RESPONSIBLE
JEWELLERY
COUNCIL

CODE OF PRACTICES

STANDARD

DECEMBER 2024

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SUPPORTING DOCUMENTS

The following documents offer supporting information to help entities implement the COP standard:

RJC COP Guidance

Glossary

Further supporting documents, appendices, toolkits and references to assist with implementing this document, can be found on the RJC website and on the member portal.

Key defined terms in this document are in *italics* and can be found in the glossary.

ENQUIRIES, FEEDBACK OR COMPLAINTS

We welcome feedback on the COP standard. If you have any inquiries, feedback or complaints, please contact:
Email: consultation@responsiblejewellery.com.
Telephone: +44 (0)207 321 0992

Any complaints relating to non-conformance with the COP, RJC certification or the RJC's own policies, processes and procedures can be submitted through the RJC Complaints Mechanism at www.responsiblejewellery.com/contact-us/rjc-complaints-mechanism or by telephone: +44 (0)20 7321 0992.

DISCLAIMER

No guarantee, warranty or representation is made as to the accuracy or completeness of the COP and other documents or information sources referenced in it. Compliance with the COP is not intended to, nor does it, replace, contravene or otherwise alter the requirements of any applicable global, national, state or local governmental statutes, laws, regulations, ordinances or other requirements.

Compliance with the COP is voluntary for non-members and is neither intended to, nor does it, create, establish or recognise any legally enforceable obligations or rights against the RJC and/ or its members or signatories.

Our vision is a responsible worldwide supply chain that promotes trust in the global jewellery and watch industry

The Responsible Jewellery Council (RJC) is a not-for-profit standard-setting organisation founded in 2005.

ABOUT THIS STANDARD

The RJC Code of Practices (COP) defines the responsible ethical, human rights, social and environmental practices that all certified RJC members must adhere to. This is a 'version controlled' document and the RJC reserves the right to revise it based on implementation experience and emerging good practice. The official language of the COP is English, with translated versions available on the website. The English version posted on the RJC website supersedes all other versions; see www.responsiblejewellery.com

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ABOUT THE RJC CODE OF PRACTICES (COP)

The RJC COP defines the requirements for establishing responsible business practices throughout the global jewellery and watch supply chain, from mine to retail.

The COP provides a common standard for ethical, social, human rights and environmental practices, and COP certification is mandatory for all RJC commercial members. COP certification provides a strong system for assuring stakeholders, shareholders, customers and business partners that a company conducts its business responsibly. This can add value to a company's products and help protect and enhance its brands.

More importantly, COP certification can reduce risks and vulnerabilities in a company's supply chain and improve management systems and operating procedures to strengthen the business and make it more sustainable. It simultaneously leads to better social and environmental conditions within the broader industry, bringing positive impacts for workers, communities and environments alike.

COP CERTIFICATION AT A GLANCE

- Provides a common standard for responsible business practices from mine to retail.
- Builds on and supports international standards and development goals.
- Applies to gold, silver, PGM, diamond and coloured gemstone jewellery and watch supply chains.
- Requires third-party auditing and is mandatory for all RJC members.
- Is designed to improve ethical, social, human rights and environmental conditions.

Introduction

SCOPE

The COP can be applied to any size of business, and its scope includes all sectors of the gold, silver, PGM, diamond and coloured gemstone jewellery and watch supply chain. References to the 'coloured gemstone supply chain' in the COP means rubies, sapphires and emeralds.

The sectors covered by the COP include exploration and mining; mineral processing; refining and alloying; cutting and polishing; trading, hedging and wholesaling; manufacturing; retailing; *recycling* and collecting; and service industries, such as gemmological laboratories, assayers and secure transport providers.

The COP is made up of 45 provisions that are specifically designed for companies to fulfil six broad objectives:

GENERAL REQUIREMENTS

To improve legal and regulatory compliance, strengthen public reporting and secure a commitment to responsible business practices.

