their impacts on human rights; as well as implement processes that enable the remediation of any adverse human rights impacts they cause or to which they contribute (See **D.1**).

The elimination of child labour and forced labour remains a major challenge worldwide. However, progress in these areas has led to vast improvements in the quality of life of affected individuals and communities, and significant economic and social benefits in many countries. As awareness of the problems of child labour and forced labour in global value chains continues to grow, mining companies, like other businesses, are being pressured by investors, trade unions, non-governmental organisations and consumers to play a key role in the eradication of these practices.

When mining companies carry out the due diligence necessary to uncover and address issues of child or forced labour in their operations or global supply chains they may experience a competitive advantage, as they are likely to be viewed more positively by investors and, importantly, customers, who also face the same reputational risks of being associated with a company linked to human rights abuses. Companies that do not take child labour or forced labour seriously risk reputational damage, legal action, and targeted campaigns by civil society organisations or investors.



## F. Environmental Responsibility

Large-scale mining typically involves the removal of vegetation and soil, the diversion of watercourses, and the movement of massive amounts of rock. These activities can permanently transform landscapes and ecosystems, and create temporary impacts such as noise, and water and air emissions, which in turn, may lead to impacts on community health (See **D.4**).

When poorly managed, mining can have devastating impacts on the environment, through the catastrophic failures of waste facilities (see **F.2**), creation of pollution issues that can last hundreds of years, or permanent destruction of biodiversity and ecosystem services upon which communities depend (See **F.6**).

Responsible mine management requires that companies understand the important environmental values and take steps to avoid impacting threatened ecosystems and resources that are of high significance to the social and economic wellbeing of communities. Where impacts are not preventable, a 'mitigation hierarchy approach' can be followed, which requires that unavoidable impacts be avoided and minimised to the greatest extent possible, damaged landscapes and ecosystems are restored, and companies compensate for remaining impacts (See **F.1** and **F.6**).

Additionally, a landscape approach to assessing the impacts of a mining project can help a company understand a mine's incremental impacts when there are other major developments in a region, and plan appropriate mitigation strategies to ensure that the cumulative impacts do not put human health at risk or cause unacceptable damage to the environment (See **F.1**).

### F.1 Environmental Stewardship

<p><b>F.1.1</b></p> <p><b>C</b></p>	<p>The company commits to manage its environmental impacts systematically, through the mitigation hierarchy approach.</p>	<p>SASB NR0302-10</p>
<p><b>F.1.2</b></p> <p><b>A</b></p>	<p>The company has systems in place to ensure its operations conduct regular assessments of their environmental impacts through an integrated approach, and to disclose them.</p>	<p>GRI Disclosure 102-15; 102-29; 413-1</p>
<p><b>F.1.3</b></p> <p><b>E</b></p>	<p>The company tracks its performance on managing its environmental impacts and acts upon the results, demonstrating continuous improvement in avoiding, minimising, mitigating and offsetting these impacts.</p>	

Environmental stewardship is the comprehensive understanding and effective management of critical environmental risks and opportunities related to climate change, emissions, waste management, resource consumption, water conservation, and biodiversity and ecosystem services protection.

According to the UN Global Compact, traditional corporate environmental management approaches, based largely on compliance and narrow risk assessments, will not be sufficient to successfully address major 21st-century environmental challenges such as water scarcity, mitigating and adapting to the effects of climate change, and preventing further loss of global biodiversity. Tackling such issues requires, instead, a comprehensive, cyclical approach to environmental management.

Companies are increasingly adopting a cyclical “Plan, Do, Check, Act” management approach to environmental protection. Basic elements in this type of environmental management system (EMS) include: setting environmental objectives, assessing potential environmental risks and impacts, preventing and mitigating adverse impacts, carrying out environmental monitoring and evaluation (M&E), and reporting on its actions and effectiveness. Environmental management plans then guide the necessary actions, and are updated when M&E or changes in mining processes necessitate more effective strategies to meet environmental objectives.

While robust EMS processes are important, they are not necessarily enough to guarantee environmental protection that also meets the needs of affected communities. There is increasing recognition of the interconnectedness of the environmental, social and economic challenges confronting the world; and that solutions aimed at eradicating poverty and promoting environmental protection and sustainable economic growth require integrated planning and assessment, and a management approach that takes into consideration the wide-ranging impacts that a particular project can have in the broader landscape and regional contexts.

Environmental Impact Assessment (EIA) is a tool, often required by law but also used voluntarily by some companies, to assess the potential direct, indirect and cumulative impacts of a proposed project, and evaluate alternative project designs. Regular updates of these assessments (rather than just a one-off EIA) will be required in order to inform companies’ environmental management strategies. Companies committed to effectively managing their environmental impacts will implement a mitigation hierarchy that prioritises the prevention of negative impacts to the extent possible, minimises unavoidable impacts, and restores damaged landscapes and resources to functioning and productive ecosystems that can support plants, wildlife and human activities. Finally, the hierarchy requires that companies compensate or offset any remaining residual impacts (See also **F.6**).

Increasingly, the scope of environmental impact assessment has been expanding beyond the physical environment. Integrated assessments that combine health, social, economic, human rights, cultural and psychological well-being as well as the physical, biological and geochemical environments, provide a more holistic understanding of the complex interrelationships between the human and natural environments that affect environmental and human health and wellbeing. This awareness helps to ensure that, where possible, mitigation strategies avoid simply trading off one problem for another.

Additionally, planning at the larger landscape or watershed scale helps governments, companies and communities to identify competing land or resource-use objectives and understand the negative cumulative effects of multiple developments. This information, in turn, supports more optimal design and implementation of projects to maximise current and future environmental, as well as economic and social benefits.

Stakeholder engagement is an essential component of credible, effective environmental management. Stakeholders, including members of affected communities and representatives from relevant government agencies, should be included in assessment processes, the development of appropriate mitigation strategies and monitoring programmes (See also **D.2** and **F.4**).

Together, the integration of environmental management with broader societal considerations, meaningful stakeholder engagement, and public disclosure of environmental management activities can enhance a company’s accountability, and increase the likelihood that its efforts will support the health and livelihoods of communities and leave positive environmental legacies. Effective environmental stewardship, in addition to protecting environmental and social values, is likely to create improved stakeholder relations, increased worker engagement, financial benefits, and a competitive advantage for companies.



## F.2 Tailings Management

F.2.1

E

Where applicable, the company tracks its performance on addressing potential risks related to its tailings facilities, including seepage and tailings dam failure, and acts upon the results, demonstrating continuous improvement in avoiding, minimising and mitigating these risks.

*TSM Tailings Management, 4*  
*SASB NR0302-09*

Mining operations use chemicals and generate enormous volumes of waste during the milling (beneficiation) process, when the minerals are extracted from the ore. The wastes, known as tailings, are composed primarily of pulverised rock, water and processing chemicals. Typically, tailings are piped into large surface impoundments, where they are held in by earthen dams. The fluids are recycled, or they evaporate or drain out over time. When tailings storage facilities are full, the wastes undergo reclamation, such as the planting of vegetation, to stabilise the area.

There are a variety of risks and impacts associated with tailings storage facilities. Tailings usually contain residual processing chemicals and may contain elevated levels of metals. Facilities are prone to seepage, which can result in the contamination of ground and surface water. Impoundments may cover areas that were previously productive farmland or wildlife habitat. Dry tailings can create serious dust problems for nearby communities. And unstable tailings dams can fail catastrophically, releasing large quantities of waste that can smother rivers, bury homes, destroy livelihoods, and seriously impact the environment and local communities.

Recent high-profile tailings dam failures have prompted several mining industry reviews, which are expected to lead to improvements in practices that will help to prevent future disasters.

In addition to ensuring that tailings facilities are planned, designed, constructed and managed to the highest standards by competent professionals, there are other critical management practices that can help prevent and minimise impacts from tailings wastes. These include: assigning accountability and responsibility for tailings management at the highest levels of the company; adopting the best available technology; conducting frequent internal reviews of tailings facility performance and ensuring that corrective actions are implemented on schedule; and enabling independent review of site investigation and selection, design, construction, operation, closure and post-closure of tailings facilities, with public disclosure of the findings.

Furthermore, given that tailings management decisions can have long-term implications for the communities and natural resources, it is in the interest of all stakeholders that companies engage with potentially affected communities and external experts when assessing risks related to various tailing-facility designs, and in the planning, construction and monitoring of tailings waste facilities.

There is a strong incentive for mining companies to reduce the risks associated with tailings facilities. Failures, whether catastrophic dam bursts or the slow seepage of chemicals into water, can lead to significant health and safety risks for local communities, widespread environmental damage and high clean-up and remediation costs that may ultimately fall on producing country governments. Companies implicated in tailings facility mismanagement suffer huge financial losses, face legal action, loss of social licence to operate, and not only bring reputational damage to themselves, but to the mining industry as a whole.

## F.3 Air

F.3.1

A

The company publicly discloses mine-site level air quality monitoring data, throughout its operations.

*GRI Disclosure 305-7*  
*SASB NR0302-03*

Over the past few decades, air pollution levels have decreased in Europe and North America, resulting in improvements to public health and quality of life. Over the same time period, however, air pollution in many developing countries has increased, primarily due to rapid industrialisation and development.

