

DE BEERS GROUP

BEST PRACTICE PRINCIPLES

*The Assurance Programme
Requirements 2020*

CONTENTS

PREFACE	2
ABBREVIATIONS	3
A BUSINESS RESPONSIBILITIES	5
A.1 ETHICAL STANDARDS	5
A.2 COMMITMENT	6
A.3 BRIBERY, ANTI-CORRUPTION, FACILITATION PAYMENTS AND GIFTS	6
A.4 FINANCIAL OFFENCES	6
A.5 KIMBERLEY PROCESS AND SYSTEM OF WARRANTIES	7
A.6 SOURCING FROM CONFLICT-AFFECTED AND HIGH-RISK AREAS	8
A.7 PRODUCT SECURITY	17
A.8 DISCLOSURE	17
A.9 MELEE ASSURANCE PROTOCOL FOR SIGHTHOLDERS AND ACCREDITED BUYERS	21
A.10 SUPPLY CHAIN MANAGEMENT/BEST ENDEAVOURS	23
A.11 PROVENANCE CLAIMS	23
A.12 GRADING, ANALYSIS AND APPRAISAL	24
B SOCIAL RESPONSIBILITIES	25
B.1 EMPLOYMENT	25
B.2 HEALTH & SAFETY	26
B.3 NON-DISCRIMINATION AND DISCIPLINARY PRACTICES	28
B.4 CHILD LABOUR	29
B.5 FORCED LABOUR	30
B.6 HUMAN RIGHTS	30
B.7 SOURCING FROM ARTISANAL AND SMALL-SCALE MINING	32
C ENVIRONMENTAL RESPONSIBILITIES	33
C.1 BEST ENVIRONMENTAL PRACTICE AND THE REGULATORY FRAMEWORK	33
D MINING	34
D.1 EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE:	34
D.2 IMPACT ASSESSMENT	34
D.3 COMMUNITY ENGAGEMENT AND DEVELOPMENT	34
D.4 HEALTH & SAFETY EMERGENCY PROCEDURES	36
D.5 BIODIVERSITY	37
D.6 NATURAL RESOURCE MANAGEMENT AND ENVIRONMENTAL RISK	38
D.7 MERCURY	39
D.8 INDIGENOUS PEOPLES	39
D.9 ARTISANAL AND SMALL-SCALE MINING	40
D.10 SECURITY GUARDS	40
D.11 MINE CLOSURE PLANNING	40
D.12 SUSTAINABILITY REPORTING	41
E CORPORATE SOCIAL INVESTMENT AND BUSINESS IMPACT	42
F GOLD, PLATINUM GROUP METALS, SILVER AND COLOURED STONES	44
G INTEGRITY OF THE BPP PROGRAMME	44

PREFACE

This document sets out the detailed requirements of the De Beers Group Best Practice Principles (BPPs). The Requirements consist of those standards that Sightholders or Accredited Buyers, their contractors, as well as De Beers Group and its relevant partners must adhere to in order to demonstrate compliance with the BPPs. It provides definitions, clarification, explicit requirements and performance indicators against which compliance with the BPPs will be assessed and verified, evaluated and reported through the BPP Assurance Programme.

Please note:

These Requirements form part of, and should be read in conjunction with, the BPP Assurance Programme documentation. The BPP Assurance Programme documentation also consists of the BPP Manual and the BPP Workbook.

The BPP Assurance Programme documentation (including these Requirements) should also be read in conjunction with the Supply Agreement documentation, of which the BPPs form an integral part.

Both the BPP Assurance Programme documentation and the Supply Agreement documentation are contractually binding on Sightholders and Accredited Buyers.

Failure to comply with the BPPs and/or the BPP Assurance Programme documentation will constitute a breach of the Supply Agreement Requirements and will result in appropriate action being taken by De Beers Group pursuant to that documentation.

Please note that these Requirements may be updated from time to time, as required, by BPPCo.

These Requirements are rooted in the international framework of human rights, which comprises three main items: the Universal Declaration of Human Rights (UN 1948); the labour standards embodied in the Fundamental Conventions of the International Labour Organisation (ILO 1930-1999); and the Rio Declaration on Environment and Development (UN 1992).

These are binding for signatory nation states and are considered to provide the basis of responsible business practices and initiatives, including The Responsible Jewellery Council and The UN Global Compact's Ten Principles.

These Requirements are presented in five parts: Business Responsibilities, Social Responsibilities, Environmental Responsibilities, the Mining Supplement and more General Considerations.

ABBREVIATIONS

Please refer to the following glossary for definitions of abbreviations that are found in this document.

APELL:

Awareness and Preparedness for Emergencies at the Local Level (APELL), is a programme developed by United Nations Environment Programme (UNEP) in conjunction with governments and industry with the purpose of minimising the occurrence and harmful effects of technological accidents and environmental emergencies.

Canada

Canadian Guidelines with Respect to the Sale and Marketing of Diamonds, Coloured Gemstones and Pearls, revised 2003.

CIBJO

World Jewellery Confederation (CIBJO) 'Blue Book', comprising the Diamond Book, the Gemstone Book and the Pearl Book, 1999 edition.

EC Directive

Refers to the Directive 2001/97/EC of the European Parliament and of the Council of 4 December 2001, Amending Council Directive 91/308/EEC on Prevention of the use of the Financial System for the Purpose of Money Laundering.

EITI

The Extractive Industries Transparency Initiative, a coalition of governments, companies, civil society groups, investors and international organisations with a global standard for transparency in oil, gas and mining.

ETI

The Ethical Trading Initiative Base Code (1998), an auditable code aimed at maintaining ethical operations throughout the supply chain.

FATF

Financial Action Task Force, an inter-governmental body of over 130 nations dedicated to combating all forms of money laundering and terrorism financing.

ICESCR

International Covenant on Economic, Social and Cultural Rights (1966), a United Nations treaty focusing on developmental rights such as the right to work, the right to join trade unions and the rights to housing and food.

ILO

The International Labour Organisation (ILO), a UN specialised agency that formulates international labour standards in the form of Conventions and Recommendations, setting minimum standards of basic labour rights.

OECD

Organisation of Economic Co-operation and Development, groups 30 member countries sharing a commitment to democratic government and the market economy, and has relationships with 70 other countries and NGOs/civil society.

RD

The Rio Declaration on Environment and Development (1992), an international binding agreement to protect the global environment via a set of defined principles.

RJC

Responsible Jewellery Council is an international, not-for-profit organisation established to reinforce consumer confidence in the jewellery industry by advancing responsible business practices throughout the diamond and gold jewellery supply chain.

TDP

Tripartite Declaration of Principles Concerning Multinational Enterprises and Social Policy, 1977 Document (ILO).

UN Norms

Norms on the Responsibilities of Transnational Corporations and Other Business Enterprises with regard to Human Rights (2003), which were developed by the UN Sub-Commission on the Promotion and Protection of Human Rights.

Save to the extent expressly stated to the contrary, words and expressions defined in the Supply Agreement documentation (including, for the avoidance of any doubt, the Manual) shall have the same meaning for the purposes of these Requirements.

For further information regarding the International Laws, Covenants, Regulations and Agreements that provide the legal referencing for the ensuing information, please refer to the following website address: <http://www.business-humanrights.org>, and the Resources Appendix at the end of this document.

DEFINITIONS

For the purposes of this document and the Best Practice Principles Assurance Programme the following definitions shall apply:

Apprentices	Workers who are doing vocational training in the workplace for a fixed period. The fundamental aim of an apprenticeship is to learn a trade or acquire a skill. Apprentices do not participate fully in the production process of the unit because they work under an apprentice’s contract that stipulates this, or because the fact that they are undertaking vocational training impinges significantly on their productivity.
Contractor	An Individual, company or other legal entity that performs services or carries out work for any Sightholder, or Accredited Buyer, or De Beers Group entity, in connection with the prospecting, mining, buying and/or selling, or manufacturing of diamonds or diamond jewellery. This includes subcontractors and virtual contractors.
Core Diamond Worker	An employee either directly or indirectly employed, directly engaged in processing diamonds within the diamond pipeline.
Counterparty	Any supplier or customer of diamonds or diamond jewellery products with whom you do business.
Diamond	A diamond is a natural mineral consisting essentially of pure carbon crystallised with a cubic structure in the isometric system. Its hardness in the Mohs scale is 10; its specific gravity is approximately 3.52; it has a refractive index of 2.42 and it can be found in many colours.
Diamond Simulant	A diamond simulant is any object or product used to imitate diamond or some or all of its properties and includes any material which does not meet the requirements specified in the definition of diamond above.
Facilitation Payment	Facilitation payments are paid to receive preferential treatment for something that the payment receiver is otherwise still required to do.
Gold	Gold is a chemical element with the symbol Au, an atomic number of 79 and a mineral with specific hardness of 2.5-3 on the Mohs scale of hardness. It is a highly sought after precious metal that is generally used for coinage, jewellery and other arts as well as having a number of industrial applications.
Hazardous Substance	Any material that poses a threat to human health and/or the environment.
Non-Core Diamond Worker	An employee engaged in non-diamond related work within an entity whose main revenues are derived from diamonds (e.g. cleaners/security guards/canteen staff).
Non-Substantial Contractor	A contractor, as defined above, that generates less than 75% of its revenue from one group entity/company/facility within De Beers Group, or a Sightholder group or an Accredited Buyer group. De Beers Group reserves the right to change this threshold in future.
Substantial Contractor	A contractor, as defined above, that generates 75% or more of its revenue from one group entity/company/facility within De Beers Group or a Sightholder Group, or an Accredited Buyer Group. De Beers Group reserves the right to change this threshold in future.
Synthetic Diamond	A synthetic diamond is any object or product that has been either partially or wholly crystallised or re-crystallised due to artificial human intervention such that, with the exception of being non-natural, the product meets the requirements specified in the definition of the word ‘diamond’ as defined above.
Treated Diamond	A treated diamond is any object or product that meets the requirements specified in the definition of the word ‘diamond’ as defined above or the word ‘synthetic diamond’ as defined above that has been subject to a ‘treatment’ as defined below.
Treatment	Treatment means any process, treatment or enhancements changing, interfering with and/or contaminating the natural appearance or composition of a diamond other than the historically accepted practices of cutting and polishing. It includes colour (and decolourisation) treatment, fracture, filling, laser and irradiation treatment and coating.

Vulnerable Workers	Specific groups of people, such as women, migrants, people with disabilities, ethnic or religious groups, that exist within a larger population and that are at higher risk of being harassed, exploited or in any other way discriminated against.
Worker	“Worker” means any individual who undertakes to do or perform personally any work or services for the Sightholder or Accredited Buyer/company/entity/facility and whose status is not that of a client or customer of the Sightholder or Accredited Buyer/company/entity/facility. For the avoidance of doubt this definition shall include contractors and permanent, temporary, seasonal, core diamond workers, non-core diamond workers, full and part-time employees of any status at director, manager and subordinate levels.

A BUSINESS RESPONSIBILITIES

A.1 ETHICAL STANDARDS

- A.1.1 To maintain and enhance consumer trust in, and the reputation of, the gem diamond industry, De Beers Group is committed to combating dishonesty and fraud in all business transactions. De Beers Group BPPs require Sightholders or Accredited Buyers and their contractors to make identical commitments.
- A.1.2 De Beers Group is committed to putting in place programmes that monitor the effectiveness of these commitments and to support all workers in that endeavour. De Beers Group BPPs require Sightholders or Accredited Buyers, to develop similar programmes to achieve the same outcome.
- A.1.3 All businesses should adhere to national laws. Where no appropriate national laws exist, the appropriate United Nations and/or International Labour Organisation ('ILO') Conventions and Declarations should be followed. Furthermore, where local laws stipulate certain general standards but provide that certain businesses (for example, small businesses) are subject to lower or no set standards, De Beers Group require compliance with the general standards. Where local laws exist on issues within the BPP Requirements, De Beers Group require compliance with whichever is the most stringent.
- A.1.4 No practice or conduct must be engaged in that brings the diamond industry into disrepute, including but not limited to:
- Any activity that results in a material criminal conviction.
 - Buying and trading rough diamonds from areas where this would encourage or support conflict and human suffering.
 - Practices which intentionally or recklessly endanger or harm the health and welfare of individuals.
 - Non-compliance with international best practice and the related regulatory framework with respect to the environment.
 - Any conduct that seeks to deceive, mislead, cheat or delude the consumer including:
 - Any undeclared or misrepresented trade in treated diamonds, whole or partial synthetic diamonds, or diamond simulants;
 - Any trade misrepresenting the colour, clarity, caratage, cut and provenance of a diamond.
- A.1.5 All De Beers Group Business Units should adopt the Code of Conduct that brings together all the core principles and policies for employees and contractors and acts as a guide to making the right decisions.
- A.1.6 The Code of Conduct shall include all relevant policies, principles and values to enable employees to live the values and make the right decisions.
- A.1.7 All De Beers Group Business Units should ensure that records of communication are maintained.
- A.1.8 All De Beers Group Business Units should ensure the Code of Conduct has been adopted.
- A.1.9 All De Beers Group Business Units should establish an on-going process to ensure that all new employees and contractors are given a copy of the Code of Conduct and have received the relevant awareness/communication.

A.2 COMMITMENT

The Group should demonstrate commitment to responsible business practices both internally to employees, and publicly to stakeholders with reference to alignment with the UN-adopted Sustainable Development Goals.

- A.2.1 A policy, endorsed by senior management, is required to demonstrate commitment to responsible business practices for all parts of the business. It should be documented and actively communicated to employees in addition to being made publicly available.
- A.2.2 Senior management should continuously monitor and document the implementation of the policy and procedures along with the performance throughout the business. A formal performance review shall be undertaken and documented to identify any gaps that occur between the policy and the business practices. This review should take place frequently throughout the year, potentially as part of the board meetings, and any suggested changes should be either deemed unnecessary or implemented not only in the specific entity but also in any other relevant parts of the business.
- A.2.3 The entity shall identify issues relevant to the BPPs and/or RJC Code of Practices Membership through their own operations, or, through involvement in community initiatives and communicate publicly their policies or positions along with any actions that were taken or objectives to their stakeholders at least annually.

A.3 BRIBERY, ANTI-CORRUPTION, FACILITATION PAYMENTS AND GIFTS

- A.3.1 Entities must implement effective policies and adequate procedures to prohibit involvement in bribery in all business practices and transactions that are carried out by them, or on their behalf by Business Partners. They will not offer, accept or countenance any payments, gifts in kind, hospitality, expenses or promises as such that may compromise the principles of fair competition or constitute an attempt to obtain or retain business for or with, or direct business to, any person; to influence the course of the business or governmental decision-making process. Procedures must include:
 - Identification and monitoring of high risk areas of the business
 - Training at all levels on policies and procedures
 - Records of relevant benefits or gifts
- A.3.2 Entities will provide systems accessible to all stakeholders for the reporting and investigation of allegations of attempted bribery or inappropriate gifts within their organisation and will apply the appropriate sanctions for bribery and attempted bribery in all forms. This will include clear communication to their workers that they will not suffer retaliation for such reports or refusing to pay a bribe or facilitation payment even if this action may result in the entity losing business.

Where entities have not yet been able to eliminate facilitation payments, they will implement appropriate controls to monitor, oversee and fully account for all facilitation payments made. They will work to ensure that they are of limited nature and scope, with an ultimate objective to eliminate all facilitation payments.