RESPONSIBLE SUPPLY CHAIN, HUMAN RIGHTS & DUE DILIGENCE

To increase the use of due diligence in supply chains to uphold human rights, support community development, promote anti-corruption efforts and manage sourcing risks.

LABOUR RIGHTS & WORKING CONDITIONS

To better comply with international labour conventions and ensure responsible working conditions.

HEALTH, SAFETY AND ENVIRONMENT

To protect the health and safety of both people and environments, and to use natural resources efficiently.

GOLD, SILVER, PGM, DIAMOND & COLOURED GEMSTONE PRODUCTS

To adequately control, and disclose information about, products and so avoid misleading or deceptive marketing practices.

RESPONSIBLE MINING AND MINERAL PROCESSING

To secure responsible exploration, mining, and mineral practices that protect potentially affected communities and environments from adverse impacts.

Introduction

CERTIFICATION AGAINST THIS STANDARD

Anyone can use the COP to improve their business practices; but for RJC members, abiding by the COP is compulsory and they must be certified within two years of joining the RJC. Members are certified as a whole, rather than by each facility. This means that a company's certification scope for the COP must include all the facilities they own or control that contribute to the gold, silver, PGM, diamond and coloured gemstone jewellery and watch supply chain. All members' certification scopes are published on their certificates, available on the RJC website.

STATUS AND EFFECTIVE DATE

This is the 2024 version of the COP, which was approved by the RJC Board 19 November 2024 and which applies from date of publication. The first COP was formally adopted by the RJC Board in 2008. It was expanded in 2009 to incorporate mining-specific standards, modified in 2013 following its first formal revision and reviewed again in 2019 to further strengthen the standard further and align with industry best practices such as the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas guidance. This 2024 version is the outcome of a formal revision, it underwent 3 rounds of public and multi-disciplinary stakeholder consultation in line with the requirements of ISEAL, the RJC Standards Setting Procedure as well as several rounds of review with the RJC Standards Committee. This update includes new and significant changes to the 2019 COP standard including topics such as greenhouse gas emissions, water and natural capital, diversity, equity and inclusion, claims, *grievance mechanisms*, and a number of mining related provisions including community health and safety and cultural heritage.

This 2024 version supersedes all previous versions. The RJC has established a transition period to enable those commercial members that are already in the certification preparation process to meet pre-existing planning and certification deadlines. All existing COP certifications will remain in place, and members do not need to get recertified until their current certificates expire.

ADDITIONAL SUPPORTING DOCUMENTS

The following documents are available on the member portal, and offer supporting information to help entities implement the COP standard:

- RJC COP standard guidance
- Risk assessment toolkit
- Due diligence for diamonds and coloured gemstones
- Reporting template (COP 3, 6, 7, 28)
- KYC example information request template (COP 12)
- RJC glossary of terms
- Human rights due diligence toolkit
- Due diligence for precious metals toolkit
- KYC policy and procedures template (COP 12)

Further supporting documents, appendices and references to assist with implementing this document, can be found on the RJC website. www.responsiblejewellery.com

Introduction

STANDARD'S DEVELOPMENT & REVIEW

This version of the COP was developed through a formal process, following the ISEAL Standard Setting Code of Good Practice. The process, which included comprehensive and transparent consultation with a broad range of multi-disciplinary and public stakeholders, was overseen by the multi-stakeholder RJC Standards Committee. The RJC is sincerely grateful for the time, expertise and valuable input of the committee members, as well as the many individuals and organisations who contributed to the COP through consultation and public comment.

At the RJC, we strive to ensure that our standards are relevant and realistic and to this end we undertake to assess the COP standard for a review by 2029 (five years after publication of this revised version), or earlier as required. Proposals for revisions or clarifications can be submitted at any time; we will document these for consideration in the next review process.

In the meantime, we will continue to work with stakeholders and members to ensure that the COP is both appropriate and achievable, and that it addresses key ethical, social and environmental challenges with due regard to critical business objectives.