Air emissions from mining and mineral processing may affect the environment on a local, regional and even global scale. Dust and particulate matter are the predominant air emissions associated with most mines. For nearby communities, dust is one of the major triggers for protests and opposition to mining activities. However, several gaseous contaminants are also released during mining and processing activities. Some of these contaminants, such as sulphur dioxide and nitrogen oxides, can diminish local and regional air quality, and contribute to climate change.

Mining-related air emissions can also impact the health of workers and communities, harm fauna and flora, and damage the food systems of indigenous peoples and other local communities.

The potential impacts of mining-related air emissions on the environment and communities are typically considered as part of a company’s environmental impact assessment. As with any impact assessment, it is important that communities be offered the chance to provide input on their concerns and suggested mitigation strategies during the process. Dust and air quality management plans offer mining companies a way to systematically address or avoid issues identified through the assessment. Effective management also requires a well-structured system for monitoring, recording, quality checking and reporting information transparently and consistently.

Air quality monitoring is commonly required to establish baseline air quality conditions for the impact assessment, and it is conducted during mining operations to ensure that emissions meet air quality regulations. Monitoring can also serve as an early-warning system to enable companies to take timely action to prevent significant impacts on communities or the environment.

By making air monitoring data openly and easily accessible to government agencies, communities, research institutions and other stakeholders, mining companies can provide a general understanding of a mine’s contribution to local and regional air quality issues, and enable stakeholders to better understand whether or not there are risks related to specific air emissions from the mining operation. The mere act of disclosing data may also inspire companies to spend more time scrutinising their own emissions, and spur improvements in control technologies and environmental performance.

Effective engagement, management and transparency with respect to air quality can help to build community trust and reduce fears related to dust and air contaminants. This, in turn, can help to reduce complaints, community protests, regulatory interventions and mine shutdowns. Controlling air emissions can also help reduce costs by minimising mining hazards and wear-and-tear on mining machinery.

#### F.4 Water

<p><b>F.4.1</b></p> <p><b>A</b></p>	<p>The company has systems in place to ensure its operations identify and assess their impacts on water quality and quantity in the catchments or regional basins they operate in, and to design and implement water stewardship strategies and plans to respect the water needs and rights of the affected area, including the environment, communities, farmers, and other water-dependent industries.</p>	<p><i>GRI 303</i></p> <p><i>CHRB D.3.8</i></p> <p><i>CDP W2.1; W2.2; W2.3; W2.5; W2.6; W2.7</i></p>
<p><b>F.4.2</b></p> <p><b>E</b></p>	<p>The company tracks its performance on water management, both for quality and quantity, and acts upon the results, demonstrating continuous improvement in reducing its water consumption and its adverse impacts on water quality, to improve water security for other stakeholders in the catchments or regional basins it operates in.</p>	<p><i>GRI Disclosure 303-1; 303-2; 303-3; 306-1; 306-5</i></p> <p><i>CHRB D.3.8</i></p> <p><i>CDP W5.1; W5.2; W5.3; W5.4; W6.3; W8.1; W8.1a; W8.1b</i></p>

MS5

Water quality and quantity. The operating company tracks and regularly reports on its performance on managing water quality and quantity in the catchment or regional basin it operates in.

*GRI Disclosure 303-1; 303-2; 303-3; 306-1; 306-5*

*CHRB D.3.8*

*CDP W5.1; W5.2; W5.3; W5.4; W6.3; W8.1; W8.1a; W8.1b*

Water is a key issue for sustainable development and the growth of economies. It is essential for immediate survival and long-term food security, and is intertwined with the development of energy infrastructure. In addition to being a human right, clean water supports healthier and more productive populations and ecosystems.

Water is also a key issue for the global mining industry. Access to a stable water supply is critical for any mining operation, but securing access can be a challenge. As global concerns about water scarcity increase and mines expand into more water-stressed areas, the competition for water resources can create intractable and sometimes violent conflicts between mining companies and communities. These conflicts are often associated with serious human rights abuses, disproportionately suffered by members of affected communities.

The sound management of water discharges, which is linked to responsible mine-waste and hazardous materials management (See **F.2** and **F.8**), is critical at mines. Mining-related water management involves understanding the current water quality and quantity status and management context in the immediate vicinity of a mine and in the broader catchment or watershed area; assessing the risks to surface water and groundwater from mining activities; and developing and implementing strategies to minimise the risks and impacts on water users and ecosystems. Water quantity and quality should be monitored at the mine site and at downstream locations to determine if mitigation strategies are effective, and whether or not corrective actions might be necessary to improve environmental outcomes.

Increasingly, the mining industry also acknowledges that effective water management relies on positive and transparent engagement with stakeholders. Ongoing dialogue helps communities understand the mine's water needs, and helps the mining company understand the community's water use requirements, as well as stakeholders' needs, expectations and priorities related to water use and water protection.

Transparency around water use and water quality impacts is becoming an expectation for mining stakeholders, and it is now standard practice for companies to report generally on water issues. Some companies, however, are demonstrating leadership around water transparency by making water-monitoring data accessible to affected communities and the general public.

The fear of water contamination can create opposition to mining projects, and actual contamination events can damage livelihoods, destroy positive company-community relations and create short- and long-term costs and financial and legal liabilities for mining companies. Conflicts related to water bring reputational, operational, legal, humanitarian, and financial risks to mining projects. Mining companies that engage with communities in the planning, management and monitoring of water, and are transparent about their water impacts are more likely to establish the trust with communities that is necessary to avoid conflicts and secure the social licence to operate.

Implementing leading social and technical water management practices, such as increasing the efficiency of water use, can also help companies reduce operating costs and potential environmental fines, expedite permitting processes, facilitate mine expansions, secure access to resources (water, ore, land), and preserve or improve a company's reputation.

## F.5 Noise and Vibration

F.5.1

A

The company has systems in place to ensure its operations limit the impacts of noise and vibration on affected communities, structures, properties, and wildlife.

Noise is a common source of community concern related to mining. During a mine's operational phase, noise can be generated 24 hours a day, seven days a week, and a mine may operate for many years. Potentially significant sources of mining-related noise and vibrations include helicopters used during exploration, heavy equipment used during mine construction, drilling, blasting, loading and dumping waste rock, screening and crushing, and mineral transport (e.g. corridors for railways, roads and conveyor belts).

Noise may have adverse effects on human health, including stress-related illnesses, sleep disruption, high blood pressure, hearing loss and speech interference. Noise may also lead to social and behavioural effects, including annoyance, which is a widely accepted indicator of human health effects related to environmental noise. Additionally, vibrations from blasting and heavy truck traffic are often felt by nearby residents, and have been linked to, or suspected as the cause of, structural damage to homes located close to mine sites.

Wildlife may also be affected by anthropogenic noise. Mining or other industrial noise sources may cause an increase in stress, disruption of natural behaviours, temporary or permanent hearing damage, changes in breeding success, and avoidance of otherwise suitable habitat. The impacts on wildlife may, in turn, have implications for indigenous peoples or local communities whose food sources may be affected.

In order to address issues of noise and vibration, mining companies typically include noise assessments as part of their environmental and social impact assessments, and carry out baseline noise studies to gain an understanding of the pre-mining noise conditions in communities and the project's area of operation. Some national or sub-national governments may regulate noise and vibrations. However, even in the absence of regulations, there are internationally accepted standards that can help mining companies gauge acceptable noise and vibration levels at nearby homes, schools, or other noise "receptors."

There are a variety of mitigation measures that can be employed to minimise the effects of mining-related noise and vibrations on communities and wildlife, including limiting known sources of particularly loud noises or strong vibrations, such as blasting, to daytime hours, as well as muffling or controlling noise and vibrations at their source.

Noise and vibration issues should be discussed during early engagement with stakeholders (See **D.2**), and throughout the mine lifecycle. Communities are more likely to be tolerant of mining-related noise and vibrations when companies are transparent and work with them to develop acceptable mitigation strategies. If community concerns are not adequately considered or addressed, these issues can provoke community opposition to mining operations, and create significant strain on community-company relationships.

While some noise and vibration mitigation strategies may require an upfront capital investment, they ultimately provide cost savings for the company through increased efficiency and improved occupational health and safety. Effective noise and vibration management also benefits the wider industry by improving community attitudes towards mining activities.

## F.6 Biodiversity and Ecosystem Services

<p>F.6.1</p> <p>C</p>	<p>The company commits to not explore or mine in World Heritage Sites and to respect other terrestrial and marine protected areas that are designated to conserve cultural or natural heritage.</p>	<p>GRI 304</p>
<p>F.6.2</p> <p>E</p>	<p>The company tracks its performance on biodiversity and ecosystem services management and acts upon the results, demonstrating continuous improvement in avoiding, minimising, mitigating and offsetting its impacts.</p>	<p>TSM Biodiversity Conservation Management, 2</p> <p>GRI Disclosure 304-2</p>
<p>MS6</p>	<p>Biodiversity management. The operating company tracks and regularly reports on its performance on applying a mitigation hierarchy approach to the management of its biodiversity impacts.</p>	<p>GRI Disclosure 304-2</p>

Biological diversity – or biodiversity – refers to the variety of plants, animals and microorganisms that exist, the genes they contain, and the ecosystems of which they are a part. Ecosystems that are genetically diverse and species-rich are more resilient and adaptable to external stresses, and have a greater ability to recover from disturbances such as floods, fires and diseases. Biodiversity plays a role in stabilising the earth’s climate; it contributes to sustainable livelihoods and economies; and creates conditions that enable cultural diversity to thrive.