A.4 FINANCIAL OFFENCES

- A.4.1 Compliance is required with national, and where appropriate international, legislation and regulations with respect to money laundering, terrorism financing, bribery, corruption, smuggling, embezzlement, fraud, racketeering, transfer pricing and tax evasion.
- A.4.2 If entities and/or facilities are not included in any other financial accounts (for example, but not limited to, those of a parent company), they will need annual independently audited financial accounts (or reviews in jurisdictions where permitted), and will need to demonstrate that the audit was carried out by a properly qualified auditor to international accounting standards and that the appointment of the auditor was free of any bias or influence.
- A.4.3 Financial auditors should be alerted to applicable national legislation imposing special anti-money laundering/combating the financing of terrorism compliance rules on dealers in precious stones or high value goods.

- A.4.4 Where applicable, entities will need to demonstrate that they have taken appropriate action to comply with:
- All relevant provisions of the USA Patriot Act, specifically including the Regulations for Jewellers and Metal Dealers issued by the U.S. Treasury's Financial Crimes Enforcement Network (FinCEN) in accordance with USA Patriot Act Section 352;
 - The EC Directive on Prevention of the use of the Financial System for the purpose of Money Laundering (EC Directive 2001/97) as transposed into national legislation of Member States of the European Union in which such entities are incorporated or carrying on diamond-related business.
 - To the extent that the OECD Guidelines for Multinational Enterprises are incorporated into or otherwise reflected in national legislation of countries in which an entity is incorporated or operates; compliance is required with the Guidelines.
- A.4.5 Where applicable, entities will need to demonstrate that they have taken appropriate action to satisfy:
- United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances, also known as the 1988 Vienna Convention.
 - The relevant provisions in the FATF 40 Recommendations and 9 Special Recommendations that are applicable to the Designated Non-Financial Business Professions (DNFBP), which includes dealers in precious stones (i.e. diamantaires and jewellers).
 - Entities must apply high standards in the selection, screening and acceptance of suppliers and purchasers of rough and polished diamonds, ensuring anti-money laundering policies and procedures are adopted, mandating due diligence during the selection process, continued transaction monitoring and relevant and appropriate worker training.
- A.4.6 Entities must demonstrate that they are fully informed of all relevant legislation and regulations regarding bribery and facilitation payments in all relevant jurisdictions ensuring policies are developed and clearly explained to the relevant employees. This must include a documented Know Your Counterparty (KYC) policy and procedures which enable the entity to maintain an understanding of the nature and legitimacy of the counterparty's business. This must include:
- Identification and verification of counterparties, by checking government-issued identification and government listings for money laundering, fraud, involvement in prohibited organisations and/or financing conflict.
 - Monitoring transactions and report suspicious transactions to relevant authorities.
 - Maintaining records for at least 5 years (or longer if required by national legislation).
 - A nominated individual responsible for implementation of KYC policy and procedures.
 - Training, documentation and regular review.
 - Entities must maintain records of all single or apparently linked cash or cash-like transactions equal to or above €10,000 euros/\$10,000/USD or the threshold defined by applicable law (whichever is lower) and, where required by law, implement a process to report such transactions to the relevant designated authority.

A.5 KIMBERLEY PROCESS AND SYSTEM OF WARRANTIES

- A.5.1 The definition of 'Conflict Diamonds' agreed by the Kimberley Process must be adopted. That definition is as follows:

"rough diamonds used by rebel movements or their allies to finance conflict aimed at undermining legitimate governments, as described in relevant United Nations Security Council (UNSC) resolutions insofar as they remain in effect, or in other similar UNSC resolutions which may be adopted in the future, and as understood and recognised in United Nations General Assembly (UNGA) Resolution 55/56, or in other similar UNGA resolutions which may be adopted in future."

A.5.2 The World Diamond Council proposed system of warranties must be adopted and all buyers and sellers of both rough and polished diamonds must make the following affirmative statement with no deviations on all invoices, tailoring it to the specific purchasing practices:

"The diamonds herein invoiced have been {sourced} purchased from legitimate sources not involved in funding conflict, in compliance with United Nations Resolutions and corresponding national laws {where the invoice is generated}**. The seller hereby guarantees that these diamonds are conflict free and confirms adherence to the WDC SoW Guidelines."*

**{sourced} - may be used by companies that do not purchase from open market, but source and aggregate diamonds from production facilities that are owned/partly owned by them*

***{where the invoice is generated} - may be used by companies if they specifically want to reference the country of invoice issuance*

A.5.3 The rules of the Kimberley Process and the requirements of the World Diamond Council shall be effectively communicated to the relevant workers involved in the buying and selling of rough diamonds and/ or the buying and selling of polished diamonds and/ or diamond jewellery.

A.5.4 In addition, each company trading in rough and polished diamonds is obliged to keep records of Kimberley Process Certificates and warranty invoices received, and the warranty invoices issued, when buying or selling diamonds for a minimum of 3 years. This flow of certificates and warranties in, and certificates and warranties out, must be audited and reconciled on an annual basis by the company's/entity's/facility's own auditors or external auditor if required by legislation. If asked by a duly authorised government agency, or Third Party Auditor, these records must be able to prove that the company/entity/facility is in compliance with the Kimberley Process.

A.5.5 The company/entity/facility must have a system or process in place to maintain awareness of and comply with applicable national and international sanctions that prohibit transactions or trade involving diamonds with sanctioned individuals, entities or organisations.

A.6 SOURCING FROM CONFLICT-AFFECTED AND HIGH-RISK AREAS

A.6.1 Entities must implement robust due diligence practices in accordance with the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas (the 'OECD Guidance') or other equivalent due diligence frameworks in ways appropriate to their size and circumstances.

A.6.2 Entities should approach this section through a group-wide approach to their group of companies, while accommodating for the individual contexts of various subsidiaries as relevant within its group-wide and framework to responsible sourcing. For example, a group of companies predominantly focused on cutting and polishing diamonds but with a single subsidiary in jewellery manufacturing should maintain its focus on its cutting and polishing entities, but ensure and demonstrate that consideration for jewellery manufacturing has been applied to its policies, procedures, training, risk assessment and reporting.

STEP 1: MANAGEMENT SYSTEMS

A.6.3 Entities must adopt and implement a supply chain policy with respect to sourcing from conflict-affected and high-risk areas (CAHRAs), consistent with the OECD Guidance. This policy can be embedded within a broader responsible sourcing policy.

A.6.4 The supply chain policy must be endorsed at the highest levels of the organisation, such as through executive level governance committees or executive level sponsorship.

A.6.5 Entities must appoint a senior manager with sufficient seniority, responsibility authority and experience to manage and implement the sourcing policy and its accompanying procedures.

A.6.6 Appropriate resources should be available to implement the policy and procedures.

- A.6.7 The senior manager's role will include the following:
- Lead the supply chain policy's development and implementation;
 - co-ordinate and communicate the policy's implementation across the organisation;
 - work to ensure all relevant suppliers respect the policy, and review business relationships with suppliers based on risk levels;
 - carry out internal and (if relevant) external training;
 - respond to identified supply chain risks;
 - publicly report on due diligence every year and
 - review and propose improvements to the due diligence system.
- A.6.8 Entities must publicly communicate their policy position on sourcing from conflict-affected and high-risk areas in ways that are appropriate to the nature and scale of the organisation, such as through their company website.
- A.6.9 Where relevant, the entity will need to implement its policy requirements within relevant contracts, such as with suppliers.
- A.6.10 Entities can align other due diligence practices with the implementation of the policy, such as (and not limited to) its human rights due diligence processes and Know Your Counterparty processes.
- A.6.11 Entities shall ensure that they identify relevant employees that would require training on this policy, such as buying teams, invoicing teams, sales and marketing teams.
- A.6.12 Entities shall ensure that the relevant personnel are trained on sourcing practices and that ongoing training is implemented, either based on a timeframe and/or on changes to the policy to ensure that they are aware of the Group's requirements,
- A.6.13 Entities need to maintain records of all aspects of its sourcing due diligence activities for a minimum of five year.
- A.6.14 Records of sourcing due diligence activities can include, but are not limited to, invoices received, correspondence with suppliers, supplier contracts, supplier due diligence research, country risks and questionnaires.
- A.6.15 The entity shall define the instances when it will terminate or suspend a supplier.
- A.6.16 The entity shall seek to establish strong relationships with its suppliers through longer term contracts rather than short one-offs.
- A.6.17 The entity will communicate its due diligence requirements and its supply chain policy requirements to its suppliers through appropriate measures, including email updates, training for suppliers, examples of requirements.
- A.6.18 The entity will start to implement contractual provisions amongst its suppliers when up for renewal to include provisions relating to the sharing of due diligence information.
- A.6.19 Entities shall, where practical, encourage suppliers to include provisions in their own contracts with their suppliers.
- A.6.20 The entity will establish an effective grievance mechanism that offers all parties, including affected stakeholders and whistleblowers, a way to raise concerns about the business, organisations, individuals or activities in its supply chains.
- A.6.21 The grievance mechanism can be the same one as that required for Human Rights due diligence.

A.6.22 The entity shall ensure that:

- The mechanism is easily accessible to all who may wish to use it: this means allowing for grievances to be submitted in multiple ways—by email, letter, telephone and in person.
- Whistle-blowers will be protected by allowing them to remain anonymous.
- Accurate and updated log of all grievances and follow-up actions is maintained.
- A transparent process and procedure for responding to grievances is established that ensures all grievances are responded to in a timely and efficient manner.
- Grievances are tracked with a verifiable corrective action that can be monitored and assessed.
- If a grievance is dismissed without any follow-up, accurately log and record full justifications and details of any investigation

A.6.23 Entities shall commit to and undertake a formal review of its policy and procedures on an annual basis.

STEP 2: IDENTIFY AND ASSESS RISKS

A.6.24 Entities must establish which position they are in within the diamond value chain:

Upstream Companies	Midstream Companies	Downstream Companies
<ul style="list-style-type: none"> • Exploration • Mining Companies • Artisanal and Small-scale miners (ASM) • Rough Exporters (first export) 	Traders (rough and polished), cutting and polishing: <ul style="list-style-type: none"> • Tier 1: sourcing directly from exploration, mining companies and/or artisanal and small-scale miners (ASM) • Tier 2: Source from rough exporter, Tier 1 entities, or from other Tier 2 entities 	<ul style="list-style-type: none"> • Polished-only Traders • Jewellery Manufacturing • Jewellery Wholesaler • Jewellery Retail

- A.6.25 Depending on its position within the diamond value chain, the entity must seek to secure the appropriate product information from each of its diamond suppliers, while maintaining appropriate confidentiality in respect of sensitive information as appropriate.
- Gather information for your own operations for each of your suppliers.
 - You can gather or share information on a, b and c (see Table 1.1) once and then just update it when there are changes. Review this information at least once every year. You may need to gather or share information on d and e (see Table 1.1) for every shipment, parcel or consignment if these vary.
 - This information may not always be available (e.g. if you are sourcing from ASM); use your best endeavours to gather what information is available.

Table 1.1 – The product information that Upstream Companies and Tier 1 Midstream Companies should seek from each of their diamond suppliers.

	Information to gather for your internal systems (and/or from suppliers if applicable)	Information to share with buyers
All supply chains	a. The origin of stones, with the greatest possible specificity. This information can be provided in aggregated form (e.g. a list of all mines, companies, regions or geographical locations that material come from).	Same as information to gather, with due regard for commercial sensitivity.
	b. All locations where stones are consolidated before export.	Same as information to gather, with due regard for commercial sensitivity.
	c. The method of extraction (ASM or large-scale mining).	Same as information to gather, with due regard for commercial sensitivity.
	d. The weight and, if relevant, other characteristics of the stones (e.g. product classification, type and physical description).	Same as information to gather, with due regard for commercial sensitivity.
	e. The transportation routes of stones (information shared with due regard to security).	Same as information to gather, with due regard for commercial sensitivity.
Red-flag supply chains only	f. The identity of all suppliers and relevant service providers (e.g. transport companies) from the origin through to export/import – in particular, their ownership (including beneficial ownership); corporate structure (including names of corporate officers and directors); and business, government, political or military affiliations.	Assurance that you are gathering this information.
	g. All taxes, fees or royalties paid to government related to the material's extraction, trade, transport and export.	
	h. All payments or compensation made to government agencies and officials related to the material's extraction, trade, transport and export (including facilitation payments).	
	i. All payments made to public or private security forces or other armed groups at all points in the supply chain from extraction onwards (unless prohibited under applicable law).	

- Gather information for your own operations for each of your suppliers.
- You can gather or share information on a, b and c once and then just update it when there are changes. Review this information at least once every year. You may need to gather or share information on d and e for every shipment, parcel or consignment if these vary.
- This information may not always be available (e.g. if you are sourcing from ASM); use your best endeavours to gather what information is available.

Table 1.2: The product information that Tier 2 Midstream Companies and Downstream Companies should seek from each of their diamond suppliers.

All supply chains	a. The identity of immediate suppliers.
	b. The sources of stones. This information can be provided in aggregated form (e.g. a list of all countries, areas and/or companies where material comes from). Try to identify the rough exporter (first export from country of mining origin) or Tier 1 midstream company if possible, and if not, then try to identify the furthest upstream point in the known supply chain.
	c. Where available, evidence that immediate suppliers have carried out due diligence based on an approach that is aligned with the OECD Guidance.
	d. Where available, evidence that your immediate suppliers have done the same with their immediate suppliers, and encouraged the same further up the supply chain (e.g. through inclusion in contractual agreements).
Red-flag supplier	e. Evidence of audits carried out in conformance with the OECD Guidance, covering the sourcing practices of red-flag suppliers.

Table 1.3: Information needed to determine source of the different types of material for Upstream and Tier 1 Midstream Companies:

Material type	Definition	Information needed in determining source
Mined material	Rough and polished diamonds and coloured gemstones that come from mines.	Seek information on the origin and/or source as outlined in the tables above according to your position in the supply chain.
Recycled material	Polished diamonds and coloured gemstones that had a prior use by a consumer and have re-entered the supply chain to be recut and polished and/or resold.	Confirm that the material received is recycled material and obtain sufficient information to reasonably confirm that the stones are not falsely represented as recycled to hide their origin.
Grandfathered material	Existing stock of diamonds/ coloured gemstones purchased before 23 April 2019.	Origin determination is not required unless there is reasonable evidence to suspect the authenticity of the grandfathered status of the material. Appropriate invoices, purchase orders, and inventory lists to verify the purchase date must be available and kept on record for all grandfathered stones.

- A.6.26 Information can be sought through many ways including company websites, checklists, forms, invoices, establishing contractual obligations and collecting and documenting information received during meetings.
- A.6.27 The entity shall keep records of all information obtained and efforts to obtain information for a minimum period of five years.
- A.6.28 The entity shall commit to making the information it has obtained available to its buyers further downstream and auditors upon request.
- A.6.29 In instances when suppliers are unable or unwilling to provide requested information, the entity shall seek to exploit all possible opportunities with these suppliers to obtain the information. In some instances, this will be easy to resolve while other instances will require complex solutions. All options should be exhausted prior to making a decision to terminate or suspend the supplier and records maintained of the efforts undertaken.

A.6.30 The entity shall undertake a process to identify any red flags within its supply chain based on the due diligence information received. A red flag is a warning or indicator of a potential risk. In the context of due diligence, a red flag can be a location, supplier or circumstance that triggers a need for enhanced due diligence (that is, further investigation).