LINKS TO OTHER FRAMEWORKS

The COP aims to recognise and align with other initiatives and standards for responsible business practices wherever possible. For example, COP provisions on labour rights and working conditions (COP 15–23) reflect labour provisions in the Universal Declaration of Human Rights and in various International Labour Organization conventions. Similarly, the COP provision on due diligence for responsible sourcing from conflict-affected and high-risk areas (COP 7) is aligned with the globally accepted OECD guidance on this same issue.

A list of the main international standards referenced in developing the COP is included at the end of this document (see Key references). Some of these are officially recognised as equivalent to one or more COP provisions; in these cases, externally certified companies can have these *systems* recognised for conformance assessment to the relevant COP provisions. For a list of all standards that are officially recognised by the RJC and for the verification approach, see the RJC Certification Process Requirements.

As a whole, the COP also aims to align with the prevailing global framework for social inclusion, environmental sustainability and economic development: the Sustainable Development Goals (SDGs). These 17 goals, adopted by the UN in 2015, represent priority issues for governments across the world and are a key driver in current policy development. Achieving them will require the co-operation and collaboration of all stakeholders; private companies across all sectors, including jewellery, are being called upon to incorporate the SDGs into their own practices and *operations*.

The COP and the SDGs are aligned in many ways and implementing the COP can have a positive impact on several individual SDGs (see Table 1). For example, addressing forced labour in supply chains (COP 20) will help promote decent work and economic growth (SDG 8). Similarly, reducing greenhouse gases (COP 27) will help advance SDG 13 on climate action. All RJC members are encouraged to review their business activities against the SDGs and take steps to incorporate SDGs into their strategic goals and company policies.

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TABLE 1: COP MAPPING TO THE SUSTAINABLE DEVELOPMENT GOALS (SDG)

IMPLEMENTING COP PROVISIONS	SUPPORTS SDG GOALS		
GENERAL REQUIREMENTS COP 1-4	**12** Responsible consumption and production	**16** Peace, justice and strong institutions	
RESPONSIBLE SUPPLY CHAINS AND HUMAN RIGHTS COP 5-14	**1** No poverty	**2** Zero hunger	**5** Gender equality
	9 Industry, innovation and infrastructure	**10** Reduced inequalities	**11** Sustainable cities and communities
	17 Partnerships for the goals		
LABOUR RIGHTS AND WORKING CONDITIONS COP 14-23	**1** No poverty	**2** Zero hunger	**4** Quality education
	5 Gender equality	**8** Decent work and economic growth	**10** Reduced inequalities
HEALTH, SAFETY AND ENVIRONMENT COP 24-28	**3** Good health and wellbeing	**6** Clean water and sanitation	**7** Affordable and clean energy
	13 Climate action		
GOLD, SILVER, PGM, DIAMOND AND COLOURED GEMSTONE PRODUCTS COP 29-31	**16** Peace, justice and strong institutions		
RESPONSIBLE MINING AND MINERAL PROCESSING COP 32-45	**6** Clean water and sanitation	**7** Affordable and clean energy	**9** Industry, innovation and infrastructure
	11 Sustainable cities and communities	**12** Responsible consumption and production	**14** Life below water
	15 Life on land	**17** Partnerships for the goals	

General requirements

COP1: LEGAL COMPLIANCE

COP 1 applies to all members

1.1 Members shall:

a. Have *systems* in place that maintain awareness of, and ensure *compliance* with, *applicable law*.

b. Obtain and comply with required operating licences and permits for their *operations*.

c. Meet the most stringent requirement between *applicable law* and the RJC Code of Practices, while always adhering to *applicable law*.

COP 2: POLICY AND MANAGEMENT SYSTEMS

COP 2 applies to all members

2.1 Members shall adopt a policy/policies that document their commitment to responsible business practices, are endorsed by *top management*, are actively communicated to *workers* and are made *publicly available*.

2.2 The member shall have documented management *systems* that address all applicable requirements of the COP standard.

2.3 The member shall assign authority and responsibility to a *senior staff* member for the member's *compliance* with all applicable requirements of the COP standard.