The maintenance of global biodiversity is particularly relevant for rural communities in developing countries and for indigenous peoples, whose livelihoods and survival may be highly dependent on the ecosystems services supported through biodiversity, such as food, nutrients, medicines, fuel, fibre, flood control, clean drinking water and sacred sites.

Mining companies, like other businesses and society as a whole, rely on ecosystems and the services they provide. However, mining also has the potential to directly affect biodiversity, for example through the clearing of vegetation for roads, removal of primary forests and soils to access ore bodies, the conversion of land, wetlands or water-bodies into waste disposal sites, and planned or unplanned discharges of waste products to the environment. There may also be indirect impacts on biodiversity and ecosystem services from mining, such as increased pressures on wildlife for trade or bush meat when mining roads are built in previously inaccessible areas, or intensified clearing of land as a result of the in-migration of mine workers or others seeking economic opportunities.

Growing awareness of potential biodiversity impacts and dependencies is leading many mining companies to carry out biodiversity assessments and develop systems and approaches to avoid critical habitats and key biodiversity areas whenever possible.

Some mining companies are also applying the “mitigation hierarchy” as a means of managing biodiversity risks. The mitigation hierarchy is an internationally recognised framework that prioritises avoidance of impacts on biodiversity and ecosystem services, and, if that is not possible, moves to minimisation, restoration and, as a last resort, the offsetting of residual impacts.

Offsetting is the last option in the hierarchy because it comes with a set of risks, including uncertainty of success, economic and governance challenges to sustaining offsets in perpetuity, and the potential for proposed offset projects to be socially or culturally unacceptable to relevant stakeholders. Where offsetting occurs, it should be carefully designed and guided by principles such as replacement of impacted biodiversity on an ecologically-equivalent, or like-for-like or better basis; no net loss and preferably a net gain of biodiversity; consultation with stakeholders to determine acceptable offsets; and creation of long-term mechanisms to fund offset projects.

As with any responsible environmental management system, the identification of risks, development of effective mitigation strategies and monitoring plans includes the involvement of relevant stakeholders. Actions may also be designed or reviewed by experienced biologists and other specialists to ensure that mitigation is optimised in accordance with the hierarchy. Increasingly, companies are commissioning independent external audits or oversight to verify whether their biodiversity management strategies are being effectively implemented. Such external oversight is a useful means of building stakeholder trust and confidence that mining activities are not posing significant threats to biodiversity and important ecosystem services.

The business case for responsible biodiversity management is strong. Companies that take a proactive approach to biodiversity and ecosystem services management may experience a competitive advantage as regulatory regimes in areas with increasing pressures on biodiversity shift to more protective policies. Those companies that demonstrate good management practices, including application of the mitigation hierarchy and external audits of their management practices, may secure easier and less costly access to capital, land and resources. Strong approaches to protecting biodiversity and ecosystem services help to build trust with communities, non-governmental organisations, producing country governments and other stakeholders, thus strengthening the company’s social licence to operate.

### F.7 Climate Change and Energy Efficiency

<p>F.7.1</p> <p><b>A</b></p>	<p>The company has systems in place to identify and assess the potential implications of climate change on its operations and its impacts on communities, workers and the environment, and to design and implement appropriate adaptation strategies.</p>	<p>GRI Disclosure 201-2</p>
<p>F.7.2</p> <p><b>E</b></p>	<p>The company tracks its performance on managing the greenhouse gas (GHG) emissions generated by its activities and acts upon the results, demonstrating continuous improvement in minimising them.</p>	<p>TSM Energy and GHG Emissions Management, 3</p> <p>GRI 305; Disclosure 305-1; 305-2; 305-3; 305-4; 305-5</p> <p>SASB NR0302-01; NR0302-02</p> <p>CDP CC2.2; CC2.2a; CC3.1 (a-f); CC3.3; CC3.3a; CC8.6; CC8.7; CC8.8; CC14.1</p>
<p>F.7.3</p> <p><b>E</b></p>	<p>The company tracks its performance on managing energy consumption throughout its operations and acts upon the results, demonstrating continuous improvement in energy efficiency.</p>	<p>TSM Energy and GHG Emissions Management, 3</p> <p>GRI 302</p> <p>SASB NR0302-02</p>

Climate change is a global issue, but the effects are not equally distributed around the globe or even within individual countries. Developing countries are often disproportionately affected, and indigenous peoples, and poor and vulnerable groups within society are especially at risk from the impacts of climate change. As the globe experiences increasing effects related to climate change, such as changes in precipitation, increased frequency of extreme events, increased temperatures and sea level rise, mining companies are being asked by investors and mine stakeholders to identify and disclose climate-related risks and impacts.

In the minerals and metals mining sector, the vast majority of greenhouse gas emissions are directly tied to energy consumption, with emissions primarily produced through the burning of fossil fuels to power buildings and operate mining and processing equipment and vehicles. Mining is an energy-intensive undertaking, and future energy consumption is predicted to increase in the mining sector as viable ore deposits become deeper and lower-grade. Coal mining creates additional greenhouse gas emissions such as the release of fugitive methane or carbon dioxide during mining, and subsequent greenhouse gas emissions generated from the burning of coal. Mines may also create a net addition of carbon to the atmosphere through the removal of “carbon pools” such as forests, which may also have impacts on biodiversity (See F.6).

Many in the mining industry recognise the global challenges related to greenhouse gas emissions and climate change, and companies are increasingly monitoring and publicly reporting on their energy use and greenhouse gas emissions, and are taking steps to reduce energy use and emissions by adopting renewable energy and low-emissions technologies, and improving energy efficiency. Some companies are also beginning to work with communities to assess the risks and develop strategies to plan for, mitigate and adapt to climate change.

There are many potential benefits for companies that proactively reduce energy consumption, greenhouse gas emissions and fossil fuel dependency. Those companies investing early in energy efficiency measures may enjoy a competitive advantage over those who lag behind, as increased efficiency can help protect companies from increased fuel costs, mitigate the impact of regulations that may limit or put a price on carbon emissions, and result in better market performance.

Additionally, mines proposed in regions that are vulnerable to climate change are increasingly likely to be faced with scepticism by insurers and investors. As a result, those companies that are transparent about their greenhouse gas emissions, their reduction targets, and their climate adaptation strategies, and can demonstrate a positive track record of reducing emissions and improving energy efficiency, are more likely to be viewed favourably by insurers, investors, and the communities in vulnerable regions, or wherever they hope to operate. Companies that proactively develop strategies to adapt to climate change can also contribute to sustainable development goals on poverty reduction and climate action (SDG1 and SDG13).

## F.8 Hazardous Materials Management

F.8.1

A

The company has systems in place to ensure its operations identify and assess potential risks related to the transportation, handling, storage, emission and disposal of hazardous materials, and to design and implement strategies and plans to address identified risks.

GRI Disclosure 306-4; 413-2

Hazardous materials are those that represent a risk to human health, property or the environment due to their physical or chemical characteristics. There are a variety of potentially hazardous materials that are generated or used by mining operations.

Some hazardous substances, like mercury, arsenic or cadmium, may be made more available as a result of mining. For example, mercury, which is associated with some gold, silver, copper or zinc deposits, may be mobilised during roasting or smelting, or be leached or released into soils, water or air from tailings. Sulphuric acid, a chemical often used in ore processing and a by-product of mining sulphide-bearing ores, may result in acidic drainage and the release of heavy metals into the environment.

Other hazardous chemicals are used to extract metals and minerals from ore. For example, cyanide is commonly used for processing gold and silver, and may be a minor processing reagent at some base metal mines. Cyanide, if released in the workplace or environment, can be lethal to many living organisms. Nitric acid, ammonium nitrate and fuel oil are often used as blasting agents. In addition to being potential environmental pollutants, these explosives may present a security risk for companies, and should be managed accordingly.

All hazardous materials require sound management of occupational health, environmental and social risks throughout their lifecycles – including during sourcing, transport, storage, use, production, and disposal. Typically, responsible management of hazardous materials prioritises avoidance, such as through the substitution of less hazardous chemicals or processes. Where avoidance is not possible, the leading practice will be to minimise the use or production of hazardous materials, and prevent and control releases and accidents.

These objectives can be addressed through the ongoing assessment of hazards and preparation of hazardous materials risk management plans. Further measures include the implementation of actions such as education and training programmes for workers, contractors and communities; equipment and facility inspections and maintenance; monitoring of the concentrations of hazardous materials in wastes; and the development of procedures to address residual risks that cannot be prevented or controlled.

If not properly managed, the release of hazardous substances into the workplace or the environment can have severe and long-lasting negative impacts on water quality, the health of ecosystems, workers and local communities. It may also have reputational and financial ramifications for companies or governments that must bear the costs of remediating contamination and provide compensation to impacted workers or community members.