Table 1.4 – list of red flags as defined by the OECD:

Type of red flag	Description of red flag
Red-flag locations (locations of origin and transport)	The material originates from or has been transported through a CAHRA.
	The material is claimed to originate from a country with limited known supplies (that is, the declared volumes of diamonds or coloured gemstones from that country are out of keeping with its known reserves or expected production levels).
	The material is claimed to originate from a country through which material from CAHRAs is known or reasonably suspected to pass through.
	The material is claimed to be recycled in a country where diamonds or coloured gemstones from CAHRAs are known or reasonably suspected to pass through.
Red-flag supplier	Suppliers or other known upstream companies that operate in one of the above-mentioned red-flag locations, or have shareholder or other commercial interests in suppliers from these red-flag locations.
	Suppliers or other known upstream companies are known to have sourced material from a red-flag location in the last 12 months.
Red-flag circumstances	Anomalies or unusual circumstances are identified through the information collected, which give rise to a reasonable suspicion that the extraction, transport or trade of the material may contribute to conflict or be associated with serious abuses.
<p>The process for identifying location or supplier red flags varies depending on where you are in the supply chain:</p> <p>If you are an upstream company or Tier 1 midstream company, you need to look at all countries, regions and areas that you operate in, source from, plan to source from or transport material through, and establish whether or not they are CAHRAs.</p> <p>If you are a Tier 2 midstream or downstream company, you need to ask your immediate suppliers for their due diligence information. They, in turn, should be seeking this information from their suppliers and providing you with the names and due diligence information, in aggregate, of the rough exporters (first export from country of mining origin) or Tier 1 midstream companies if possible. If not, then the furthest upstream companies in the known supply chain (the source) should be provided. You should review this to see if your suppliers have, or reasonably should have, recorded any red flags.</p>	

A.6.31 The presence of ASM-sourced diamonds does not automatically imply a red flag.

There are many resources available for identifying Conflict-Affected and High-Risk Areas (CAHRAs) including:

- Research reports from governments, international organisations, non-governmental organisations (NGOs) and media;
- maps, UN reports and UN Security Council sanction lists; and
- relevant industry literature on the material's extraction, and its impacts on conflict and human rights.

Key focus areas include:

- Governances – areas with weak or no governance or security, including:
 - Political instability or repression
 - Institutional weakness
 - Insecurity
 - Collapse of civil infrastructure
 - Widespread violence.
- Human rights – areas affected by widespread human rights abuses and violations of law including:
 - Torture or cruel and degrading treatment
 - Forced and child labour
 - Widespread sexual violence
 - War crimes
 - Crimes against humanity
 - Genocide.
- Conflict: areas in a state of conflict, including:
 - International conflict
 - Wars of liberation or insurgencies.
 - Civil wars
 - Any other armed aggression.

The adverse impacts related to CAHRAs specifically related to mineral supply chains are:

- Serious abuses associated with the extraction, transport or trade of minerals.
- Any forms of torture, cruel, inhuman and degrading treatment.
- Any forms of forced or compulsory labour.
- The worst forms of child labour.
- Other gross human rights violations and abuses such as widespread sexual violence.
- War crimes or other serious violations of international humanitarian law, crimes against humanity or genocide.
- Direct or indirect support to non-state armed groups (covered by the KPCS for diamonds).
- Direct or indirect support to public or private security forces.
- Bribery and fraudulent misrepresentation of the origin of minerals.
- Money laundering and non-payment of taxes and royalties due to governments.

Source: OECD Guidance: Annex II Model Supply Chain Policy

A.6.32 The Presence of red flags does not mean adverse impacts have occurred in your supply chain and risk assessment needs to be undertaken to identify whether there is a presence of adverse impacts related to CAHRAs.

A.6.33 If the entity has been able to reasonably determine that these red flags are not present in its supply chain, then the sources can be considered low risk, requiring minimal further action other than ensuring that:

- Its company management system continues to work effectively; and that
- The entity reports publicly on its due diligence practices.

STEP 3: DESIGN AND IMPLEMENT RISK MITIGATION

A.6.34 Where red flags are identified, the following steps must be undertaken, depending on the type of company the entity is:

- Map the factual circumstances of red-flag territories for current and future operations by gathering available information, for example through:
- **An in-depth review of the context** of all red-flag locations
 - Generate or review reports, maps and relevant literature on extraction, transport and trade in the red-flag location.
 - Engage with stakeholders by consulting, for example, with local and central governments, local civil society organisations, community networks, etc.
 - If you are sourcing from other upstream suppliers, review their working policies and systems (e.g. through desktop research)
- **On-the-ground assessments** to generate and maintain information on how rough diamonds and coloured gemstones are extracted, traded, handled and exported. Whether you are a mining company only dealing with your own production or a mining company, rough trader, exporter or importer sourcing from other miners, carry out your assessment ensuring that:
 - Your assessors are independent from the activity being assessed and free from conflicts of interest.
 - The appropriate level of competence and expertise is deployed, whether this is with internal or external experts.
- In situations where many companies are operating in a similar area (for example, sourcing from an ASM area), consider establishing a joint assessment team with other companies or through an industry or multi-stakeholder mechanism or initiative.

A.6.35 If you are a Tier 2 midstream or downstream company:

- Further evaluate the due diligence and risk mitigation practices of rough exporters (first export from country of mining origin) or Tier 1 midstream companies if possible, and if not, then the due diligence and risk mitigation practices of suppliers furthest upstream in the known supply chain.
- Consider any information that is available from upstream companies in the red-flag supply chain.
- If the due diligence practices of any upstream companies in that supply chain have been independently audited against a relevant standard, try to get the results and review them.
- Alternatively, Tier 2 midstream or downstream companies may identify through industry cooperation and schemes the rough exporters or Tier 1 midstream companies that meet the requirements of this guidance in order to source there from.

A.6.36 In instances where risks or presence of adverse impacts have been identified, a risk management strategy needs to be designed and implemented, appropriate to the nature and scale of your organisation and realistic ability to implement mitigating measures.

Table 1.5

Identified risk of adverse impact	Appropriate response
Serious abuses associated with the extraction, trade and transport of minerals	Immediately suspend or disengage from suppliers. Mitigate where possible.
Direct or indirect support to non-state armed groups	Immediately suspend or disengage from suppliers. Mitigate where possible.
Direct or indirect support to public or private security forces who illegally control mine sites, transport routes and upstream actors (including illegal taxation)	Continue, or temporarily suspend, trade with suppliers but implement measurable mitigative actions, Suspend or disengage if mitigation measures are ineffective.
Bribery and fraudulent misrepresentation of the origin of minerals	Continue, or temporarily suspend, trade with suppliers but implement measurable mitigative actions, Suspend or disengage if mitigation measures are ineffective.

- A.6.37 The entity shall consider factors such as severity and probability in its assessment and mitigation plans
- A.6.38 For upstream and Tier 1 companies your mitigation management plan for red flags should:
- Establish a traceability system that collects and maintains information that is specific to red-flag supply. This means that parcels can be tracked from extraction through to export and each actor involved in the trade and transport can be identified.
 - Enhance physical security practices over the supply chain.
 - Monitoring and tracking performance of risk mitigation may be done in co-operation or consultation with local and central authorities and other relevant stakeholders. Consider establishing or supporting worker or community-based networks to monitor risk mitigation.
- A.6.39 In some cases, material may have been purchased with adequate due diligence and in good faith before becoming aware of a reasonable risk of serious abuses or support to non-state armed groups (and therefore before suspending or disengaging trade). In these cases, you should temporarily physically segregate supplies you have already purchased until the risk is resolved. If the risk is not resolved, seek legal advice on selling the material and be transparent with potential clients about your good faith due diligence efforts and mitigation actions
- A.6.40 Traceability is only required when red flags are identified and only for upstream and Tier 1 midstream companies. Traceability can be per mixed parcel or batches.
- A.6.41 If you are a Tier 2 midstream or downstream company, base your risk management plan on enhanced engagement with suppliers and strengthening systems of information collection. This includes ensuring that the information you receive from suppliers on the source with the identified risk is regularly updated.
- A.6.42 The entity must define a timeframe for achieving significant measurable improvement (maximum six months) and continue monitoring the supply chain to assess your plan's effectiveness.
- A.6.43 If, after reasonable efforts at mitigation, the entity still fails to achieve its desired outcomes, it should disengage from the supplier.
- A.6.44 If circumstances with the supplier change, such as their supply processes or sources, additional fact and risk assessment should be undertaken due to these changes in circumstance.
- A.6.45 Findings of supply chains risk assessment shall be reported to the designated senior management and risk mitigations shall be monitored appropriately.

STEP 4: THIRD PARTY ASSESSMENT OF COMPANY DUE DILIGENCE PRACTICES

- A.6.46 The entity shall undertake a third-party audit of its full due diligence practices by an independent verifier.
- A.6.47 The BPP audit, when undertaken at the Corporate Headquarters, can be considered to be a third-party audit of Sightholders' and De Beers Group's due diligence practices.
- A.6.48 RJC certification against the RJC 2019 Code of Practices can also be considered to be a third-party audit of Sightholders, Accredited Buyers and De Beers Group's due diligence practices for locations and activities in scope of that certification

STEP 5: ANNUAL REPORTING

- A.6.49 The entity shall publicly report on its due diligence systems, practices and approaches at least annually.
- A.6.50 Company websites, company reports, and other publications and/or human rights due diligence reports can be used for these purposes.
- A.6.51 The level of detail in the report should reflect the level of risk in the entity's supply chain, the scale and impact of the business.
- A.6.52 Small businesses are not required to prepare a print publication but can establish a short memorandum which can be made available upon request.

For entities involved in gold, platinum group metals, silver and/or coloured gemstones business and are opting in for RJC certification through the BPP Programme, please refer to the RJC Code of Practices, COP 7, and Due Diligence for Responsible Sourcing from Conflict-Affected and High-Risk Areas Standards Guidance for the requirements.

A.7 PRODUCT SECURITY

- A.7.1 Entities will establish and implement product security policies and procedures within the premises and during shipment to protect against product theft, damage or substitution.
- A.7.2 Entities will prioritise the security and well-being of employees, visitors and other relevant business partners when establishing product security measures to prevent product theft, damage or substitution.
- A.7.3 All businesses should ensure that diamond or diamond jewellery products sold by members to end consumers will be compliant with the applicable regulations for product health and safety.

A.8 DISCLOSURE

FULL DISCLOSURE:

- A.8.1 Full disclosure is the complete and total release of material information about a diamond or other stones and the material steps it has undergone prior to sale to the purchaser. The vendor must make all reasonable efforts to ensure this information is disclosed at all times during the selling process, including advertising and marketing. Full disclosure of all material facts must take place whether or not the information is specifically requested and regardless of the effect on the value of the item being sold.
- A.8.2 Full disclosure, by the vendor to the purchaser, must take place when offered for sale, such that:
- Full oral disclosure must clearly take place prior to the completion of sale;
 - Full written disclosure must be conspicuously included on each bill of sale or receipt in plain language and readily understandable to the purchaser. Written disclosure should normally be in English and any relevant local language;
 - Disclosure must be immediately preceding or succeeding the description of the diamond and/or other products and must be equally conspicuous to that description.
- A.8.3 It is recommended that the nomenclature standards defined in the International Standard on 'Jewellery – Consumer confidence in the diamond industry', ISO 18323:2015 (E) are adhered to ensure clear and accurate labelling on how to describe diamonds, treated diamonds, synthetic diamonds, composite diamonds and imitations of diamonds. Entities can elect to certify against the ISO 18323 standard.
- A.8.4 See also the guidance provided in the Diamond Terminology Guideline.

MISUSES OF TERMINOLOGY:

- A.8.5 It is contrary to the purposes of these Requirements:
- To make any representation that does not conform in all respects to these Requirements in the selling, advertising or distribution of any gold, diamond, treated diamond, synthetic diamond or diamond simulant defined in these Requirements;
 - To make any misleading or deceptive statement, representation or illustration relating to origin, formation, production, condition, quality or fineness of any gold, diamond, treated diamond, synthetic diamond or diamond simulant defined in these Requirements.
- A.8.6 Representation includes illustrations, descriptions, expressions, words, figures, depictions or symbols shown in a manner that may reasonably be regarded as relating to the substance.
- A.8.7 Selling includes offering for sale, exposing for sale, displaying in such a manner as to lead to a reasonable belief that the product so displayed is intended for sale. For avoidance of doubt this includes the accepted industry practice of 'memo', the practice of consigning goods, normally polished, to clients for pre-arranged periods for potential sale.
- A.8.8 Advertising includes directly or indirectly promoting the sale or use of a product.

DIAMOND

- A.8.9 The unqualified word 'diamond' must not be used to describe or identify any object or product not meeting the definition in the Definitions section above.
- A.8.10 The size or carat weight, colour, clarity or cut must be described in accordance with recognised guidelines appropriate to the jurisdiction.

SYNTHETIC DIAMOND

- A.8.11 The fact that a stone is wholly or partially synthetic diamond must be disclosed at all times.
- A.8.12 A synthetic diamond must only and always be disclosed as 'synthetic diamond', 'man-made', 'laboratory created', 'laboratory-grown' or 'artificial' and the description must be equally as conspicuous and immediately preceding the word 'diamond'.
- A.8.13 Any terms that are designed to disguise the fact that a stone is synthetic diamond or that mislead the consumer in any way must not be used. For example the terms 'natural', 'real', 'genuine', 'precious', 'cultured', 'cultivated' and 'gem' must not be used to describe a synthetic diamond.
- A.8.14 Names of firms, manufacturers or trademarks are not to be used as descriptors for synthetic diamonds, unless such names are clearly succeeded by the terms 'synthetic diamond', 'man-made' or 'artificial', as above. For example, a business trading as Acme may describe its synthetic diamonds as 'Acme synthetic diamonds' but not as 'Acme diamonds'.

In accordance with the ISO 18323 standard it is recommended that any abbreviations such as 'lab-grown' must not be used to describe a synthetic diamond.

TREATED DIAMOND

- A.8.15 Treatment means any process, treatment or enhancement changing, interfering with and/or contaminating the natural appearance or composition of a diamond other than the historically accepted practices of cutting and polishing. It includes colour (and decolourisation) treatment, high pressure high temperature (HPHT) treatment, fracture filling, laser drilling and irradiation treatment and coating.
- A.8.16 The fact that a diamond has been treated must be disclosed at all times.
- A.8.17 A treated diamond must be disclosed as either 'treated' or with specific reference to the particular treatment and the description must be equally conspicuous and immediately preceding the word(s) 'diamond' or 'synthetic diamond', as the case may be.
- A.8.18 A description of the type of treatment and the methods used to achieve the treatment must always accompany the diamond.
- A.8.19 Any term that is designed to disguise that treatment has occurred, or to imply that a treatment is part of the normal polishing process or that misleads the consumer in any way should not be used. For example the term 'improved' must not be used to describe a treated diamond.
- A.8.20 Any significant effect on the diamond's value caused by the treatment must be disclosed.
- A.8.21 Any special care requirements that the treatment creates must be disclosed.
- A.8.22 Names of firms, manufacturers or trademarks are not to be used in connection with treated diamonds, unless such names are clearly succeeded by the word 'treated' as defined in this section or are otherwise equally conspicuously and prominently disclosed as treated. For example, a diamond business trading as Acme may describe its treated diamonds as 'Acme treated diamonds' or 'Acme diamonds, treated by HPHT' but not as 'Acme diamonds'.