2.4 The member shall establish and implement communications and training measures that make relevant personnel aware of, and competent in, their responsibilities under the COP standard.

General requirements

2.5 The member shall maintain *records* covering all applicable requirements of the COP standard and shall retain them for a minimum of five years or for as long as defined by national legislation, whichever is longer.

2.6 The *entity* shall have a legitimate rights-compatible complaints and *grievance mechanism* in place, for responding to requests for information and raising and resolving disputes, that is appropriate to the purpose, nature, scale and impact of the business *operations*. The mechanism shall:

a. Be consistent with prevailing *internationally recognised human rights* standards.

b. Be easily and publicly accessible.

c. Be communicated to relevant stakeholders.

d. Be culturally appropriate, and understandable.

e. Be unbiased, equitable, predictable and transparent.

f. Include processes designed to:

i. Avoid *retaliation* for individuals or groups filing complaints or engaging the *grievance mechanism*.

ii. Provide training to management and personnel about the complaints and *grievance mechanism*, including instructions on the respectful handling of all grievances.

iii. Involve trained management and personnel at the appropriate level who understand the sensitivities of the situation.

iv. Ensure timely responses to requests for information, and timely investigation and resolution of complaints and grievances.

v. Ensure that the mechanism or any resultant resolutions do not waive or preclude the individual's or group's right to have the same grievance addressed through other available external mechanisms, including administrative, judicial or other non-judicial remedies.

vi. Retain *records* of complaints and grievances, including responses and outcomes, in a manner that protects the confidentiality and integrity of those filing the grievance, including where anonymity has been requested.

vii. Review the remedies provided through the mechanism to determine whether corrective actions can be implemented to prevent or mitigate similar grievances in the future.

2.7a The member shall monitor and review the performance of the management *systems* and the complaints and *grievance mechanism* to determine if the system outcomes are successful. Where gaps are identified, corrective actions must be implemented.

2.7b *Top management* shall conduct, at least annually, reviews to assess the ongoing suitability and adequacy of the member's business practices in achieving the policy and implement improvements to address any gaps. The review process and outcomes must be documented.

General requirements

COP 3: REPORTING

COP 3.1 applies to all members and COP 3.2 applies to members with mining (including exploration) and mineral processing operations

3.1 Members shall annually communicate:

a. Publicly on their business practices relevant to the COP.

b. Directly with *Affected People or Groups* about relevant information on finalised and concluded legal proceedings, fines, judgements, penalties and non-monetary sanctions for failure to comply with *applicable law*.

3.2 Members with *mining* or mineral processing facilities shall annually publicly report on their sustainability performance in accordance with the Global Reporting Initiative (GRI) Sustainability Reporting Standards or comparable recognised reporting guidelines. The report's dataset shall be externally assured.

COP 4: FINANCIAL ACCOUNTS

COP 4 applies to all members

4.1 Members shall maintain financial accounts of all business transactions in accordance with national or international accounting standards.

4.2 Members shall annually undertake a financial audit or financial review, in jurisdictions where permitted, to be conducted by an independent qualified accountant.

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COP 5: BUSINESS PARTNERS

COP 5 applies to all members

5.1 Members shall use their *best endeavours*, commensurate with their *ability to influence*, to promote responsible business practices consistent with the COP among their significant *business partners*.

5.2 All *workers* and *visitors* to the member's facilities shall be required to comply with the member's policies, *systems* and *procedures* relevant to the COP.

COP 6: HUMAN RIGHTS

COP 6 applies to all members

6.1 Members shall respect *human rights* by considering all potential and actual human-rights-related risks and impacts in their *operations*, *business relationships* and *communities*. They shall also commit to, and implement, the UN Guiding Principles on Business and Human Rights as appropriate to the purpose, nature, scale and impact of their business *operations*.