### F.9 Emergency Preparedness

<p>F.9.1</p> <p>A</p>	<p>The company has systems in place to ensure its operations engage local authorities, workers and communities in developing, communicating and testing emergency preparedness and response plans.</p>	<p><i>TSM Crisis Management and Communication, 1</i></p>
<p>F.9.2</p> <p>A</p>	<p>The company publicly discloses all relevant information about financial assurance that is provided for disaster management and recovery, throughout its operations.</p>	

Large-scale mines carry significant operational risks. The release or spill of hazardous chemicals, tailings dam failures, explosions, fires and a range of other possible accidents pose risks to mine workers and nearby communities. Accidents may be related to human errors, equipment failure, or poor management of mine wastes or hazardous materials (See **F.2** and **F.8**). Natural forces, such as earthquakes, floods, cyclones or forest fires may also cause or compound emergencies at mining operations.

Mining-related accidents or incidents may lead to significant and long-lasting impacts, including environmental damage, property damage, injuries, loss of life and psychological trauma. They may also cause significant financial losses for communities, governments and companies, and damage to the image of the mining industry as a whole.

Despite best efforts, mining-related accidents and emergencies can never entirely be prevented. However, mining companies, in collaboration with local governments, workers and communities, can develop and implement crisis management and emergency preparedness policies, training programmes and procedures to minimise the negative consequences of such emergencies.

Guidance has been developed to help mining companies prepare themselves, their workers and local communities for mining-related emergencies. The United Nations Environment Programme and others have recommended that companies adopt a collaborative approach to emergency response planning that involves local authorities, emergency responders and community members in the identification of potential mining-related accidents; the development of strategies to reduce and manage identified risks; and the creation of emergency response plans. To increase the effectiveness of emergency response plans, mining companies can test them with potentially affected parties and communicate them to the community-at-large so that key actors are prepared to respond effectively to a range of emergency scenarios.

A collaborative approach to emergency response can help to reduce community fears about potential mining-related impacts, reduce the risks to vulnerable populations that are often hit hardest and longest by disasters and emergencies, and build greater confidence and trust between mining operations and communities. In the event of a mining-related accident, well-planned emergency response may reduce human casualties, limit impacts on property and the environment, and minimise financial losses to the company.

Financial preparedness is an additional component of responsible emergency preparedness. The leading practice is for companies to anticipate and insure against the cost of reparation for accidents or natural catastrophes, to ensure that funds are available to implement effective emergency response, pay compensation for damages, injury or loss of life, and for companies to fund recovery and reconstruction in a timely and efficient manner.



# List of abbreviations

<b>AIIB</b>	Asian Infrastructure Investment Bank
<b>ASEAN</b>	Association of Southeast Asian Nations
<b>ASM</b>	Artisanal and small-scale mining
<b>CCCCMC</b>	China Chamber of Commerce of Metals, Minerals & Chemicals Importers & Exporters, Guidelines for Social Responsibility in Outbound Mining Investment
<b>CDP</b>	Carbon Disclosure Project
<b>CHRB</b>	Corporate Human Rights Benchmark
<b>CSO</b>	Civil Society Organisation
<b>EMS</b>	Environmental Management System
<b>ESG</b>	Environmental, Social and Governance
<b>EESG</b>	Economic, Environmental, Social and Governance
<b>EITI</b>	Extractive Industries Transparency Initiative
<b>FPIC</b>	Free, prior and informed consent
<b>GHG</b>	Greenhouse gases
<b>GRI</b>	Global Reporting Initiative
<b>HIV/AIDS</b>	Human Immunodeficiency Virus/Acquired Immunodeficiency Syndrome
<b>ICMM</b>	International Council on Mining & Metals
<b>IFC</b>	International Finance Corporation
<b>IFC PS</b>	IFC Environmental and Social Performance Standards and Guidance Notes
<b>ILO</b>	International Labour Organization
<b>ILO 29</b>	ILO Forced Labour Convention
<b>ILO 87</b>	ILO Freedom of Association and Protection of the Right to Organise Convention
<b>ILO 98</b>	ILO Right to Organise and Collective Bargaining Convention
<b>ILO 100</b>	ILO Equal Remuneration Convention
<b>ILO 105</b>	ILO Abolition of Forced Labour Convention
<b>ILO 111</b>	ILO Discrimination (Employment and Occupation) Convention
<b>ILO 138</b>	ILO Minimum Age Convention
<b>ILO 169</b>	ILO Indigenous and Tribal Peoples Convention
<b>ILO 176</b>	ILO Safety and Health in Mines Convention
<b>ILO 182</b>	ILO Worst Forms of Child Labour Convention
<b>IRMA</b>	Initiative for Responsible Mining Assurance
<b>ISO</b>	International Organization for Standardization
<b>ISO 26000</b>	ISO 26000 – Social Responsibility
<b>M&amp;E</b>	Monitoring and Evaluation
<b>NGO</b>	Non-governmental Organisation
<b>OECD</b>	Organisation for Economic Co-operation and Development
<b>OECD CEVC</b>	OECD Development Policy Tools: Corruption in the Extractive Value Chain
<b>OECD MNE</b>	OECD Guidelines for Multinational Enterprises
<b>OECD SEES</b>	OECD Due Diligence Guidance for Meaningful Stakeholder Engagement in the Extractives Sector
<b>RJC</b>	Responsible Jewellery Council
<b>RMF</b>	Responsible Mining Foundation
<b>RMI</b>	Responsible Mining Index
<b>SASB</b>	Sustainability Accounting Standards Board
<b>SDG</b>	Sustainable Development Goals
<b>TSM</b>	Towards Sustainable Mining (programme of Mining Association of Canada)
<b>UNGC</b>	United Nations Global Compact
<b>UNGP RF</b>	UN Guiding Principles on Business and Human Rights (Reporting Framework)
<b>VPs</b>	Voluntary Principles on Security and Human Rights

# Glossary of terms

## **Acid mine drainage**

The outflow from a mine site of water contaminated through its exposure to sulphide-containing materials or minerals.

## **Action [as used in RMI]**

Action indicators look at the practical measures taken by companies to address EESG issues. This includes the extent to which a company is implementing particular measures and the extent to which a company has integrated these processes and procedures into a systematic approach.

## **Affected community (See also Local community)**

A community for whom the presence of a particular mine site is likely to cause significant direct or indirect economic, environmental or social impacts; affected communities can include those not in the immediate proximity to the mine site, such as communities living downstream or in labour-sending areas.

## **Artisanal and small-scale mining (ASM)**

Mining activities on a scale below that of industrial mining. ASM is generally labour intensive with low levels of mechanisation. Depending on the context, ASM may be formalised and carried out under formal licence conditions, or informal and not under effective regulatory controls.

## **Beneficial ownership**

“A beneficial owner in respect of a company means the natural person(s) who directly or indirectly ultimately owns or controls the corporate entity. A beneficial owner can own or control a company through, for example shares, voting rights, other decision/veto rights, right to profit, contractual associations, joint ownership arrangements or other means.”<sup>1</sup>

## **Biodiversity**

“The variability among living organisms from all sources including, inter alia, 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.”<sup>2</sup>

## **Bribery**

“An offer or receipt of any gift, loan, fee, reward or other advantage to or from any person as an inducement to do something which is dishonest, illegal or a breach of trust, in the conduct of the enterprise’s business.”<sup>3</sup>

## **Business activities**

Any actions and activities performed by a company, including its management, its employees and its contractors, in the context of its business operations.

## **Business relationships**

“Those relationships a business enterprise has with business partners, entities in its value chain and any other non-State or State entity directly linked to its business operations, products or services. They include indirect business relationships in its value chain [...] and minority as well as majority shareholding positions in joint ventures.”<sup>4</sup>

## **Child labour**

“Work that deprives children of their childhood, their potential and their dignity, and that is harmful to physical and mental development. Child labour refers to work that: is mentally, physically, socially or morally dangerous and harmful to children; and 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.”<sup>5</sup>

## **Civil society organisations**

“All non-market and non-state organisations [...] in which people organise themselves to pursue shared interests in the public domain. [...] Examples include community-based organisations and village associations, environmental groups, women’s rights groups, farmers’ associations, faith-based organisations, labour unions, co-operatives, professional associations, chambers of commerce,

independent research institutes, and the not-for-profit media.”<sup>6</sup>

### **Closure (See Mine closure planning)**

#### **Collective bargaining**

“All negotiations which take place between an employer, a group of employers or one or more employers’ organisations, on the one hand, and one or more workers’ organisations, on the other, for:

- (a) determining working conditions and terms of employment; and/or
- (b) regulating relations between employers and workers; and/or
- (c) regulating relations between employers or their organisations and a workers’ organisation or workers’ organisations.”<sup>7</sup>

#### **Commitment [as used in RMI]**

Commitment indicators look at whether a particular commitment has been made (e.g. through a policy statement endorsed by senior management), and the extent to which the commitment has been formalised and integrated into the company’s business processes through defined accountabilities and responsibilities, and commitment of adequate financial and staff resourcing.

#### **Confidential business information**

Information that a company considers proprietary and/or commercially sensitive, the release of which is deemed to potentially cause substantial business injury.