DIAMOND SIMULANT

- A.8.23 Diamond simulants must always be disclosed either as the mineral or compound that it is or as a 'diamond simulant', 'imitation diamond' or 'fake diamond'. The unqualified word 'diamond' must never be used with diamond simulants.

- A.8.24 Names of firms, manufacturers or trademarks are not to be used in connection with diamond simulants, unless such names are clearly succeeded by the terms as defined in this section. For example, a business trading as Acme may describe its diamond simulants as 'Acme cubic zirconia' or 'Acme diamond simulants' but not as 'Acme diamonds'.
- A.8.25 As defined in the ISO 18323 standard: Gemstones other than diamond whose colour, cut and appearance might be misrepresented as a diamond shall always be referred to by its mineral name, and not described as 'imitation of diamond'. This could include gemstones such as quartz, sapphire, topaz, zircon and beryl.

COMPOSITE STONE

- A.8.26 As defined in the ISO 18323 standard: Composite stones where all parts are composed of diamonds must be called 'composite diamond' or 'diamond doublet'.
- A.8.27 A composite stone where some, but not all, parts are diamonds shall be described as 'doublet' (two parts) or 'triplet' (three parts) or 'composite' (two or more parts). These words be immediately combined with the correct names of the components that form the final assembled product, the names of which must be mentioned from the upper part downwards, and be separated by a slash (/). For example, a doublet whose upper portion is diamond, and whose lower portion is synthetic diamonds is called a 'diamond/synthetic diamond doublet' or 'doublet diamond/synthetic diamond'.

RECONSTRUCTED STONES

- A.8.28 Reconstructed diamonds shall be disclosed as such and the description shall be equally conspicuous as the word 'diamond'.

REAL, GENUINE AND NATURAL

- A.8.29 The words 'real', 'genuine' and 'natural' must not be used to describe:
- Any synthetic diamond (see Definitions);
 - A treated diamond (see Definitions);
- A.8.30 The words 'real' and 'genuine' must not be used to describe:
- Any treated diamond (see Definitions);
 - Any diamond simulant (see Definitions);
- A.8.31 The word 'natural' must not be used to describe any diamond simulant if the diamond simulant is not a naturally occurring mineral or compound.

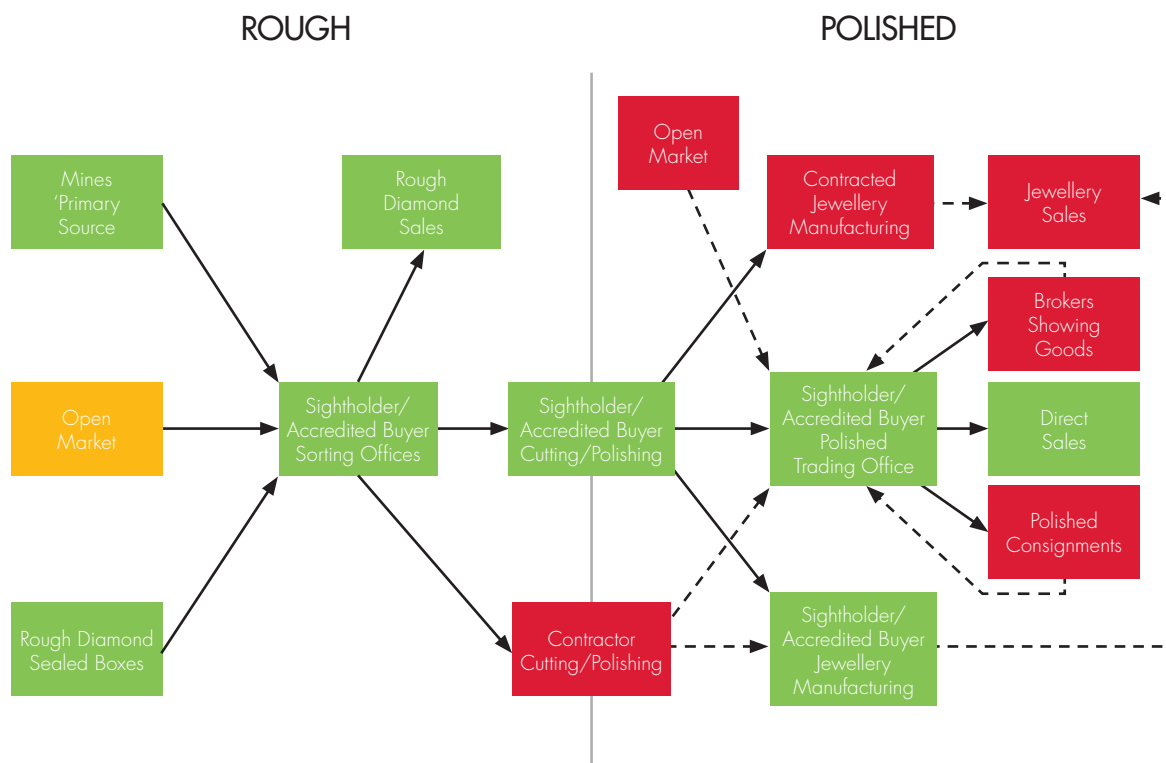
BRILLIANT, BRILLIANT CUT AND FULL CUT

- A.8.32 The words 'Brilliant', 'Brilliant Cut' and 'Full Cut' must only be used to describe a round diamond that has at least 32 facets plus the table above the girdle and at least 24 facets below it.

GOLD, PLATINUM GROUP METALS, SILVER AND COLOURED GEMSTONES

- A.8.33 If you are an RJC Member and your business activities include gold, silver, PGM and/or coloured gemstones, refer to the RJC Code of Practices and Standards Guidance.

The diagram below further illustrates how to conduct your Pipeline Risk Assessment and establish the level of risk.



Low Risk: if Sightholders/Accredited Buyers are buying rough directly from primary sources, they can be confident that the mined parcels are natural diamonds; therefore no further action is required.

Medium Risk: buying rough from the open market is a medium risk contamination point. Unprocessed synthetic diamonds are easily identified with the naked eye and so this contamination point could be rightly addressed through policy, procedure and training. For example in this case, the procedure could require that all members of the rough purchasing team are trained in identifying the different characteristics between unprocessed synthetic diamonds and rough natural diamonds. Buying polished diamonds from the open market could also be medium risk if your supplier has auditable systems in place to ensure that his contamination points are effectively addressed

High Risk: this is the only level of risk where testing goods is a requirement, Polished diamonds coming in to a Sightholder's/Accredited Buyer's pipeline from an external source may be considered high risk contamination points. For cases like these, stronger procedures are required to protect your pipeline; these must include a form of testing. Testing could be in house or through the use of external testing platforms and depending on the size ranges could be conducted through sample testing. See the guidance on sample testing to determine sample sizing.

SUPPLY CHAIN SYSTEMS

- A.8.34 Factory controls must be implemented. These should contain effective and detailed policies, procedures, security, monitoring and training to avoid “switching” on the factory floor. For more information, please refer to the Product Security section (A.6) of the BPP Requirements.
- A.8.35 A pipeline risk assessment must be created for the Sightholder Group or Accredited Buyer Group. The longer the pipeline the greater the risk, creating increased opportunity for undisclosed synthetic diamonds to be exchanged for natural diamonds or added into parcels intended for clients. It is a requirement that all Sightholders or Accredited Buyers map out their diamond pipeline and identify the areas that are at risk of contamination.
- A.8.36 Once identified, all contamination points must be assessed and labelled low, medium or high risk.
- A.8.37 Policies, procedures and training programmes should be established to address each identified contamination point, procedures should include testing for high risk areas, and the process for managing test referrals should be made available to clients. Testing must be carried out using relevant and effective detection equipment, either in-house or out-sourced to a qualified service provider, at least once at a point in the process where there is no longer risk of contamination.
- A.8.38 In accordance with the guidance of the World Federation of Diamond Bourses (WFDB) and the WFDB Charter, the following assurances should be given on all invoices and memos:
- “The diamonds herein invoiced are exclusively of natural origin and untreated based on personal knowledge and/or written guarantees provided by the supplier of these diamonds.”
 - The diamonds herein on memo are exclusively of natural origin and untreated based on personal knowledge and/or written, guarantees provided by the supplier of these diamonds.”
- Stronger assurances should be given on invoices where all goods are either still in their natural rough form or are able to be fully tested prior to sale; the following text is proposed for these cases:
- “On behalf of [Sightholder/Accredited Buyer name], and with its full authority, I declare by way of this written assurance that the diamonds [invoiced/sent by memo] and contained herein are exclusively natural diamonds meaning that the referenced [parcel/box] contains no synthetic diamonds or diamonds that have been treated.”
- A.8.39 Established policies, procedures and training programmes must be reviewed from time to time to address evolving disclosure risks.
- For further guidance please refer to the Standard Guidance on Disclosure and the Disclosure Practice Note documents available on the SMART System.

A.9 MELEE ASSURANCE PROTOCOL FOR SIGHTHOLDERS AND ACCREDITED BUYERS

- A.9.1 The section applies to any company/entity/facility that purchases, trades, retails and/or manufactures rough and polished diamonds that are 0.01 carats and below.
- A.9.2 A pipeline risk assessment for the group should be undertaken for diamonds that are 0.01 carats or below. All contamination points must be assessed and labelled as high, medium or low risk.
- A.9.3 Procedures must be developed for each contamination point to ensure that the natural diamond pipeline remains sealed, including effective measures to identify and mitigate all levels of risk.
- A.9.4 For all identified high risk areas, full testing is required.
- A.9.5 Sample testing is required for identified medium risk areas. Please refer to the Disclosure Practice Note for guidance on sample sizes.
- A.9.6 Procedures should include the process for managing test referrals and should be made available to clients. Testing must be carried out using relevant and effective detection equipment, either in-house or out-sourced to a qualified service provider, at least once at a point in the process where there is no longer risk of contamination. Auditable systems must be in place to ensure that from time to time all policies, procedures and training materials are reviewed to address evolving risks.

- A.9.7 All contractors participating in the Melee Assurance Protocol must be declared on the BPP SMART System and signed off by a Key Individual.
- A.9.8 A procedure must be implemented to ensure that any off-site contractors hired to manufacture diamonds 0.01 carats and below are declared on BPP SMART System and participate in the Contractor BPP Programme.
- A.9.9 Annual internal audits must be conducted by the BPP manager or equivalent at the premises of all off-site contractors being used to manufacture diamonds for the Melee Assurance Protocol to verify that their procedures meet the requirements of the Protocol. Completing the contractor tier B workbook onsite satisfies this requirement.
- A.9.10 Where off-site contractors have been employed to manufacture diamonds 0.01 carats and below, the end product shall be returned in tamper-evident packaging.

CONTRACTORS

- A.9.11 Contractors manufacturing diamonds that are 0.01 carats and below should implement systems to keep each client's diamonds separate, ensuring that the polished yield originates from the rough diamonds that are supplied by each client.
- A.9.12 Off-site contractors must provide the following guarantee to each client that the polished yield being returned originates from the original rough diamonds provided for manufacturing:

I (contractor company name) hereby guarantee that the polished diamonds in this parcel are the full yield from the rough diamonds received from (Sightholder company name).
- A.9.13 Off-site contractors must provide the following guarantee to clients that product security systems are in place to avoid theft or substitution of goods that are 0.01 carats and below:

I (contractor company name) hereby guarantee that the factory has adequate controls, systems and procedures in place to prevent theft and substitution of diamonds, while ensuring the safety and security of all employees.
- A.9.14 Off-site contractors must return goods that are 0.01 carats and below in tamper-evident packaging as provided by the client.

A.10 SUPPLY CHAIN MANAGEMENT/BEST ENDEAVOURS

- A.10.1 Programmes and/or procedures, including risk assessments, shall be established to address compliance with the BPPs by business partners such as contractors, sub-contractors, suppliers, clients, agents and security providers that are directly involved in the mining, handling, manufacture and sale (or purchase as applicable) of diamonds and/or diamond jewellery. Due diligence that may have been undertaken on areas such as human rights and forced labour can be incorporated into the risk assessment. Evidence of commitment to responsible business practices through certification such as SA8000, ISO14001 and RJC certification could be taken in to consideration when addressing the reputational risk posed by a relationship with a business partner.
- A.10.2 Companies/Entities/Facilities will need to demonstrate that they have taken appropriate action to satisfy the requirement to use Best Endeavours to ensure the commitment of non-Substantial contractors to comply with the BPPs (the Best Endeavours Requirement).
- A.10.3 Such actions must include providing relevant Contractor entities with a copy of the BPPs as well as information on the practical implementation of the BPPs (for example, copies of the BPP Requirements and the BPP Workbook). Other appropriate actions could include, but are not limited to:
- Offering Contractor entities assistance on the implementation of the BPPs;
 - Obtaining a contractual undertaking from the relevant Contractor entity that it will comply with and implement the BPPs, including an undertaking by the entity to carry out Assessments and report the results of such Assessments to the Sightholder or Accredited Buyer;
 - If appropriate, and with the consent of the Contractor entity, carrying out Third Party Assessments of the Contractor entity at intervals and a basis to be agreed between the parties.
- A.10.4 Each relevant Company/Entity/Facility will need to provide written evidence of the actions it has taken to satisfy the Best Endeavours Requirement.
- A.10.5 Each relevant Company/Entity/Facility will have access to the results of their Substantial Contractors' verification visits and if required, must be able to demonstrate working actively to assist in implementing any required corrective action.
- A.10.6 All employees and visitors to the Company/Entity/Facility are required to comply with the Company/Facility/Entity policies, systems and procedures relevant to the BPPs.
- A.10.7 If you are an RJC Member and your business activities include gold, silver, PGM and/or coloured gemstones, refer to the RJC Code of Practices and Standards Guidance.

A.11 PROVENANCE CLAIMS

- A.11.1 Companies/Entities/Facilities will need to confirm if they make claims or statements to consumers or other businesses on practices in their supply chain and the origin or source of diamonds, synthetic diamonds, gold and/or platinum through the use of descriptions or symbols. Advertising, marketing and other sales-related documentation should be used to establish if this section is relevant.
- A.11.2 Each relevant Company/Entity/Facility will need to provide documented policies/procedures or requirements to validate that the Provenance Claim(s) is/are truthful and substantiated.
- A.11.3 Any and all provenance claims made by the Company/Entity/Facility must be disclosed on the BPP SMART System Group Profile Page.
- A.11.4 Guidance for the Diamonds from DTC provenance claim are issued separately and available on the BPP SMART System and www.dtc.com
- A.11.5 Each relevant Company/Entity/Facility shall maintain appropriate record keeping procedures, and verify that the criteria or requirements are met.
- A.11.6 A manager should be responsible for ascertaining which employees require training on the Provenance Claim(s), these employees respond to product enquiries and should be aware of their accountabilities demonstrating a full understanding of the Provenance Claim(s) made. All documentation related to training shall be maintained, including but not limited to: written procedure, training materials and training register.

- A.11.7 Interested parties should have access to a complaints or grievance mechanism. For sales direct to consumers details about provenance claims and systems to achieve them must be made available at point of sale and on the company/entity/facility website.
- A.11.8 For sales direct to consumers, details about provenance claims and systems to achieve them must be made available at point of sale and on the company/entity/facility website.

A.12 GRADING, ANALYSIS AND APPRAISAL

Diamond Grading – Defining the characteristics of a diamond i.e. cut, colour, clarity and carat weight.