#### **Conflict-affected and high-risk areas**

“Conflict-affected and high-risk areas are identified by the presence of armed conflict, widespread violence or other risks of harm to people. [...] High-risk areas may include areas of political instability or repression, institutional weakness, insecurity, collapse of civil infrastructure and widespread violence. Such areas are often characterised by widespread human rights abuses and violations of national or international law.”<sup>8</sup>

#### **Conflict of interest**

Compromised ability to perform primary duties due to conflicting secondary interests. Conflicts of interest may take place on an individual or on an organisational level.

#### **Continuous improvement [as used in RMI]**

Continuous improvement refers to demonstrated positive change over time in the behaviour of mining

companies on EESG issues. This includes, for example, the development and implementation of strong policies, the roll-out of effective programmes, and advances in the tracking and strengthening of company performance on particular EESG issues. The intent of continuous improvement should be to lead to demonstrable improvements in EESG performance.

#### **Controversial incidents [as used in RMI]**

Significant negative impacts that are demonstrably caused or contributed to by company activities. RMI considers controversial incidents from the perspective of their impacts on EESG outcomes (i.e. based on their **salience**), rather than their impacts on a company’s reputation or business.

#### **Corruption**

The abuse of entrusted power for private gain. Corruption can include acts committed at a high level of government that distort policies or the central functioning of the state, everyday abuse of entrusted power by low- and mid-level public officials in their interactions with ordinary citizens, or manipulation of policies, institutions and rules of procedure in the allocation of resources and financing by political decision-makers.<sup>9</sup>

#### **Cultural heritage**

“The legacy of physical artefacts and intangible attributes of a group or society that are inherited from past generations, maintained in the present and bestowed for the benefit of future generations.”<sup>10</sup>

#### **Disclosure**

“Public disclosure refers to the act of making information or data readily accessible and available to all interested individuals and institutions. Some examples of the different forms that public disclosure may take include: verbal or written statements released to a public forum, to the news media, or to the general public; publication in an official bulletin, gazette, report, or stand-alone document; and information posted on a website.”<sup>11</sup>

#### **Discrimination**

“Any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation.”<sup>12</sup>

#### **Displacement**

“Physical displacement (relocation or loss of shelter) [or] economic displacement (loss of assets or access

to assets that leads to loss of income sources or other means of livelihood) as a result of project-related land acquisition and/or restrictions on land use.”<sup>13</sup>

### **Diversity (See also Inclusivity)**

“A commitment to recognizing and appreciating the variety of characteristics that make individuals unique in an atmosphere that embraces and celebrates individual and collective achievement. Identity is dependent on much more than one dimension of a person’s background.”<sup>14</sup>

### **Due diligence [as used in RMI]**

RMI uses the term due diligence, in general, to refer to the management processes undertaken by a company to systematically identify and assess potential economic, environmental, social, governance and human rights-related risks and/or negative impacts of its decisions, activities and business relationships, in order to design and implement strategies to address these risks and/or impacts. Specifically in the context of human rights due diligence (i.e. for indicator D.1.2), RMI uses the term in line with the UN Guiding Principles on Business and Human Rights, which defines it as: “An ongoing risk management process ... in order to identify, prevent, mitigate and account for how [a company] addresses its adverse human rights impacts. It includes four key steps: assessing actual and potential human rights impacts; integrating and acting on the findings; tracking responses; and communicating about how impacts are addressed.”<sup>15</sup>

### **Ecosystem**

“A dynamic complex of plant, animal, and microorganism communities and the non-living environment, interacting as a functional unit.”<sup>16</sup>

### **Ecosystem services**

“The benefits people obtain from ecosystems. These include provisioning services such as food and water; regulating services such as flood and disease control; cultural services such as spiritual, recreational, and cultural benefits; and supporting services, such as nutrient cycling, that maintain the conditions for life on Earth.”<sup>17</sup>

### **Effectiveness [as used in RMI]**

Effectiveness indicators assess the extent to which a company is tracking the effectiveness of its measures on particular issues, based on targets and/or baselines, and taking steps to improve its performance, based on audits or assessments it has conducted or commissioned. Effectiveness

indicators therefore look at whether companies can demonstrate **continuous improvement** on particular issues.

### **Employees (see also Worker)**

Workers with formal employment relationships with their employers. The relationship is generally based on an explicit (written or oral) or implicit contract of employment.

### **Energy efficiency**

“Energy efficiency is a way of managing and restraining the growth in energy consumption. Something is more energy efficient if it delivers more services for the same energy input, or the same services for less energy input.”<sup>18</sup>

### **Engagement**

Stakeholder engagement is an active, ongoing process of interaction that enables stakeholder views to be taken into account in project-related planning and decision-making. The level of engagement may involve one or more of the following elements: disclosure and dissemination of information, consultations on stakeholder views relating to project-related activities and impacts, and stakeholder participation in planning, implementing or monitoring project-related activities. Meaningful stakeholder engagement requires two-way communication, responsiveness on the part of companies, and the good faith of participants on both sides.

### **Equal opportunity**

The principle whereby “[t]he outcome of a person’s life, in its many dimensions, should reflect mostly his or her efforts and talents, not his or her background. Predetermined circumstances – gender, race, place of birth, family origins – and the social groups a person is born into should not help determine whether people succeed economically, socially, and politically.”<sup>19</sup>

### **Excluded groups (See also Marginalised groups; Vulnerable groups)**

Groups of people who are systematically at risk of being denied full access to rights and opportunities normally granted to others, and of being excluded from participation in decision-making processes, in a manner inconsistent with international human rights norms.

### **Financial surety/assurance**

Any financial instrument that companies may implement in advance to ensure that funds are

available for a particular purpose when they are needed. In the context of mining, financial surety will generally be required to cover the costs of mine closure and land rehabilitation post-closure. Examples of such instruments include letters of credit, surety bonds, trust funds, certified checks and insurance schemes.<sup>20</sup>

### **Forced/compulsory labour (See also Trafficked labour; Trafficking)**

Any work carried out by a person involuntarily, under threat of negative consequences. This covers any kind of involuntary or compulsory labour, such as indentured labour, bonded labour, or similar labour-contracting arrangements.<sup>21</sup>

### **Free, prior and informed consent (FPIC)**

Free, prior and informed consent (FPIC) is the principle of informing and consulting in advance of projects or major developments that may impact peoples' rights and interests, and providing the opportunity for collective approval or rejection of the development in a manner that is free from intimidation or coercion and prior to any activity taking place. FPIC is an internationally recognised right of indigenous peoples and a mechanism to ensure that their rights and interests will be respected.<sup>23</sup>

### **Freedom of association**

The right for workers and employees to join organisations of their own choosing without previous authorisation. These organisations have the right to draw up their own constitutions and rules, freely elect representatives, organise their administration, formulate their own programmes and join larger confederations, without interference or threat of dissolution or suspension from public authorities.<sup>24</sup>

### **Fundamental rights at work**

Four categories of rights considered universal by the ILO, and which it commits all member states to respect, regardless of which conventions they may or may not have ratified. The principles are: freedom of association and the effective recognition of the right to collective bargaining, the elimination of forced or compulsory labour, the abolition of child labour, and the elimination of discrimination in respect of employment and occupation.<sup>22</sup>

### **Gender equity**

The fair treatment of women and men, based on the recognition that women and men have different needs, preferences, and interests and that equality of outcomes may necessitate different treatment of men and women.

### **Greenhouse gas (GHG) emissions**

"Those gaseous constituents of the atmosphere, both natural and anthropogenic, that absorb and re-emit infrared radiation."<sup>25</sup> Key greenhouse gases responsible for anthropogenic climate change include carbon dioxide, methane, nitrous oxide and ozone.<sup>26</sup>

### **Grievance mechanism**

A formal process through which people and groups can raise grievances about a project or its workers (including its contractors or employees) and receive remedy. Remedy can include "apologies, restitution, rehabilitation, financial or non-financial compensation, and punitive sanctions (whether criminal or administrative, such as fines), as well the prevention of harm through, for example, injunctions or guarantees of non-repetition".<sup>27</sup>

### **Home country**

The country in which a company is headquartered and/or registered.

### **Host country (See Producing country)**

### **Human rights**

Human rights are universal and inalienable rights inherent to all human beings, to which all people are entitled without discrimination. They may be civil, political, cultural, economic or social, and may apply to individuals or to groups.<sup>28</sup> States serve as the primary duty bearers for international human rights law, being obliged to respect, protect and fulfil human rights, but the obligation to respect human rights also falls on companies.<sup>29</sup>

### **Human rights defenders**

"People who, individually or with others, [...] seek the promotion and protection of civil and political rights as well as the promotion, protection and realization of economic, social and cultural rights."<sup>30</sup>

### **Human rights risk**

A company's human rights risks are any risks that its operations pose to human rights. "This is separate from any risks that involvement in human rights impact may pose to the enterprise, although the two are increasingly related."<sup>31</sup>

### **Impacts [as used in RMI]**

RMI indicators focused on impact assessment and due diligence generally consider both potential and real impacts, and both positive and negative impacts a company may generate or contribute to.

### **Impact assessment**

A process by which the potential and likely impacts, both beneficial and adverse, of a project on people and the environment are assessed.

### **Inclusivity (See also Diversity)**

Inclusion of stakeholder groups identified as excluded, marginalised or vulnerable in access to resources and decision-making.

### **Indigenous peoples groups**

Groups of people associated with a particular area of land and with distinct cultural and social practices, marked by self-identification and historical continuity with societies that pre-date colonisation or settlement by outsiders. "According to the UN the most fruitful approach is to identify, rather than define indigenous peoples. This is based on the fundamental criterion of self-identification as underlined in a number of human rights documents."<sup>32</sup>

### **Involuntary resettlement**

Any resettlement that does not give the affected people or communities the right to refuse land acquisition or restrictions on land use.

### **Just transition [as used in RMI]**

An approach that puts in place a range of measures to minimise and manage the negative impacts on workers of major changes in a mining operation and to involve workers in decisions about their livelihoods. Just transition measures may include, for example, re-training programmes for workers who will be made redundant, giving such workers priority for jobs on other sites or in other activities (e.g. in closure phase), or collaborating with other industries to plan for future employment opportunities.

### **Labour-sending area**

A geographically distant area from which a mine site or other facility draws some of its work force.

### **Large-scale mining (LSM)**

Industrial scale mining, on a scale larger than artisanal and small-scale mining (ASM). LSM is typically capital intensive, heavily mechanised and carried out under formal licence conditions.

### **Leading practice [as used in RMI]**

Any business practice that has been identified as exceptionally responsive to the challenges and/or opportunities in a given area of interest, by virtue of its favourable comparison with other practices. Leading practice is a relative and time-bound term, as business practices continuously evolve.

### **Lifecycle management [as used in RMI]**

An approach to managing an operation's impacts with a view to the entire mine lifecycle, from exploration, through development to operations and close, and then to post-closure. This includes planning for closure and post-closure from the earliest stages to ensure that safeguards are put in place to guarantee the post-mining social and economic wellbeing of affected communities and protection of the environment.

### **Livelihood**

A livelihood is a means of making a living. It encompasses people's capabilities, assets, income and activities required to secure the necessities of life. A livelihood is sustainable when it enables people to cope with and recover from shocks and stresses (such as natural disasters and economic or social upheavals) and enhance their well-being and that of future generations without undermining the natural environment or resource base.<sup>33</sup>

### **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 worker and her or his 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.<sup>34</sup>

### **Lobbying**

Efforts to influence public policy, decision-making or related measures through representations to public officeholders.

### **Local community (See also Affected community)**

A community located sufficiently close to a particular mine site as to likely experience significant economic, environmental and social impacts.

### **Marginalised groups (See also Excluded groups; Vulnerable groups)**

Those groups systematically excluded from meaningful participation in economic, social, political, cultural and other forms of human activity. Frequently marginalised groups include "[p]ersons with disabilities, youth, women, lesbian, gay, bisexual, transgender and intersex people, members of minority groups, indigenous people, internally displaced persons, and non-national, including refugees, asylum seekers and migrant workers".<sup>35</sup>

## **Materiality (See also Salience)**

The importance attached to a particular issue, from the point of view of a particular audience or goal. “The audience may be shareholders alone or other stakeholders as well. A goal may be profit-making alone, decisions of an investor more widely, or societal welfare generally. The choice of audience or goal then dictates the selection of material issues. Materiality stands in contrast to salience, which focuses on those issues with the most severe potential impacts.”<sup>36</sup> Materiality is a threshold for influencing economic decision-making, particularly by shareholders, whereas salience examines issues using the lens of risk to people and the environment.

## **Mine closure planning**

Advance planning, throughout a mine’s lifecycle, for the time following cessation of the mine’s core operations, including planning for decommissioning and rehabilitation. “The term closure alone is sometimes used to indicate the point at which operations cease, infrastructure is removed and management of the site is largely limited to monitoring.”<sup>37</sup>

## **Mine site**

All land and infrastructure assets related to a specific mineral deposit under exploration or exploitation, and the area of land occupied by the mining operation. The infrastructure assets of a mine site may include, for example, one or more open pits or underground mining facilities, crusher(s), storage facilities, maintenance bays and processing plants, waste storage, services such as water, power infrastructure, transport and loading facilities, administration offices, and worker housing.

## **Mining operations**

Mining-related activities including, for example, those connected with exploration, extraction, processing and transportation of mined commodities.

## **Mitigation**

Precautionary actions taken in advance to reduce the extent of certain negative impacts or the likelihood of certain risks occurring.<sup>38</sup>

## **Mitigation hierarchy approach**

An approach to addressing negative impacts on the environment, biodiversity, communities and workers and other stakeholders, via a strict hierarchy of prioritised steps that include, in order of priority: prevention, avoidance, minimisation, rehabilitation,

and offsetting (or compensation). Each measure is undertaken only in cases where the previous measure is not feasible.<sup>39</sup>

## **Occupational health and safety**

A field of practice concerned with protecting the safety, health and welfare of workers by controlling potential hazards in a workplace context.

## **Ongoing [as used in RMI]**

Activities that are ongoing are not implemented as one-off or time-limited actions, but occur regularly and frequently throughout a project lifecycle, as an integrated element of management processes.

## **Open data**

Digital data that is made available with the necessary technical and legal features (e.g. machine readability and open licence) for it to be freely used, reused, and redistributed by any user.<sup>40</sup>

## **Operating company**

The company primarily responsible for the mining activity at a particular mine site. This company may have complete or partial ownership of the mine in question.

## **Post-closure**

The phase of a mine’s lifecycle that typically follows cessation of mining operations, decommissioning of infrastructure, and rehabilitation of land, during which management of the mine site is largely limited to monitoring residual effects on the environment and local communities.

## **Producing country**

The country in which primary extractive activities occur and, in some cases, further processing of the extracted minerals. Mining companies may operate in more than one producing country.

## **Project-affected people**

Those persons impacted by a project or intervention (such as a resettlement programme), including negative impacts such as loss of land, property, livelihoods or access to natural resources.<sup>41</sup>

## **Public interest [as used in RMI]**

Information in the public interest is any information the public disclosure of which is of benefit to society at large. This may include, for example, information relating to the policies, management and activities of governments and companies.

## **Recourse**

The ability of stakeholders affected by the activities of a mining company to have their concerns addressed via external assistance. This may include judicial and state-based processes, such as courts of law, as well as non-judicial processes, such as company-based grievance mechanisms.

## **Regional level [as used in RMI]**

At the level of multiple nation-states in geographic proximity to each other, as distinguished from sub-national or national levels.

## **Rehabilitation/reclamation**

The return of land disturbed by mining activity to a state suitable for a subsequent use that is agreed between the operator, the authorities and other stakeholders.<sup>42</sup>

## **Remedy**

“Remedies provided by the grievance mechanisms [...] may take a range of substantive forms the aim of which, generally speaking, will be to counteract or make good any human rights harms that have occurred. Remedy may include apologies, restitution, rehabilitation, financial or non-financial compensation and punitive sanctions (whether criminal or administrative, such as fines), as well as the prevention of harm through, for example, injunctions or guarantees of non-repetition.”<sup>43</sup>

## **Respect (for human rights)**

The responsibility of a company to avoid infringement of human rights and to address adverse impacts with which it is directly or indirectly involved.<sup>44</sup>

## **Responsible business conduct**

Company behaviour that makes positive contributions to sustainable development, avoiding negative impacts, and managing and remedying any adverse impacts where they occur. “Responsible business conduct [also] entails [...] compliance with laws, such as those on respecting human rights, environmental protection, labour relations and financial accountability, even where these are poorly enforced. It also involves responding to societal expectations communicated by channels other than the law, e.g. inter-governmental organisations, within the workplace, by local communities and trade unions, or via the press.”<sup>45</sup>

## **Responsible mining [as used in RMI]**

Mining that demonstrably respects and protects the interests of people and the environment, and contributes discernibly and fairly to broad economic development of the producing country.

## **Retrenchment**

“The elimination of a number of work positions or the dismissal or layoff of a number of workers by an employer, generally by reason of plant closing or for cost savings. Retrenchment does not cover isolated cases of termination of employment for cause or voluntary departure. Retrenchment is often a consequence of adverse economic circumstances or as a result of a reorganization or restructuring.”<sup>46</sup>

## **Salience (See also Materiality)**

The importance of an issue based on the severity of the potential negative impacts involved, whether on people or on the environment. Salience in the context of issues such as human rights, environmental or community issues, stands in contrast to materiality as it considers importance from the perspective of people and the environment rather than importance from the perspective of a particular goal or audience.<sup>47</sup>

## **Salient human rights issues**

“A company’s salient human rights issues are those human rights that stand out because they are at risk of the most severe negative impact through the company’s activities or business relationships. This concept of salience uses the lens of risk to people, not the business, as the starting point, while recognizing that where risks to people’s human rights are greatest, there is strong convergence with risk to the business.”<sup>48</sup>

## **Severity (in reference to impacts)**

Extent of scale, scope and irremediable character of negative impacts, relative to other impacts that have been identified.<sup>49</sup>

## **Skills development**

Increase in the pool of job-relevant skills within the workforce of a producing country, whether by direct training or via educational capacity building, in order to foster opportunities for individual employment and entrepreneurship, and to enhance the productivity and growth of the country as a whole.