Appraising – Providing an estimation of monetary value using the composition, identity, characteristics and qualities of a diamond or piece of diamond jewellery.

Grading and Appraisal reports can be used for insurance purposes and could impact the consumer's decision to purchase diamonds and/or diamond jewellery. It is therefore imperative that the content of the reports are transparent, accurate and do not mislead the consumer.

If independent grading, analysis and/or appraisal reports are being generated by the entity, their systems must be based on scientific methodology and be sufficiently thorough and comprehensive to produce valid and reproducible results.

If independent place of origin reports for coloured gemstones are being generated by the entity, their systems must be based on scientific methodology to ensure consistency of the determination of origin and shall include detection of synthetics and/or treatments as part of the determination.

- A.12.1 If Diamond Grading Reports are generated by the Entity, a content review should take place to ensure that all reports explicitly state whether or not the assessment includes the detection of synthetic diamonds and/or treatments. A system should be put in place to ensure that the correct disclosure is included in all grading and analysis reports, and whether this has been carried out for all stones.
- A.12.2 The relevant legislative requirements and professional standards should be taken into account when Appraisal Reports are generated. The name of the consumer for whom the report is intended and a statement of the purpose of the appraisal should be included when these reports are generated for end-consumers.
- A.12.3 Any Diamond Grading Reports or Appraisal Reports created for end consumers that could be interpreted as being independent should disclose any relevant vested interests in the sale of the jewellery product held by the grader or appraiser. A vested interest would be defined as any situation where the content of the report enables the entity to obtain direct or indirect commercial or financial gain. Policies and procedures should be in place to ensure full disclosure is provided in any grading or appraisal report.
- A.12.4 Any appraisal documentation generated by the Entity should not be represented as 'independent', and it must be readily apparent to the customer. Systems and processes should be in place for Entities using Appraisal Reports in selling diamonds/ diamond jewellery to ensure compliance with legislative requirements and international standards concerning misleading representations and deceptive marketing practices. The reason for a difference between the sale price and appraisal must be included in writing in the Appraisal Report when selling diamonds or diamond jewellery.
- A.12.5 The Jeweller's Vigilance Committee's Appraisal Task Force Recommended Minimum Guidelines for Insurance Replacement Costs Estimate documentation for Jewellers should be studied by appraisers and retailers who provide insurance replacement cost estimates, in particular those working in the United States.

B SOCIAL RESPONSIBILITIES

B.1 EMPLOYMENT

B.1.1 De Beers Group is committed to the pursuance of the provision of the highest standards of employment conditions. The BPPs require Sightholders or Accredited Buyers and their applicable Contractors to make identical commitments.

B.1.2 All businesses should pay particular regard to the following elements:

- All workers will be employed in accordance with applicable law.
- The work performed should be based on recognised employment relationships. Obligations to workers should not be avoided by the use of alternative hiring arrangements, such as apprenticeship schemes where there is little or no attempt at imparting skills.
- Payment and remuneration details shall be agreed before commencement of employment and documentary evidence to confirm contractual agreements shall be supplied by the employer before employment starts, in a language that is understood by the worker.
- Payments to workers will be made on a regular and pre-agreed schedule, by bank transfer, cash or cheque and will be accompanied by an understandable wage slip detailing all payments and deductions.
- Cash or cheque and will be accompanied by an understandable wage slip detailing all payments and deductions.
- If employment agencies are used, the entity must have systems in place to ensure equitable compensation and workplace standards and ensure all workers receive their wages.
- Businesses should keep appropriate records such as working hours, payslips, benefits, piece-rate etc. for all workers
- Wages and benefits paid for a standard working week shall at least be paid at a minimum national legal standard and these should be adequate to cover basic needs and provide some discretionary income. These provisions constitute minimum and not maximum standards and this should not prevent companies from exceeding these standards. Deductions from wages must comply with the law and be calculated following a documented process that is clearly communicated to workers.
- Comparable wages should be paid to all employees for carrying out work of equal value and a process in place to assess and remediate any potential wage disparity that discriminates against any category of worker.
- There should be no limitations placed on the disposal of income by workers, nor coercion to make use of Company/Entity/Facility stores or services where these exist, where there is no alternative excessive rates must not be charged. In the case that partial payment of wages in the form of allowances has been agreed and appropriately negotiated on behalf of the worker, these allowances should be for the personal use of the worker and his/her family and the value attributed to such allowance should be fair and reasonable.
- Where wage advances or loans are provided, any interest and repayment terms must be transparent and fair.
- Working hours (including overtime), holidays and rest intervals shall comply with national legislation regulations, or if no applicable law exists 3 weeks paid annual leave shall be provided and at least one uninterrupted work break if they work longer than 6 hours. Workers shall be entitled to be provided with at least one day off for every seven- day period, or equivalent where collective bargaining agreement or applicable law allows for work time averaging. Special leave or working time arrangements for employees with family responsibilities apply to all regardless of gender.
- If workers operate on a shift or rotational working period basis, such as 12 days on followed by two days off, workers shall be entitled to be provided with the equivalent amount of time to at least one day off for every seven-day period.

- Employers should ensure that workers do not work in excess of the national limit of hours per week on a regular basis and that the normal working week, not including overtime, must not exceed 48 hours. Overtime should be voluntary, should not be demanded on a regular basis and should always be compensated in compliance with national legislation. The sum of normal working time and overtime must not exceed 60 hours unless defined otherwise in applicable law or collective bargaining agreement or unless there are exceptional circumstances (such as production peaks, accidents or emergencies).
- Where overtime is offered, it should not be compulsory and any refusal by a worker to work overtime must not result in punishment, retaliation or penalisation in any way.
- Workers should be compensated for absence due to illness in accordance with applicable national laws
- Religious festivals should be respected.
- Where workers are provided with housing, medical care or food, these should be of a good standard and the principles of respect and equality for the dignity of individuals and their families should be applied.
- When required, recognition should be given to the existence, membership and lawful activities (consistent with recognised international good practice and norms) of worker representative bodies, and worker representatives should be given access to carry out their responsibilities/ functions and businesses should not act in any way that undermines this principle
- The employer should respect the right to freedom of association or collective bargaining without interference or negative consequences. The employer should ensure that those workers seeking to join or form an organisation of their own choosing are not subject to any form of harassment, discrimination or discipline as a result.
- Where the right to freedom of association and collective bargaining is restricted under law, no steps should be taken to hinder the development of parallel means of free association and collective bargaining.
- Where collective bargaining agreements exist the agreed terms will be adhered to.
- Arbitrary dismissal procedures for individuals should be avoided and in the event of major changes in operations reasonable notice of such changes to the appropriate authorities and representatives should be made in order to minimise adverse employment effects.
- Information regarding employment needs and working practices and conditions should be provided according to national law in order for meaningful negotiations to occur between worker representatives and the business enterprise.

B.2 HEALTH & SAFETY

B.2.1 De Beers Group is committed to the pursuance of the highest standards of health and safety, and the provision of a safe and healthy working environment for individuals in accordance with the national minimum requirements of the relevant countries and with due consideration to the international standards set out in International Labour Organisation (ILO) Conventions.

The following provisions constitute minimum and not maximum standards and should not prevent companies from exceeding these standards. It should be noted that where national laws stipulate general standards for companies, but certain (for example, small) businesses are provided exemptions, such as being subject to lower or no set standards, De Beers Group encourages compliance with the higher general standards.

B.2.2 General responsibility for health and safety should be assigned to a management representative and a clear description made available of the formal agreements and communications between employer and worker representatives on issues related to health and safety. The risk of workplace hazards must be assessed and controls implemented to minimise the risk of accidents and injury to employees.

B.2.3 Investigation of work-related accidents (and diseases), fatalities and record keeping of incidents, their causes and subsequent remedial action, should be undertaken to prevent repetition.

- B.2.4 Co-operating fully with workers' representatives for health and safety and appropriate safety authorities to provide on-going programmes of improvements and solutions to potential hazards is encouraged and the company should provide a mechanism for workers to raise and discuss health and safety issues with management.
- B.2.5 Policies and procedures should be established to ensure that workers are not under the influence of, or abusing, drugs, alcohol and/or illegal substances.
- B.2.6 There should be evidence of compliance with national laws on health and safety and with the following requirements:
- Clear information in both written and oral forms and in languages that are familiar to workers should be provided about health and safety standards relevant to workers' activities and based on best practice standards from across the industry. Special hazards, tasks or conditions of work should be highlighted together with the relevant measures and procedures provided, including any relevant training, to protect individuals.
 - Appropriate procedures for dealing with emergencies and accidents should be clearly available; personal protective clothing (with instructions) should be provided as appropriate and free of charge to the workers and verification carried out that it is current and correctly worn or used, and first aid equipment must be regularly checked and updated and in compliance with national law. Appropriate training in first aid should be given to nominated individuals in the workplace. Workers should receive regular health and safety training and information which should be repeated for new or reassigned workers.
 - Businesses should have policies to actively prevent accidents or injury by minimising as far as is practicable the possible causes of hazards. Monitoring the working environment and health of workers exposed to hazards should be undertaken regularly. This should include consideration of workers' reproductive health where they are working with hazardous materials that may pose a risk
 - Workers have the right and responsibility to remove themselves from work situations in which reasonable concern over imminent and serious danger to life or health is apparent or where hazards are uncontrolled and to bring these situations to the attention of those in imminent risk and to the management. They should not be subjected to any consequences as a result of this action nor should they be required to return to their work environment as long as the hazardous situation continues.
 - The safe number of workers per room should be established in factories so that it is not injurious to the health of the workers whilst working and is safe in the event that emergency evacuation procedures or regular safety drills need to be implemented. This should in any event at least conform to national legislation. Such action should not prejudice remuneration or employment.
 - There must be provision of adequate means of escape for use in cases of emergency (these must be clearly marked, unlocked and unblocked). This includes provision of adequate gangways in relation to the number of workers and spacing between machines and equipment shall not be such that means of escape are hindered.
 - Where dormitories are provided, these should comply with applicable laws, particularly with respect to fire safety. Where no applicable law exists, best practice approaches should be adopted to ensure the safety of the residents
 - Emergency evacuation procedures should be communicated to all workers and be regularly tested for effectiveness.
 - All workplaces shall be adequately constructed to meet accepted national building regulations (including flooring, ceilings, staircases, communal or shared areas, etc.).
 - Appropriate lighting should be provided for the task to be performed and this should include provision of emergency lighting.
 - All electrical wiring shall be installed and checked to meet national electrical wiring and safety regulation; all loose wires and open electrical switchgear and fuse boards should be made safe.
 - All equipment shall be installed to a high quality of electrical and mechanical safety, free from any health hazard.
 - All machinery must only be used with adequate safeguards as per legislative requirements; for example, laser machine doors should be interlocked and fitted to safeguard operatives and those working in the vicinity from exposed or reflected beams when in operation.

- Use and disposal of chemicals (and other waste) must be effectively controlled and evidence of operational procedures and adequate and safe facilities for disposal and/or neutralising of used chemicals (and other waste) prior to disposal shall be displayed.
- Suitable and sufficient first aid provisions and appliances including fire-fighting equipment shall be available in all workplaces and these shall be accompanied by instructions understandable to all workers. There should be a proportionate number of men and women trained on handling fire safety equipment and first aid provisions that accurately reflects the gender balance of the workforce. Workers with work-related injuries must be assisted to obtain physical access to medical treatment in accordance with local law and company policies.
- Suitable and sufficient fire alarms and other fire safety devices shall be installed in all workplaces.
- Of particular importance will be the provision of a working environment, and onsite housing where relevant, with acceptable conditions appropriate to the tasks performed with regard to noise, heat, cleanliness, air quality and ventilation. This will include:
 - Extraction or appropriate ventilation of dust from bruting machines and around polishing wheels to minimise exposure to airborne particles. In practice this requires that diamond impregnated scaifes must be cobalt free;
 - Extraction and neutralisation of chemical fumes in the context of the environmental policy;
 - All chemicals and cleaning materials shall be adequately and appropriately labelled and stored;
 - Decibel levels, temperatures and air quality will be compliant with national legislation;
 - Provision of adequate hygienic washing and toilet facilities commensurate with the number and gender of staff employed;
 - Provision of drinking water and sanitary facilities for food storage;
 - Evidence of routine daily cleaning of premises;
 - Childcare and breastfeeding facilities in accordance with applicable law;
 - Suitable conditions for pregnant or nursing women, or alternative working arrangements to avoid unsuitable workplaces.

B.2.7 All diamond-impregnated scaifes used for cutting and polishing should be guaranteed as cobalt-free by the supplier.

B.2.8 Where the entity uses and stores Hydrofluoric Acid, it will do so in accordance with the national standard or related operating protocols; or follow best practice where no legislation exists.

B.2.9 Where the entity uses and stores Hydrofluoric Acid in its business processes, the entity shall conduct an annual bow-tie risk assessment, and maintain an emergency preparedness response and recovery plan in reaction to all reasonable foreseeable emergency scenarios.

B.2.10 Where the entity uses and stores Hydrofluoric Acid in its business processes, the entity shall provide effective training to all relevant workers, and maintain records. The entity shall develop and document robust decontamination procedures to respond to any hazardous incident involving Hydrofluoric Acid.

B.3 NON-DISCRIMINATION AND DISCIPLINARY PRACTICES

B.3.1 Discrimination can mean distinction, exclusion or preference; and, therefore, policies and procedures should be documented clearly to take account of issues relating to the hiring, continued employment, discharge, retirement, pay, promotion, professional development and training of workers. No worker should be discriminated against on the basis of race, colour, ethnicity, caste, national origin, religion, age, disability or genetic information, physical appearance, gender, marital status, parental or pregnancy status, sexual orientation, HIV status, membership of worker representative bodies or political affiliation or any criteria that are unlawful at any level of the organisation including the corporate governance body or any other personal characteristic unrelated to the requirements of the work.

B.3.2 In particular, there should be policies in place to ensure that men and women workers are protected against discrimination based on their marital status. They should be protected against threats of dismissal or any other disciplinary action that negatively affects their employment status that are taken if they get married or

become pregnant.

- B.3.3 There should be equal opportunities for all individuals who are 'fit for work' across all aspects of hiring, continued employment, remuneration, working hours, access to training, personal and professional development and career advancement, termination and retirement.
- B.3.4 All forms of violence and harassment in the workplace are prohibited, including but not limited to corporal punishment; harsh or degrading treatment; sexual or physical harassment; mental, physical, verbal or sexual abuse; retaliation; coercion; and intimidation. Both direct and indirect harassment in any form is not acceptable in workplace facilities. Entities shall ensure that employees are treated with dignity and respect and are not subjected to harassment or violence, or threatened with these towards themselves, their family or colleagues.
- B.3.5 Workers should have the right to express their grievances or concerns without suffering any prejudice or retribution and to have that grievance or concern examined according to written and appropriate clear, confidential and unbiased procedures. Selection of individuals responsible for management and assessment of grievances should be conducted sensitively to the situation and appropriately to ensure gender balance.
- B.3.6 Discrimination and disciplinary appeal procedures should be established and effectively communicated to all employees.
- B.3.7 Deductions from wages as a disciplinary measure shall not be permitted nor shall deductions not provided for by national law be permitted without the express permission of the worker concerned.
- B.3.8 Deductions will not be made without following due process, for example, deductions such as pension contributions etc are allowed but deductions due to equipment requirements or being required to purchase personal protective equipment are not. Deductions must not result in the workers being paid below minimum wage.