### **Skills transfer**

Skills and knowledge gained via employment in one job that have wider applications in the workforce as a whole, thus contributing to the wider skills base of the producing country.

### **Stakeholder**

Any individual or group who has an interest in or may be affected by, a company's or project's activities.

### **Supply chain**

The supply chain of a mining company encompasses the upstream linkages with its suppliers, whether the company's operations are at the exploration, development, production or closure stage.

### **Systematic [as used in RMI]**

A systematic activity is one performed as an integrated element of company-wide formal management systems, as opposed to being conducted on an ad hoc or site-specific basis.

### **Systems [as used in RMI]**

Systems are company-wide policies and processes and/or procedures used to effectively manage a particular issue and achieve continuous improvement in performance. Systems need to be demonstrated to be appropriate, operational and implemented company-wide.

### **Tailings**

Non-marketable ground rock and process effluents that are generated in a mine processing plant. The composition of tailings is directly dependent on the composition of the ore and the process of mineral extraction used on the ore.

### **Tailings dam**

A surface structure in which slurried tailings from the mine processing plant are retained and managed. Tailings dams are generally constructed as conventional dams.

### **Tax benefit**

Any reduction in liability to pay tax. Tax benefits can include, for example, deductions, credits, offsets or rebates.<sup>50</sup>

### **Tax holiday**

A form of fiscal incentive for corporate investment in a particular tax jurisdiction, whereby firms "are not required to pay corporate income tax for a specified time period (e.g., 5 years), with the goal of

encouraging investment. A variant is to provide that a firm does not pay tax until it has recovered its up-front capital costs".<sup>51</sup>

### **Trafficked labour (See also Forced/ compulsory labour; Trafficking)**

Trafficking in persons for the purpose of exploitation for labour.

### **Trafficking (in persons) (See also Forced/ compulsory labour; Trafficked labour)**

Transportation of persons without their informed consent, for the purpose of exploitation.

### **Transparency**

Systematic public disclosure of rules, plans, processes and actions. "Transparency ensures that public officials, civil servants, managers, board members and businessmen act visibly and understandably, and report on their activities. And it means that the general public can hold them to account."<sup>52</sup>

### **Vulnerable groups (See also Excluded groups; Marginalised groups)**

Groups of people identified as vulnerable to systematic exclusion or marginalisation, to suffering human rights abuses, and to disproportionately experiencing negative economic, social and health-related impacts within a particular context.

### **Whistle-blower mechanism**

A systematic procedure that enables individuals from within or external to a company to raise concerns about unethical or unlawful conduct to higher management.

### **Worker [as used in RMI] (See also Employees)**

Any person engaged in work within a mining company or mining operation, regardless of their legal employment status. Workers may or may not have contracts of employment and may work for the company directly or for a contractor or sub-contractor.

### **Youth**

The stage in life between childhood and adulthood, defined by the UN as the ages between 15 and 24 years.<sup>53</sup>

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[http://unfccc.int/files/essential\\_background/background\\_publications\\_htmlpdf/application/pdf/conveng.pdf](http://unfccc.int/files/essential_background/background_publications_htmlpdf/application/pdf/conveng.pdf)
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# Appendix 1

## Mapping of RMI topics to other initiatives

This table shows areas of broad alignment between the topics included in RMI and those covered by a selection of other initiatives.

See Appendix 4 for explanation of acronyms and abbreviations used in this table.

RMI Issue Areas	RMI topics	Other initiatives						
		Africa Mining Vision	AIB Social and Environmental Framework	Aluminium Stewardship Initiative Performance Standard	ASEAN Framework for Extractive Industries, CSR Policy Statement	Asia Development Bank, Safeguard Policy Statement, Safeguard Requirements	Bettercoal Code	
A. Economic Development	A.1 National and Regional Socio-Economic Development Planning	o			o			
	A.2 Procurement							
	A.3 Capacity Building	o	o		o		o	
	A.4 Enhancing the National Skills Base	o					o	
B. Business Conduct	B.1 Business Ethics			o				o
	B.2 Board and Senior Management Accountability and Diversity		o	o	o			
	B.3 Contracts Disclosure				o			
	B.4 Tax Transparency	o			o			
	B.5 Beneficial Ownership				o			
	B.6 Payments to Producing Countries			o				
	B.7 Lobbying Practices and Policy Engagement							
	B.8 Bribery and Corruption			o	o	o	o	o
	B.9 Responsible Contracting and Sourcing		o	o	o	o	o	o
C. Lifecycle Management	C.1 Mine Lifecycle Management			o	o		o	
	C.2 Project Approval Process						o	
	C.3 Post-Closure Viability for Communities and Workers				o		o	
	C.4 Mergers, Acquisition, and Disposal Due Diligence			o			o	
D. Community Wellbeing	D.1 Human Rights	o	o	o	o	o	o	o
	D.2 Community and Stakeholder Engagement	o	o		o	o	o	o
	D.3 Economic and Social Viability	o	o	o	o	o	o	o
	D.4 Community Health and Safety	o	o		o	o	o	o
	D.5 Gender Equity	o	o	o	o	o	o	o
	D.6 Indigenous Peoples		o	o	o	o	o	o
	D.7 Free, Prior and Informed Consent		o	o	o	o	o	o
	D.8 Land Use and Resettlement		o	o	o	o	o	o
	D.9 Artisanal and Small-Scale Mining	o			o		o	
	D.10 Security and Conflict-affected Areas	o	o	o			o	o
	D.11 Grievance and Remedy		o	o	o	o	o	o
E. Working Conditions	E.1 Living Wage		o	o	o		o	
	E.2 Occupational Health and Safety	o	o	o	o	o	o	o
	E.3 Rights to Organise, Collective Bargaining and Freedom of Association		o	o	o		o	
	E.4 Worker Recourse		o	o	o		o	
	E.5 Non-Discrimination and Equal Opportunity		o	o	o		o	
	E.6 Elimination of Forced Labour and Child Labour	o	o	o	o	o	o	o
F. Environmental Responsibility	F.1 Environmental Stewardship	o	o	o	o	o	o	o
	F.2 Tailings Management			o	o	o	o	o
	F.3 Air		o	o		o	o	o
	F.4 Water	o	o	o	o	o	o	o
	F.5 Noise and Vibration		o				o	
	F.6 Biodiversity and Ecosystem Services		o	o	o	o	o	o
	F.7 Climate Change and Energy Efficiency		o	o	o	o	o	o
	F.8 Hazardous Materials Management		o	o	o	o	o	o
	F.9 Emergency Preparedness	o	o	o	o	o	o	o



# Appendix 2

## Mapping of RMI indicators to other initiatives

This table shows areas of alignment between RMI indicators and the content (e.g. indicators, protocols, guidelines) of a selection of other initiatives that have a reporting element. These references are provided as illustrative pointers for companies, showing where they may already be collecting and reporting information similar to RMI indicators.

See Appendix 4 for explanation of acronyms and abbreviations used in this table.

RMI indicators	CDP	CHRB	EITI Standard	GRI	SASB	TSM	UNGC	UNGP (RF)	VPs
<b>A. Economic Development</b>									
A.1 National and Regional Socio-Economic Development Planning									
A.1.1									
A.2 Procurement									
A.2.1				○					
A.2.2									
A.3 Capacity Building									
A.3.1							○		
A.4 Enhancing the National Skills Base									
A.4.1				○					
<b>B. Business Conduct</b>									
B.1 Business Ethics									
B.1.1		○		○					
B.1.2				○					
B.2 Board and Senior Management Accountability and Diversity									
B.2.1	○	○		○				○	
B.2.2				○					
B.3 Contracts Disclosure									
B.3.1		○	○						
B.4 Tax Transparency									
B.4.1		○	○	○					
B.5 Beneficial Ownership									
B.5.1			○	○					
B.6 Payments to Producing Countries									
B.6.1			○	○					
B.7 Lobbying Practices and Policy Engagement									
B.7.1	○			○					
B.7.2									

RMI indicators	CDP	CHRB	EITI Standard	GRI	SASB	TSM	UNGC	UNGP (RF)	VPs
<b>B. Business Conduct</b>									
<b>B.8 Bribery and Corruption</b>									
B.8.1				○	○		○		
B.8.2				○			○		
<b>B.9 Responsible Contracting and Sourcing</b>									
B.9.1		○		○	○		○		
<b>C. Lifecycle Management</b>									
<b>C.1 Mine Lifecycle Management</b>									
C.1.1					○	○			
C.1.2									
<b>C.2 Project Approval Process</b>									
C.2.1							○		
<b>C.3 Post-Closure Viability for Communities and Workers</b>									
C.3.1						○			
C.3.2						○			
C.3.3				○					
C.3.4						○			
<b>C.4 Mergers, Acquisitions, and Disposal Due Diligence</b>									
C.4.1				○					
<b>D. Community Wellbeing</b>									
<b>D.1 Human Rights</b>									
D.1.1		○					○	○	
D.1.2		○		○	○		○	○	
D.1.3		○					○		
D.1.4		○							
<b>D.2 Community and Stakeholder Engagement</b>									
D.2.1		○		○		○		○	
D.2.2						○			
<b>D.3 Economic and Social Viability</b>									
D.3.1				○	○				
D.3.2				○					
D.3.3									
D.3.4									
MS1									
MS2				○					

RMI indicators	CDP	CHRB	EITI Standard	GRI	SASB	TSM	UNGC	UNGP (RF)	VPs
<b>D. Community Wellbeing</b>									
D.4 Community Health and Safety									
D.4.1									
D.5 Gender Equity									
D.5.1				○					
D.6 Indigenous Peoples									
D.6.1		○		○		○			
D.6.2									
D.7 Free, Prior and Informed Consent									
D.7.1		○							
D.8 Land Use and Resettlement									
D.8.1									
D.8.2									
D.8.3									
D.9 Artisanal and Small-Scale Mining									
D.9.1									
D.9.2									
D.10 Security and Conflict-Affected Areas									
D.10.1		○		○			○		○
D.10.2					○				
D.11 Grievance and Remedy									
D.11.1		○		○				○	
MS3		○		○				○	
<b>E. Working Conditions</b>									
E.1 Living Wage									
E.1.1		○							
E.2 Occupational Health and Safety									
E.2.1		○		○		○	○		
E.2.2									
E.2.3		○		○		○			
E.3 Rights to Organise, Collective Bargaining and Freedom of Association									
E.3.1		○		○	○		○		
E.4 Worker Recourse									
E.4.1		○							
MS4		○							
E.5 Non-Discrimination and Equal Opportunity									
E.5.1				○			○		
E.6 Elimination of Forced Labour and Child Labour									
E.6.1				○			○		



RMI indicators	CDP	CHRB	EITI Standard	GRI	SASB	TSM	UNGC	UNGP (RF)	VPs
<b>F. Environmental Responsibility</b>									
<b>F.1 Environmental Stewardship</b>									
F.1.1					o				
F.1.2				o					
F.1.3									
<b>F.2 Tailings Management</b>									
F.2.1					o	o			
<b>F.3 Air</b>									
F.3.1				o	o				
<b>F.4 Water</b>									
F.4.1	o	o		o					
F.4.2	o	o		o					
MS5	o	o		o					
<b>F.5 Noise and Vibration</b>									
F.5.1									
<b>F.6 Biodiversity and Ecosystem Services</b>									
F.6.1				o					
F.6.2				o		o			
MS6				o		o			
<b>F.7 Climate Change and Energy Efficiency</b>									
F.7.1				o					
F.7.2	o			o	o	o			
F.7.3				o	o	o			
<b>F.8 Hazardous Materials Management</b>									
F.8.1				o					
<b>F.9 Emergency Preparedness</b>									
F.9.1						o			
F.9.2									

# Appendix 3

## Mapping of RMI indicators to the UN Sustainable Development Goals

This table shows areas of broad alignment between the indicators included in RMI and the targets set for each of the UN Sustainable Development Goals.

SDGs	RMI Indicators	SDGs	RMI Indicators
	A.1.1; A.2.1; A.2.2; A.3.1; A.4.1; B.7.2; C.1.2; C.3.2; C.3.3; D.3.1; D.3.2; D.8.3; D.9.1; D.9.2; E.1.1; MS1; MS2		A.1.1; A.2.1; A.2.2; A.3.1; A.4.1; B.2.2; B.3.1; B.4.1; B.5.1; B.6.1; B.7.1; C.1.2; C.3.2; D.1.1; D.1.2; D.1.3; D.2.1; D.2.2; D.3.1; D.3.2; D.6.1; D.6.2; D.7.1; D.8.1; D.8.2; D.8.3; D.9.1; D.9.2; E.1.1; E.5.1; MS1; MS2; MS3; MS4
	D.8.1		F.6.1; F.6.2; F.9.1; F.9.2; MS6
	D.4.1; E.2.3; F.2.1; F.3.1; F.4.1; F.4.2; F.8.1; F.9.1; F.9.2; D.2.1; MS5		C.1.1; C.3.1; C.3.4; F.1.1; F.1.2; F.1.3; F.2.1; F.3.1; F.4.1; F.4.2; F.6.1; F.6.2; F.7.1; F.7.2; F.7.3; F.8.1; MS5; MS6
	A.4.1; D.3.3		F.7.1; F.7.2; F.7.3
	B.2.2; D.1.1; D.1.2; D.3.1; D.3.2; D.5.1; D.8.2; E.2.2		F.2.1; F.4.1; F.4.2
	F.2.1; F.4.1; F.4.2; MS5		C.3.1; F.1.1; F.1.2; F.6.1; F.6.2; MS5; MS6
	F.7.3		A.1.1; B.1.1; B.1.2; B.3.1; B.5.1; B.7.1; B.8.1; B.8.2; D.1.1; D.1.2; D.1.3; D.1.4; D.2.1; D.2.2; D.3.3; D.7.1; D.10.1; D.10.2; D.11.1; MS3; MS4
	A.1.1; A.2.1; A.2.2; A.3.1; A.4.1; B.7.1; C.1.2; C.3.2; C.3.3; D.3.2; D.3.4; D.9.1; D.9.2; E.1.1; E.2.1; E.2.3; E.3.1; E.4.1; E.5.1; E.6.1; MS1; MS2; MS4		B.4.1; B.6.1
	A.1.1; A.3.1		

# Appendix 4

## List of key referenced materials

ADB (Asia Development Bank): Safeguard Policy Statement, 2009, and Safeguards Documents (various dates)

Africa Mining Vision (and Africa Mining Vision Action Plan)

Africa Mining Vision: Looking Beyond the Vision: An AMV Compact with Private Sector Leaders, 2011

African Minerals Governance Framework

AIIB (Asian Infrastructure Investment Bank): Social and Environmental Framework, 2016

Aluminium Stewardship Initiative Performance Standard, 2014

ARM (Alliance for Responsible Mining): Fairmined Standard for Gold from Artisanal and Small-scale Mining, including associated precious metals, version 2.0

ASEAN CSR Policy Statement

ASEAN Framework for Extractive Industries Governance in ASEAN, 2014

Bettercoal Code, Version 1

CCCMC (China Chamber of Commerce of Metals, Minerals and Chemicals Importers and Exporters): Guidelines for Social Responsibility in Outbound Mining Investment, 2014

CDP (Carbon Disclosure Project) Climate Change, CDP Forests, CDP Water

Children's Rights and Business Principles (UNICEF, UN Global Compact, Save the Children)

CHRB (Corporate Human Rights Benchmark)

DPI (Development Partner Institute for Mining): A Call to Action, 2017

EITI (Extractive Industries Transparency Initiative) Standard, 2016

Engineers Without Borders Canada, Local Procurement Reporting Mechanism, 2017

Equator Principles III

GRI (Global Reporting Initiative) Standards, 2016

ICMM (International Council on Mining & Metals) 10 Principles and 8 Position Statements (Climate Change, Indigenous Peoples, Mercury Risk Management, Mining Partnerships for Development, Mining and Protected Areas, Tailings Governance, Transparency of Mineral Revenues, Water Stewardship)

IDB (Inter-American Development Bank) Sector Policies and Sector Framework documents (various dates)

IFC (International Finance Corporation) Environmental and Social Performance Standards and Guidance Notes, 2012

ILO (International Labour Organization) Conventions 29, 87, 98, 100, 105, 111, 138, 169, 176, 182

IRMA (Initiative for Responsible Mining Assurance) Draft Standard for Responsible Mining, version 2.0

ISO (International Organization for Standardization) 14001 (Environmental Management Systems) and 26000 (Social Responsibility)

NDB (New Development Bank): Environmental and Social Framework, 2016

NRGI (Natural Resource Governance Institute) Natural Resources Charter, 2014

PDAC (Prospectors and Developers Association of Canada): e3Plus: Principles and Guidance Notes

OECD (Organisation for Economic Co-operation and Development) Development Policy Tools: Corruption in the Extractive Value Chain, 2016 (abbreviated to OECD CEVC)

OECD Due Diligence Guidance for Meaningful Stakeholder Engagement in the Extractives Sector, 2017 (abbreviated to OECD SEES)

OECD Due Diligence Guidance on Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas, 2016

OECD Guidelines for Multinational Enterprises, 2011 (abbreviated to OECD MNE)

OHSAS (Occupational Health and Safety Assessment Series) 18001

RJC (Responsible Jewellery Council) Code of Practices, 2013

SASB (Sustainability Accounting Standards Board) Provisional Mining Standard, 2014

SDG (Sustainable Development Goals)

TSM (Towards Sustainable Mining) Guiding Principles, Protocols and Frameworks

UN Declaration on the Rights of Indigenous Peoples

UNGC (United Nations Global Compact) 10 Principles

UNGC Guidance on Responsible Business in Conflict Affected and High Risk Areas, 2010

UN Guiding Principles on Business and Human Rights

UN Guiding Principles Reporting Framework, 2017 (abbreviated to UNGP (RF))

Voluntary Principles on Security and Human Rights (abbreviated to VPs)

Voluntary Principles on Security and Human Rights: Corporate Pillar Reporting Guidelines, July 2016

WEF (World Economic Forum): Responsible Mineral Development Initiative, 2011 Report

World Bank Environmental and Social Framework, 2017

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