B.4 CHILD LABOUR

- B.4.1 The definition of 'child labour' set out in the United Nations International Labour Organisation Minimum Age Convention (138), and as set out below, must be adopted.

'A child is defined as any person less than 15 years of age unless local minimum age law stipulates a higher age for work or mandatory schooling, in which case the higher age shall apply. Child labour is therefore any work by a child younger than this age and any work that is likely to be hazardous or to interfere with the child's education, or to be harmful to the child's health or physical, mental, moral or social development.'

- B.4.2 The following requirements must be met:
- Subject to the paragraph immediately below, the minimum age for admission to employment in any occupation shall not be less than 15 years or the age of completion of minimum compulsory schooling, whichever is greater;
 - Notwithstanding the paragraph above, companies operating in countries whose economy and educational facilities are insufficiently developed may, after consultation with the governments and workers involved, initially specify a minimum age of 14 but shall transition to a minimum working age of 15;
 - The minimum age for admission to employment, which by its nature or circumstances, (for example if it takes place at night or in hazardous conditions), is likely to jeopardise the health, safety or morals of young persons, shall not be less than 18 years;
 - The entity/facility/company shall not engage in or support any form of child slavery, debt bondage, trafficking of children, forced child labour or use of children in armed conflict;
 - Vocational training, technical education or work done in schools is allowed where such work is carried out in accordance with conditions prescribed by the competent authority, and where it is an integral part of: a course of education or training for which a school or training institution is primarily responsible; a programme of training mainly or entirely in an undertaking, in which the programme has been approved by the competent authority; or a programme of guidance or orientation designed to facilitate the choice of an occupation or of a line of training;

- Policies and programmes of action must be developed to provide for the transition of any child found to be performing child labour to enable him or her to attend and remain in quality education or vocational training until no longer a child. Such programmes must also assess the impact of this transition on the social and economic situation of the child and his or her family and include measures for the provision of suitable alternative opportunities and a review of the approach to avoiding child labour to identify root causes and implement controls to prevent recurrence.
- If any children are present in the workforce, policies and procedures must be developed to ensure that the child's combined hours of daily transportation, school and work time do not exceed 10 hours per day, and to ensure that no child is employed during school hours;
- Policies and procedures in respect of child labour shall be effectively communicated to personnel and other interested parties.

B.5 FORCED LABOUR

Human trafficking is the movement of an individual across international borders or within a country and can result in forced labour. Companies will be held accountable if they source goods and/or use services provided by exploited workers. Relationships with third party recruitment agencies should be monitored as they expose a group/company/facility to the risk of human trafficking.

- B.5.1 The Universal Declaration of Human Rights states 'no-one shall be held in slavery or servitude' and ILO Convention 29 defines forced or compulsory labour as 'all work or service which is exacted from any person under the menace of any penalty and for which said person has not offered himself voluntarily...'. This requirement and definition must be adhered to at all times.
- B.5.2 The selection and recruitment of workers must be carried out to industry-wide standards and there should be no forced, bonded or involuntary prison labour.
- B.5.3 The entity must not engage in or support human trafficking or any other type of deceptive recruitment and/or bonded labour practices and communicate this requirement to labour recruiters, agencies and providers with whom they work. The entity shall monitor their relationships and remedy negative human rights impacts as they may occur.
- B.5.4 Workers should not be required to lodge deposits or identity papers with their employers and they should be free to leave their employer after reasonable notice at which point all necessary documentation and assistance should be given to them.
- B.5.5 Where the facility operates hostels for workers, these workers (and their dependants, as applicable) should have reasonable freedom of movement within the accommodation to come and go.
- B.5.6 The entity shall provide effective training to relevant employees to identify and address risks of human trafficking in its own business and in its supply chain.
- B.5.7 Risks of human trafficking within the company, from suppliers, contractors and through recruitment agencies, shall be assessed and addressed during the selection and recruitment process.
- B.5.8 The Entity shall have processes to identify human trafficking activities internally and/or within third party recruitment agencies employed by the entity.
- B.5.9 The entity shall take measures to identify and address human trafficking risks in its supply chain.
- B.5.10 The entity shall meet all relevant and applicable legislative requirements with respect to human trafficking, such as the Modern Slavery Act 2015 (UK).

B.6 HUMAN RIGHTS

- B.6.1 Each worker shall be treated with fairness, equality, respect and dignity.
- B.6.2 The responsibility of entities is to respect internationally recognised human rights which at a minimum should be considered at those expressed in the International Bill of Human Rights, ILO Declaration on Fundamental Principles and Rights at Work.

- B.6.3 Entities should have a documented policy endorsed at the highest level of their organisation that demonstrates their commitment to respecting internationally recognised human rights expressed in the International Bill of Human Rights, ILO Declaration on Fundamental Principles and also observe the UN Guiding Principles on Business and Human Rights. The policy should clearly address how entities protect and respect human rights and remedy any adverse effects.
- B.6.4 Entities should identify and understand their key human rights risks across their geographic areas, business activities and business relationships. They should give equal consideration to civil and political rights (such as the right to freedom of association, the right to life and the right to be free from inhuman and degrading treatment) and economic, social and cultural rights (such as the right to an adequate standard of living, the right to just and favorable conditions of work and the right to safe and healthy working conditions).
- B.6.5 Entities should adopt a risk-based approach to addressing and mitigating their human rights risks. Where relevant, entities should have in place adequate measures for remediating their adverse human rights impacts. Entities must track and communicate annually with their stakeholders about how human rights impacts are addressed.
- B.6.6 No worker should be subject to direct or indirect physical, sexual, racial, religious, psychological, verbal or any other discriminatory form of harassment or abuse, nor subject to intimidation or degrading treatment. Particular attention should be given to individuals or groups of individuals who are at heightened risk of becoming vulnerable or marginalised.
- B.6.7 Entities will only use armed security personnel when there is no acceptable alternative to manage risk or to ensure the personal safety of employees, contractors and visitors to the Facility.
- B.6.8 Policies and procedures for security personnel will be established to ensure respect for the human rights and dignity of all people and to ensure the use of the minimum force proportionate to the threat.
- B.6.9 Security staff, managers and other key personnel should receive training on policies and procedures concerning all aspects of human rights relevant to operations. They should be regularly trained to recognise and action any risks, threats or abuses of human rights. Particular attention should be given to vulnerable individuals or groups of individuals and issues such as workplace gender-based violence and sexual harassment or abuse.
- B.6.10 All workers should be equipped to understand the entity's policies on human rights, including (but not necessarily limited to) human trafficking, harassment, discrimination and physical, sexual, racial, religious, psychological, verbal or any other form of harassment.
- B.6.11 Consideration of human rights performance should be a factor in any investment decision as well as the selection of suppliers/contractors.
- B.6.12 Where the entity's business is provision of private security services to the jewellery supply chain they must be a certified member of the International Code of Conduct Association (ICoCA)
- B.6.13 The entity should have a policy in place to verify as to whether they are sourcing diamonds (or gold or platinum) directly or indirectly from Conflict-Affected or High-Risk Areas. If the entity is sourcing from a Conflict-Affected or High-Risk Area, a human rights diligence process shall be undertaken to assess the heightened risks of human rights impacts. The Organisation for Economic Development and Cooperation provides a helpful guide to identify risks, establish policies, systems and risk mitigation strategies which can be found at OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected or High-Risk Areas.
- B.6.14 In instances where entities have identified that they have caused or contributed to adverse human rights impacts through direct sourcing practices, the Entity must provide for or cooperate in legitimate processes to enable the remediation of these impacts. Identified risks should be addressed through implementing systems to manage and mitigate risks of causing or contributing to conflict and adverse human rights impacts.

B.7 SOURCING FROM ARTISANAL AND SMALL-SCALE MINING

Artisanal and Small-scale Mining (ASM) refers to labour intensive mining, using minimal technology and financial resources. Sourcing from Artisanal Small-scale Mining producers could aid impoverished families and communities through providing employment. However, it also has a detrimental impact on the environment along with other issues such as health and safety, and forced/child labour. Requirement B.7 applies if your group/company/entity sources diamonds, coloured gemstones, silver, PGM or gold directly from ASM sources.

- B.7.1 The entity should perform a risk assessment or undertake due diligence in order to review the heightened risks associated with directly sourcing from Artisanal and Small-scale Mines.
- B.7.2 The risk assessment should include the assessment of risks of violence and armed conflict, forced labour, child labour, sexual violence, sexual slavery, unsafe working conditions, illegal transactions, uncontrolled mercury use, other significant environmental impacts amongst other risks.
- B.7.3 The entity should establish a responsible sourcing policy and implementation strategy that defines a robust due diligence process that is able to identify and assess risks on an ongoing basis.
- B.7.4 The entity should use best endeavours to reduce or avoid risks outlined in the due diligence or risk assessment.
- B.7.5 The entity should use best endeavours to support the remediation of actual adverse impacts. This could include the establishment of an action plan that defines steps taken to address identified impacts.
- B.7.6 The entity should seek opportunities to support the development of ASM communities and seek to understand fair commercial terms and offer these to all ASM suppliers.

C ENVIRONMENTAL RESPONSIBILITIES

Please note that this section has been developed to be applicable to all types of operation and as such different elements may apply depending on the scope of activities. The overriding objective is to ensure that key risk areas are covered and that the appropriate levels of controls are in place to manage potential effects of operations.

C.1 BEST ENVIRONMENTAL PRACTICE AND THE REGULATORY FRAMEWORK

C.1.1 In pursuance of the highest standards of environmental care and protection, commitments will be guided by international law and best practice voluntary norms on the following:

- Manage all issues of environment policy as integral parts of Company/Entity/Facility business and planning.
- Establish an Environmental Management System, including:
 - Development of appropriate environment policies and programmes, monitoring their consistent implementation by accountable and adequately resourced personnel, and ensuring that these policies and programmes are communicated to all employees and on-site contractors, in an understandable format and language with training provided regarding environmental risks and controls.
- Foster awareness of shared responsibility and accountability for the environment among workers through a communication programme which embraces interaction and co-operation with all stakeholders.
- Nominate an individual with appropriate level of authority and responsibility to track environmental legislation and other related national or international frameworks to ensure control measures and improvement targets continue to enable compliance.
- Eliminate the use of chemicals and hazardous substances subject to international bans and phase-out due to their high toxicity to living organisms, environmental persistence, potential for bioaccumulation, or potential for depletion of the ozone layer and employ alternatives to other hazardous substances used in production processes wherever technically and economically viable.
- Maintain an inventory of hazardous substances at facilities and ensure accessibility to safety data sheets (or equivalent) with clear and active communication to employees of associated environmental risks where such substances are in use.
- Identify and manage significant wastes, emissions to air, land and water, dust and the use of potentially harmful substances so as to prevent pollution, including:
 - Quantification of wastes and emissions, manage and monitor trends and implement programmes to drive continuous improvement in environmental performance
 - Apply the principles of reduce, reuse, recycle and recover to minimise environmental impact
 - Discharge and/or dispose of wastes and emissions in compliance with applicable law, or where no such law, in line with international standards
- Conduct regular environmental audits to evaluate compliance and effectiveness of the environment policy of the business and report the outcomes annually to the supervisory board/ management of the company/entity/facility.
- Alternatives to hazardous substances used in business processes will be sought and employed where technically and economically viable

D MINING

D.1 EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE:

- D.1.1 Mining facilities must demonstrate commitment and support to the implementation of the Extractive Industries Transparency Initiative (EITI). This includes establishing a publicly available policy or management system and a senior manager responsible for implementation, disclosure and validation with EITI.
- D.1.2 In countries where EITI is not implemented mining facilities must implement systems to promote transparency, including public disclosure of taxes, payments and owners, and the use of rigorous procurement processes.

D.2 IMPACT ASSESSMENT

- D.2.1 D.2.1 An environmental and social impact assessment must be undertaken with the full engagement of affected communities, stakeholders and vulnerable groups for exploration and new mining facilities or significant changes to operations at existing facilities. It must take into account and include:
- An overarching policy defining the environmental and social objectives and principles that guide the project
 - A process for identifying environmental and social risks and impacts
 - Methodologies for recording baseline conditions, cumulative and indirect impacts relating to environmental, social and human rights and the findings of environmental and social studies relevant to the conclusions of the impact assessment.
 - Implementation of environmental and social management plans and options available to avoid, minimise and mitigate negative impacts, which include defined roles and responsibilities, processes for stakeholder engagement, monitoring and review, and for addressing grievances
 - Design options that avoid and minimise negative impacts where applicable
 - Stakeholder participation should include collection of data, development of options to mitigate potential impacts and implementation of the environmental and social monitoring programme where relevant.
- D.2.2 Entities will prepare and update plans for managing environment, social and human rights risk, including potential emergencies and ensure that the burden of negative consequences will not fall on vulnerable racial, ethnic, socio-economic or other vulnerable groups.
- D.2.3 Impact assessments should be disseminated in an easily accessible format and made publicly available. This should give consideration to local languages, cultures and practices to ensure all relevant stakeholders' needs are considered.
- D.2.4 Processes must be in place to monitor the implementation of management plans throughout the mine life cycle to ensure impacts are being appropriately managed. This must include on-going stakeholder dialogue.
- D.2.5 Entities must make environmental and social performance part of bidding packages for new construction contracts.

D.3 COMMUNITY ENGAGEMENT AND DEVELOPMENT

- D.3.1 Entities with mining facilities will have appropriate policies, skills, resources, suitably experienced personnel and systems to manage early and on-going engagement with affected communities and in particular:
- Identification and meaningful representation of affected communities and all relevant stakeholders in relation to project risks, impacts and phase of development, including significant changes to existing facilities.
 - Undertake early and ongoing engagement with affected communities and stakeholders throughout the project's lifecycle, including post-closure monitoring.
 - Establish effective communication measures to disseminate relevant project information and receive feedback in an inclusive, culturally-appropriate and rights-compatible manner.

- Ensure the interests and development priorities of affected communities are considered in major mining decisions in the project's lifecycle through informed consultation and seek broad community support for proposals in major mining decisions in the project's life cycle, to ensure activities that contribute to lasting social and economic wellbeing are supported.
 - At all times, carry out engagement in an inclusive, equitable, culturally appropriate and rights-compatible manner.
- D.3.2 The entity shall establish strategic social objectives which are:
- Aligned with the project's lifecycle strategy from exploration through to closure, considering long term social impacts and risks.
 - Aligned with stakeholder expectations, sought from on-going stakeholder feedback.
 - Developed in consideration of short and long-term socio-economic development objectives and aspirations of stakeholders, including community members and local, regional and national governments.
- D.3.3 The entity will ensure that the strategic social objectives include:
- Clearly defined priorities that manage impacts, risks and seek to enhance development opportunities.
 - The appropriate skills and capabilities to deliver on the objectives and plans.
 - Clearly defined accountabilities, timescales and budget.
 - Monitoring and measurement indicators to track progress.
- D.3.4 The entity shall establish a stakeholder engagement plan that:
- Identifies all relevant stakeholders, including those that may be vulnerable, marginalised or disadvantaged.
 - Is respectful of all relevant community conventions, equitable, inclusive and rights-compatible.
 - Ensures communication of planned projects, proposals, changes, and other information is disseminated in a timely and clear manner to ensure all interested stakeholders understand the potential and actual impacts of these planned projects.
 - Ensures that the views of relevant stakeholders are sought and incorporated into the decision-making process as appropriate.
- D.3.5 The entity shall undertake socio-economic impact assessments at timely intervals to gauge stakeholder sentiments and aspirations, identify risks and impacts and opportunities for socio-economic development.
- D.3.6 The entity will seek to avoid involuntary resettlement.
- D.3.7 Where involuntary resettlement is unavoidable, it shall be minimised and the entity:
- Shall ensure that the requirements of the International Finance Corporation's Performance Standard 5 on Land Acquisition and Involuntary Resettlement and supporting Guidance Note requirements are met. This includes consideration of vulnerable and disadvantaged groups
 - Shall establish a resettlement policy and procedures
 - Shall prepare a Resettlement Action Plan (RAP)
 - Where economic displacement occurs, a Livelihood Restoration Plan (LRP) shall be prepared
 - Shall ensure that suitably qualified and experience persons are employed to support the resettlement.
- D.3.8 Socio-economic impacts assessments shall include an assessment of human rights, vulnerable and marginalized groups and conflict. These assessments can be done in conjunction with environmental impact assessments as required.
- D.3.9 The entity shall ensure that are there systems to identify, assess, manage and report on social risks and impacts, by the business and its contractors, on an on-going basis.
- D.3.10 Where the entity enters into formal benefit sharing agreements, these shall be negotiated and agreed in an inclusive, equitable, culturally-appropriate and rights-compatible manner.
- D.3.11 The entity shall implement measures and processes to identify, document, monitor and report on the implementation of any social commitments, both formal (such as impact benefit agreements) and informal (ad hoc commitments made by entity personnel to external stakeholders).

- D.3.12 The entity shall implement a site-based social incident, complaints and grievance management system and procedure that is legitimate, accessible, predictable, equitable and transparent. The procedure should:
- Be transparent and structured, allowing stakeholders to submit their grievances free of charge, without fear of reprisal and if necessary, anonymously via third parties.
 - Include a system for reporting, classifying, investigating, processing and managing a complaint or incident, including relevant notification protocols for internal escalation and awareness.
 - Be established with clear accountabilities and responsibilities, including a senior manager with sufficient knowledge to provide assurance the issue has been addressed.
 - Communicate outcomes and resolutions back to the relevant stakeholders.
 - Ensure an effective mechanism is established to enable stakeholders to appeal findings where they are not satisfied with the outcome of the investigation and/or proposed resolution.
 - Establish monitoring and evaluation measures to monitor these mechanisms and processes and assess their effectiveness.
- D.3.13 Entities will seek to support the development of the communities in which they operate through support of community development initiatives, in particular through:
- Designing programmes for training and employing members of the local community.
 - Offering local supplier development programmes, both through capacity building and access to finance and business.
 - Identifying opportunities to leverage operational infrastructure that can also benefit the local/surrounding communities.
 - Broader social investment initiatives with long term strategic goals that help address risks and maximise opportunities.

D.4 HEALTH & SAFETY EMERGENCY PROCEDURES

- D.4.1 The operating company shall carry out a scoping exercise to identify significant potential risks and impacts to community health and safety from mining-related activities. At minimum, the following sources of potential risks and impacts to community health and/or safety shall be considered:
- a. General mining operations;
 - b. Operation of mine-related equipment or vehicles on public roads;
 - c. Operational accidents;
 - d. Failure of structural elements such as tailings dams, impoundments, waste rock dumps;
 - e. Mining-related impacts on priority ecosystem services;
 - f. Mining-related effects on community demographics, including in-migration of mine workers and others;
 - g. Mining-related impacts on availability of services;
 - h. Hazardous materials and substances that may be released as a result of mining-related activities; and
 - i. Increased prevalence of water-borne, water-based, water-related, and vector-borne diseases, and communicable and sexually transmitted diseases (e.g., HIV/AIDs, tuberculosis, malaria, Ebola virus disease or others) that could occur as a result of the mining project.
- D.4.2 Scoping shall include an examination of risks and impacts that may occur throughout the mine life cycle (e.g., construction, operation, reclamation, mine closure and post-closure).
- D.4.3 Scoping shall include consideration of the differential impacts of mining activities on vulnerable groups or susceptible members of affected communities.

- D.4.4 Mining facilities will develop and maintain emergency response plans, in collaboration with potentially affected communities, workers and their representatives, and relevant agencies, pursuant to guidance provided by United Nations Environment Programme (UNEP) on Awareness and Preparedness for Emergencies at the Local Level (APELL) for Mining. Such emergency response plans must include consideration of emergencies arising within the facility that have potential to impact off-site areas.
- D.4.5 Establish an emergency response co-ordinating group which should include management team representatives and key stakeholder representatives such as local authorities and emergency response organisations, community leaders and worker representatives, to manage interaction between those involved in preventing or responding to emergencies and ensure a coordinated and inclusive approach to emergency response planning.
- D.4.6 The operating company shall make information on community health and safety risks and impacts and monitoring results publicly available.
- D.4.7 The operating company shall allow workers access to their personal information regarding accidents, dangerous occurrences, inspections, investigations, remedial actions, health surveillance and medical examinations.
- D.4.8 Where a worker dies as a result of a work-related injury or disease, the operating company shall, at minimum, provide to spouses and dependent children benefits to cover funeral expenses and transportation of the worker's body, if appropriate, as well as compensation that is equal to or greater than three months' salary of the deceased worker.

D.5 BIODIVERSITY

- D.5.1 Entities with mining facilities will not explore or mine in World Heritage Sites and ensure that their activities do not impact directly on adjacent World Heritage Sites.
- D.5.2 Entities will have a process to identify legally designated protected areas, comply with all requirements relating to these and ensure that all decisions concerning exploration, development, operation and closure take account of the impact on these areas.
- D.5.3 Entities should use appropriately competent personnel to map protected areas in and around the project site as early as possible in the mining lifecycle and repeat periodically.
- D.5.4 Entities will not undertake any activity that will, or is likely to, lead to significant decline or the extinction of a species listed by the International Union for Conservation of Nature (IUCN) as threatened with extinction, or create adverse impacts on habitat critical to supporting their survival.
- D.5.5 Entities with mining facilities will assess potential environmental impacts on land, water, air and biodiversity when planning any developments or expansions, exploration programmes and mining projects and implement action plans to deliver measurable diversity benefits proportionately to the level of any impacts and which will include:
- Biodiversity, ecosystem services and protected areas screening, assessment, management planning, implementation of mitigation measures, and monitoring shall be carried out and documented by competent professionals using appropriate methodologies and shall include consultations with stakeholders, including, where relevant, affected communities and external experts.
 - Biodiversity, ecosystem services and protected areas impact assessments, management plans and monitoring data shall be publicly available, or made available to stakeholders upon request.
 - Development and implementation of a program to monitor the implementation of its protected areas and/or biodiversity and ecosystem services management plan(s) throughout the mine life cycle and have its findings subject to independent review
- D.5.6 Entities shall identify Key Biodiversity Areas affected by their operations and:
- Use the mitigation hierarchy to avoid, minimise, rehabilitate or, where required after these steps have been implemented, offset impacts on biodiversity and ecosystem services.
 - Implement action plans to deliver measurable biodiversity benefits that are at least commensurate with the level of adverse impacts, and ideally provide net positive impact.
 - In areas of Critical Habitat, ensure that there are no measurable adverse impacts on the criteria for which the habitat was designated or on the ecological processes supporting those criteria and provide overall net gain in biodiversity benefits for the area.

D.5.7 Entities carrying out exploration or mining activities in deep-sea areas shall ensure there is sufficient scientific knowledge of potential impacts of these activities, and implement controls to mitigate adverse impacts.

D.6 NATURAL RESOURCE MANAGEMENT AND ENVIRONMENTAL RISK

D.6.1 Entities with mining operations will implement a comprehensive system for managing tailings and waste rock, including:

- A risk-based approach, including regular, rigorous risk assessment and transparent decision-making to choose the most appropriate site-specific approach to disposal, using the best available technology. Where risk assessment finds that conditions are inappropriate for marine or lake disposal of tailings and waste rock or where there is insufficient data then this approach must not be utilized.
- Critical controls to identify, implement and monitor actions for managing high risks.
- An engineer-of-record to provide technical direction for waste management.
- Independent review and evaluation by a competent, objective third party. This review should cover all aspects of the planning, design, construction, operation and maintenance of waste facilities.
- Adopt a waste management policy, approved and endorsed by senior management, regarding management of waste materials and mine waste facilities in a manner that eliminates, if practicable, and otherwise minimises risks to human health, safety, the environment and communities
- Design, construct, maintain and monitor tailing facilities and waste rock facilities to ensure structural stability, control discharge, and protect the surrounding environment and local communities and prevent catastrophic failures.
- Not use riverine tailings disposal.
- Not use marine or lake tailings or waste rock disposal for land-based mining facilities, unless:
 - A thorough environmental and social analysis of alternatives, using scientifically valid data, was conducted that showed that marine or lake tailings disposal creates fewer environmental and social impacts and risks than a land-based tailing facility.
 - Scientific studies were conducted demonstrating that there are no significant adverse effects on coastal resources.
 - There is long-term impact monitoring, including for cumulative impacts, and a provision made for a mitigation plan.

D.6.2 Carry out physical and geochemical characterisations and in-depth risk assessment of mining wastes so as to identify and manage potential impacts arising from acid rock drainage and metal leaching.

D.6.3 Protect the surrounding environment and local communities from potential impacts of acidification, metal leaching, loss of containment or contamination during the mine's operation and post-closure.

D.6.4 For new mines or when significant changes are made to existing mines carry out screening to determine whether there are significant impacts on offsite human noise receptors.

D.6.5 For all mining facilities implement appropriate measures to establish baseline noise level and mitigating actions necessary to ensure noise does not exceed prescribed legal levels. Processes used must include engagement of relevant affected stakeholders in the mitigation strategies.

D.6.6 All mining facilities must undertake measures to identify significant impacts on water, air quality and soil from mining facility operations and to reduce its significant emissions to air, water and land and increase resource efficiency on an annual basis. These measures shall include the following management system elements in relation to greenhouse gas emissions and energy use, waste water discharges and water use and air quality as a minimum:

- Publicly available policy
- Assessment and management of emissions and resource use
- Implementation of improvement plans and mitigation measures for significant emissions and resource use
- Reporting progress towards targets for improvement

- D.6.7 Monitor energy, water, and other identified significant natural resources used and establish associated efficiency initiatives, including working towards use of renewable energy in alignment with national targets or legislation.
- D.6.8 Where the entity/facility is part of the mining sector policies, procedures and clear allocation of responsibilities in relation to water governance is required. Water use at facilities must be managed effectively using a water balance and taking cumulative impacts into account. Water performance must be publicly communicated and stakeholder collaboration utilised to achieve responsible and sustainable water use at a water catchment level.

D.7 MERCURY

- D.7.1 Where Mercury is contained in saleable products, by-products or emissions, the company/entity/ facility shall adopt management practices that are at minimum in accordance with legal requirements and in alignment with the Minamata Convention to control and, where feasible, reduce mercury emissions using best available techniques or best environmental practices that take into account technical and economic considerations.
- D.7.2 For entities that use mercury in their mining and processing activities, the entity shall eliminate whole ore-amalgamation, open burning of amalgam or processed amalgam, and burning of amalgam in residential areas, and cyanide leaching in sediment, ore or tailings to which mercury has been added without first removing the mercury.
- D.7.3 Where mercury is being used in ASM activities, controls should be in place to prevent exposure to anyone under the age of 18 year and pregnant women and women of child-bearing age, and the Entity sourcing from ASM producers shall implement time bound action plans to control, reduce, and where feasible eliminate, the use of mercury and mercury compounds from such mining and processing activities.
- D.7.4 Where mercury emissions are occurring implementation of the mercury management plan, including data, must be report publicly, at least annually.

D.8 INDIGENOUS PEOPLES

- D.8.1 Mining Facilities will respect the rights of Indigenous Peoples as articulated and defined in applicable provincial, national and international laws and their social, cultural, environmental and economic interests, including their connection with lands and waters.
- D.8.2 Mining Facilities will seek to obtain broad-based support of affected Indigenous Peoples and to have this support formally documented, including partnerships and/or programs to provide benefits, compensation and mitigate impacts.
- D.8.3 New Mining Facilities, or changes to existing Mining Facilities, shall, as described in International Finance Corporation (IFC) Performance Standard 7, work to obtain the Free, Prior and Informed Consent (FPIC) of affected Indigenous Peoples during the planning and approval stages, through a process that strives to be consistent their traditional decision-making processes, while respecting internationally recognised human rights and based on good faith negotiations.
- D.8.4 The Mining Facility shall implement policies or procedures to ensure respect for the rights of Indigenous Peoples, conduct an impact assessment on the potential impact of the business on Indigenous Peoples and establish programs to mitigate negative impacts and provide benefits to Indigenous Peoples.
- D.8.5 The process and any outcomes or decisions regarding community support and delivering benefits shall be documented and made publicly available.
- D.8.6 In collaboration with the community, the entity shall periodically monitor the effectiveness of any mechanisms or agreements developed to deliver community benefits, based on agreed upon indicators, and evaluate if changes need to be made to those mechanisms or agreements.

D.9 ARTISANAL AND SMALL-SCALE MINING

- D.9.1 Mining Facilities will, as appropriate, participate in initiatives, including multi-stakeholder initiatives, which enable the professionalisation and formalisation of artisanal and small-scale mining (ASM), where it occurs within their areas of operation.
- D.9.2 Where artisanal and small-scale mining operates on or around a Mining Facility, the entity will engage directly with them and maintain continuous dialogue as part of their Social and Environmental Impact Assessment and community engagement processes, incorporating ASM into ongoing risk management activities.
- D.9.3 Establish an ASM policy and management plan to ensure ASM considerations are included in all aspects throughout the mine life cycle.

D.10 SECURITY GUARDS

- D.10.1 Entities with Mining Facilities will ensure that security risk assessments are conducted and that security personnel receive training to ensure security approaches are consistent with the Voluntary Principles on Security and Human Rights and promote protection of human rights.
- D.10.2 The human rights of any Artisanal and Small-scale Mining (ASM) producers should be explicitly addressed in the training of private security personnel and any other relevant staff.
- D.10.3 Entities whose business is provision of private security services to the jewellery supply chain shall be certified members of the International Code of Conduct Association (ICoCA).

D.11 MINE CLOSURE PLANNING

- D.11.1 Entities with mining facilities will prepare and regularly review a mine closure plan in relation to each mining facility and ensure that adequate capacity and resources, including financial provisions, are available to meet closure and rehabilitation requirements. Closure funding estimates shall be reviewed periodically during the mining lifecycle.
- D.11.2 There must be regular engagement with local stakeholders in relation to each mining facility including Indigenous peoples, communities, ASM, employees and regulators, regarding mine closure and rehabilitation plans.
- D.11.3 Land disturbed or occupied by mining facilities shall be rehabilitated with the objective of establishing an appropriate self-sustaining ecosystem or other post-mining land use developed through engagement with key stakeholders in the mine closure planning process.
- D.11.4 Closed mine facilities must be monitored for geotechnical stability and routine maintenance as required by applicable law.

D.12 SUSTAINABILITY REPORTING

- D.12.1 Entities with mining facilities will report publicly on their sustainability performance using the Global Reporting Initiative (GRI) Sustainability Reporting Standards on an annual basis.
- D.12.2 The reports must have external assurance as defined by the GRI.
- D.12.3 The facility shall document the mutually accepted process between the Facility and the affected Indigenous Peoples, and any relevant government authorities, and shall evidence the agreement between the parties as the outcome of the negotiations.
- D.12.4 Obtaining Free Prior and Informed Consent could be associated with any of the following circumstances:
- New mining facilities, or for changes to existing facilities, that are likely to have significant adverse impacts on indigenous peoples including, but not limited to, those associated with:
 - Impacts on lands and natural resources subject to traditional ownership or under customary use.
 - Relocation of indigenous peoples from lands and natural resources subject to traditional ownership or under customary use.
 - Significant impacts on critical cultural heritage that is essential to indigenous peoples' identity and/or their cultures, ceremonies or spiritualities.
 - Use of cultural heritage (including indigenous peoples' knowledge, innovations or practices) for commercial purposes.
- D.12.5 Artisanal and Small-scale Mining (ASM) producers should be explicitly addressed in training of private security personnel. In some countries, the term Indigenous may be controversial, and local terms may be used which are broadly equivalent, such as tribal peoples, aboriginal people, first peoples, native people. In other situations, Indigenous Peoples may not be recognised by the State.
- D.12.6 Entities shall apply the principles of FPIC to groups that exhibit the commonly accepted characteristics of Indigenous Peoples, including:
- Self-identification as members of a distinct indigenous cultural group and recognition of this identity by others.
 - Collective attachment to geographically distinct habituate or ancestral territories in the project area and to the natural resources in these habitats and territories.
 - Customary cultural, economic, social or political institutions that are separate from those of the dominant society or culture.
 - A distinct language or dialect, often different from the official language/s of the country or region in which they reside.
- D.12.7 Impact Benefit Agreements are considered a suitable FPIC process where they are carried out in good-faith and with the informed consultation and participation of Indigenous People.

E CORPORATE SOCIAL INVESTMENT AND BUSINESS IMPACT

E.1

E.1.1 The entity must seek to support the social, economic and institutional development of the community in which it operates and support community initiatives.

E.1.2 This section does not impact a Sightholder or Accredited Buyer's compliance status against the requirements of the Best Practice Principles Assurance Programme.

E.1.3 Investing in communities is in most cases a voluntary business activity. However, it is increasingly an important opportunity to work in partnership with others. A strategic approach to community development can work to align company objectives with existing and future community development plans and regional development aspirations as well as alignment with the ambitions of the Sustainable Development Goals.

E.1.4 Best practice approaches to investment in community development include:

- An approach that is participatory, drawing on relevant expertise to consider any unintended consequences and build a robust understanding of the local, regional and national needs and aspirations, and is an opportunity to work in partnership with others;
- Convey the aims of your initiatives, the key principles that underlie the initiative, and seek to understand and communicate the expectations of any stakeholders involved;
- Ensure that monitoring frameworks are in place to evaluate the impacts, learnings and improvements of all initiatives, ensuring that any adjustments can be implemented to guarantee success over the duration of a programme;
- Seek to involve community members as much as possible in the decision-making, governance and review of the initiative to ensure support and success;
- Identify opportunities to align core business activities to support key social and environmental needs including, for example, selecting local suppliers for business needs; local employment opportunities in your business or through a supplier/partner; workforce development programmes to improve the skills of employees.

E.1.5 The Global Goals were adopted during the UN Sustainable Development Summit in 2015. There are 17 goals, and 169 related targets covering all aspects of life. They are as follows:

1. No poverty
2. Zero hunger
3. Good health and well-being
4. Quality education
5. Gender equality
6. Clean water and sanitation
7. Affordable and clean energy
8. Decent work and economic growth
9. Industry, innovation and infrastructure
10. Reduced inequalities
11. Sustainable cities and communities
12. Responsible consumption and production
13. Climate action
14. Life below water
15. Life on land
16. Peace, justice and strong institutions
17. Partnership for the Global Goals

E.1.6 The company/entity/facility may already have developed its own approach and strategy to identifying opportunities and programme designs that support the achievement of the Global Goals. In instances where the company/entity/facility does not have an implementation approach and is keen to do so, the following is simple suggested implementation approach:

1. Consider existing programmes: Identify existing programmes that the company/entity/facility supports that promotes the achievement of the Global Goals.
2. Prioritise: Understand the Global Goals and prioritise which Global Goals the company/entity/facility can support. This could be based on identifying which of the Global Goals the entity has the most significant impact on (positive or negative), and identifying which Global Goals are prioritised at the local and national level.
3. Set Strategy and Targets: The company/entity/facility can define how core business strategy can contribute positively to supporting prioritised Global Goals. The company/entity/facility can set its own targets to measure impacts and foster better performance, thereby being able to demonstrate its commitment to sustainable development.
4. Track progress and communicate: measure performance using relevant indicators and identify opportunities to improve delivery or effectiveness and inform additional approaches to impact. Communicate the impacts to relevant internal and external stakeholders.
5. Integrate: Seek to eventually integrate sustainability into core business strategy and governance through embedding sustainable development targets across multiple functions.

E.1.7 Businesses can directly and indirectly contribute to supporting the achievement of the global goals. Direct impacts could include the following examples. Please note that these are just examples, for illustrative purposes only, and should not be read as suggested approaches/strategies that businesses should adopt:

- Climate Action: the company/entity/facility aims to ensure 50% of its key business operations are carbon neutral by 2022.
- Gender Equality: the company/entity/facility aims to have 50% female representation on its Board by 2022.
- Decent work and economic growth: the company/entity/facility has established a youth empowerment policy and initiative – 50% of all annual new hires shall be young people between the ages of 21–26 years and will be given development opportunities during their first year.
- Health and welfare: the company/entity/facility has committed to building a cancer ward in the local hospital, due for completion in 2020. The management of the ward will be handed over to hospital management on completion of the ward.
- Quality education: the company/entity/facility has built a computer laboratory in the local secondary school and pays for the annual maintenance and running costs.
- Decent work and economic growth; industry, innovation and infrastructure: the company/entity/facility supports an enterprise development fund, providing small and medium-sized social enterprises with loans to start or expand their businesses.

F GOLD, PLATINUM GROUP METALS, SILVER AND COLOURED STONES

- F.1.1 For RJC Members wishing to opt in for RJC certification through the BPP Programme and to whom this section applies, please refer to the Responsible Jewellery Council Standards for further details on the requirements..

G INTEGRITY OF THE BPP PROGRAMME

- G.1.1 The company/entity/facility must demonstrate they have participated in the BPP Programme in good faith.
- G.1.2 Participating in the BPP Programme requires those completing the workbook to answer the questions with full explanation and evidence. Answers must be tailored to the specific business needs of the entity in question.
- G.1.3 Where consultants have been used to support the completion of the workbook, this must have been reviewed by a member of senior management before submission. Evidence of shared answers across different Groups is not permitted.
- G.1.4 An autofill function has been introduced to the BPP SMART system to ease the completion of the workbook and participation with the programme. Answers must not be repeated year on year without being updated to reflect any changes to the business.

FURTHER INFORMATION AND USEFUL LINKS

A. BUSINESS RESPONSIBILITIES

- Transparency International
www.transparency.org/
- OECD Convention on Combating Bribery of Foreign Public Officials in International Business Transactions (1997)
www.oecd.org/document/21/0,3343,en_2649_34859_2017813_1_1_1_1,00.html
- UN Global Compact – Principle 10 on Anti-Corruption (2004)
www.unglobalcompact.org/AboutTheGC/TheTenPrinciples/anti-corruption.html
- UN Convention against Corruption (2003)
www.unodc.org/unodc/en/corruption/index.html
- Publish What You Pay – aimed at natural resource extraction companies
www.publishwhatyoupay.org
- World Economic Forum – Partnering against Corruption
www.weforum.org/en/initiatives/paci/index.htm
- Financial Action Task Force (FATF) – an international policy making organisation established to counter criminal use of financial systems
www.fatf-gafi.org
- World Bank Group – Anti-Money Laundering and Combating the Financing of Terrorism
www1.worldbank.org/finance/html/amlcft/index.htm
- UN Global Programme against Money Laundering
www.unodc.org/unodc/en/money-laundering/index.html
- International Money Laundering Information Network (IMoLIN)
www.imolin.org/imolin/index.html
- Basel Committee on Banking Supervision
www.bis.org/bcbs/index.htm
- Jeweler's Vigilance Committee (US A) – guidance on legal compliance and anti-money laundering issues
www.jvclegal.org/
- The Kimberley Process Certification Scheme
www.kimberleyprocess.com
- Information by the World Diamond Council on KPCS and SoW
www.diamondfacts.org
- Jewelers of America
www.jewelers.org
- The Diamond Development Initiative
www.ddiglobal.org
- Global Witness
www.globalwitness.org

B. SOCIAL RESPONSIBILITIES

- International Labour Organisation (ILO) – Employment relationship
<http://www.ilo.org/public/english/dialogue/ifpdial/areas/legislation/employ.htm>
- International Labour Organisation (ILO) – Contracts of employment
<http://www.ilo.org/public/english/dialogue/themes/ce.htm>
- International Labour Organisation (ILO) – The Employment Relationship: An Annotated Guide to Recommendation 198
<http://www.ilo.org/public/english/dialogue/ifpdial/downloads/guide-rec198.pdf>
- ACAS – Advisory Handbook on Discipline and Grievances at Work (UK)
www.acas.org.uk/index.aspx?articleid=890
- CIPD – Discipline and Grievances at Work (UK)
www.cipd.co.uk/subjects/emplaw/discipline/disciplingrievprocs.htm
- Smart Manager – Workplace discipline
www.smartmanager.com.au/web/au/smartmanager/en/pages/115_work.html
- International Labour Organisation (ILO) – list of health and safety conventions
www.ilo.org/ilolex/english/subjectE.htm#s12
- ILO SafeWork programme – information and resources
www.ilo.org/public/english/protection/safework/
- Universal Declaration of Human Rights – Articles 2, 7 and 23
www.un.org/Overview/rights.html
- International Labour Organisation (ILO) – Equality and Discrimination
www.ilo.org/global/Themes/Equality_and_Discrimination/lang-en/index.htm
- ILO – Database on Conditions of Work and Employment Laws (information on maternity protection legislation in more than 100 countries)
<http://www.ilo.org/public/english/protection/condtrav/database/>
- United Nations Global Compact Principle 6 – Discrimination
www.unglobalcompact.org/AboutTheGC/TheTenPrinciples/principle6.html
- Business and Human Rights Resource Centre
www.business-humanrights.org/Home
- International Finance Corporation – Good Practice Note on Non-Discrimination and Equal Opportunity (2006)
[www.ifc.org/ifcext/enviro.nsf/AttachmentsByTitle/p_NonDiscrimination/\\$FILE/NonDiscrimination.pdf](http://www.ifc.org/ifcext/enviro.nsf/AttachmentsByTitle/p_NonDiscrimination/$FILE/NonDiscrimination.pdf)
- ILO – Database on Conditions of Work and Employment Laws (information on minimum wages legislation in more than 100 countries)
<http://www.ilo.org/public/english/protection/condtrav/database/>
- ILO – Minimum Wages Policy
<http://www.ilo.org/public/english/protection/condtrav/pdf/infosheets/w-1.pdf>
- SA 8000 Social Accountability International Standard (2001) – Compensation
www.sa-intl.org/index.cfm?fuseaction=Page.viewPage&pageID=710
- International Programme on the Elimination of Child Labour (IPEC)
www.ilo.org/ipecc/index.htm
- United Nations Global Compact – Principle 5 on Child Labour
www.unglobalcompact.org/AboutTheGC/TheTenPrinciples/principle5.html
- ILO Convention 138 on Minimum Age (1976)
www.ilo.org/ilolex/cgi-lex/convde.pl?C138
- ILO Recommendation 146 on Minimum Age (1976)
www.ilo.org/ilolex/cgi-lex/convde.pl?R146
- ILO Convention 182 on the Worst Forms of Child Labour (1999)
www.ilo.org/ilolex/cgi-lex/convde.pl?C182
- UNICEF UK's Child Labour Resource Guide
<http://www.unicef.org.uk/campaigns/publications/clrg/index.asp>

- SA 8000 Social Accountability International Standard (2001)
www.sa-intl.org/index.cfm?fuseaction=Page.viewPage&pageID=710
- United Nations Global Compact – Principle 4 on Forced and Compulsory Labour
www.unglobalcompact.org/AboutTheGC/TheTenPrinciples/Principle4.html
- ILO Special Action Programme to Combat Forced Labour – information resources
www.ilo.org/sapfl/Informationresources/lang-en/index.htm
- ILO Convention 29 on Forced or Compulsory Labour (1930)
www.ilo.org/ilolex/cgi-lex/convde.pl?C029
- ILO Convention 105 concerning the Abolition of Forced Labour (1957)
www.ilo.org/ilolex/cgi-lex/convde.pl?C105
- United Nations – Universal Declaration of Human Rights
<http://www.un.org/Overview/rights.html>
- United Nations Office of the High Commissioner for Human Rights
<http://www.ohchr.org/EN/Issues/Pages/WhatAreHumanRights.aspx>
- Business and Human Rights – Jewellery
<http://www.business-humanrights.org/Categories/Sectors/Consumerproductsretail/Jewellery>
- Human Rights Watch – Business and Human Rights
<http://www.hrw.org/doc/?t=corporations>
- 2008 Report of the Special United Nations Representative on the issue of human rights and business, John Ruggie
www.reports-and-materials.org/Ruggie-report-7-Apr-2008.pdf
- Human Rights Translated: A Business Reference Guide
<http://www.law.monash.edu.au/castancentre/publications/human-rights-translated.pdf>
- ICMM publication 'Human Rights in the Metals and Mining Industry' (2009)
www.icmm.com/document/642
- Universal Declaration of Human Rights – Article 20
www.un.org/Overview/rights.html
- ILO Declaration on Fundamental Principles and Rights at Work
www.ilo.org/dyn/declaris/DeclarationWeb.IndexPage
- ILO Convention 87 – Freedom of Association and the Right to Organise (1948)
www.ilo.org/ilolex/cgi-lex/convde.pl?C087
- ILO Convention 98 – Right to Organise and Collective Bargaining (1949)
www.ilo.org/ilolex/cgi-lex/convde.pl?C098
- UN Global Compact Principle 3 – Freedom of Association and Collective Bargaining
www.unglobalcompact.org/AboutTheGC/TheTenPrinciples/principle3.html
- Ethical Trading Initiative – Base Code
www.ethicaltrade.org/Z/lib/base/code_en.shtml
- Business and Human Rights Resource Centre
www.business-humanrights.org/Home

C. ENVIRONMENTAL RESPONSIBILITIES

- International Organisation for Standardisation (ISO) – ISO 14000 series (Environmental Management Systems) www.iso.org/iso/iso_catalogue/management_standards/iso_9000_iso_14000/iso_14000_essentials.htm
- International Finance Corporation (IFC) Performance Standards and EHS Guidelines http://www.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/ifc+sustainability/our+approach/risk+management/ehsguidelines
- Business for Social Responsibility – Overview of Business and the Environment www.bsr.org/research/issue-brief-details.cfm?DocumentID=49037
- United Nations Global State of the Environment Report www.unep.org
- United Nations Division for Sustainable Development www.un.org/esa/sustdev/
- United Nations Global Compact www.unglobalcompact.org
- Global Reporting Initiative www.globalreporting.org
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RESOURCE APPENDIX

The following sources have been used to develop the BPP Requirements and are also useful reference resources:

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DE BEERS GROUP