At a minimum, members shall:

a. Have a policy commitment, endorsed by *top management*, to respecting all *internationally recognised human rights* within their *operations* and *business relationships*, and *procedures* for implementing the policy in alignment with COP 2 (Policy and Management Systems).

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b. Have a *human rights due diligence process* that includes a *human rights impact assessment* to identify, prevent, cease, mitigate and account for *adverse human rights impacts* in their COP RJC Scope Material supply chain and connected to their business *operations*. The risk assessment shall be conducted by *competent professionals* and informed by current, reliable and relevant information, including information from consultations with relevant *Affected People or Groups*.

c. Provide for, or support legitimate *processes* to enable, the remedy of any *adverse human rights impacts* that they have caused, contributed to or been linked with.

d. Use *best endeavours* based on their *ability to influence* their *business partners* to prevent or mitigate their contributions to *human rights* risks and impacts.

e. Provide a publicly accessible and effective complaints and *grievance mechanism* in line with COP 2.6 for raising human-rights-related concerns and grievances.

f. Periodically review, at least annually, *human rights* policy, *procedures* and *due diligence processes* for effectiveness, and take corrective action where improvement opportunities have been identified.

g. Communicate annually with *Affected People or Groups* and publicly report on their *human rights due diligence* efforts, including the methods used to determine *human rights* issues, list identified *human rights* impacts and remedy activities in accordance with COP 3 (Reporting).

6.2 Members that have contributed directly or indirectly through association with their *business partners* to confirmed *adverse human rights impacts* shall:

a. Cease or change any activities that are contributing to the adverse impacts.

b. Mitigate and remediate adverse impacts on the extent of their contribution. Mitigation measures shall involve consultation with *Affected People or Groups*.

c. Use *best endeavours* to *influence* other *business partners* to cease or change their activities.

d. Establish corrective actions to prevent a recurrence of the *human rights* impacts.

Responsible supply chains and human rights

COP 7: DUE DILIGENCE FOR RESPONSIBLE SOURCING, INCLUDING FROM CONFLICT-AFFECTED AND HIGH-RISK AREAS

COP 7.1 applies to all members and 7.2 applies to refiner members.

7.1 Members shall exercise *due diligence* over their COP RJC scope materials supply chains in accordance with the *OECD* Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas (the '*OECD* Guidance') or other auditable *due diligence* frameworks recognised by the RJC to be aligned with the *OECD* Guidance ('RJC-recognised due diligence frameworks'), in ways appropriate to the purpose, nature, scale and impact of their business *operations*.

a. Members shall adopt and communicate a supply chain policy publicly and to their suppliers. The policy shall be consistent at a minimum with Annex II of the *OECD* Guidance or with other RJC-recognised due diligence frameworks with respect to sourcing from *conflict-affected and high-risk areas*.

b. The member's *due diligence* process shall adopt *best endeavours* to confirm that suppliers are legitimate and have not been implicated in *money laundering*, *financing of terrorism*, fraud or serious *human rights* abuses, and are not otherwise subject to sanctions.

c. Members in the *gold* value chain shall implement the *OECD* Guidance Supplement on *Gold* as applicable to their *operations* and supply chains.

d. Members in the *diamond* supply chain shall implement the *OECD* Guidance while complying with COP 30 (Kimberley Process Certification Scheme and World Diamond Council System of Warranties).

e. If the *due diligence* establishes that a member with *mining* or mineral processing activities operates in or sources from suppliers in *conflict-affected and high-risk areas*, the member shall:

i. Not knowingly cause, contribute to or be linked to conflict, *human rights* infringements, *money laundering*, extortion or the funding of terrorist activities upstream or downstream of its *operations*, including during business activities with traders and transportation organisations

ii. Ensure that *Affected People or Groups* have access to and are informed about a rights-compatible complaints and *grievance mechanism* at the operational level for raising conflict-related concerns and grievances.

iii. Mitigate and remediate any complaints or grievances received in line with COP 2.6.

iv. Measure the impact of the mitigation and remediation action and communicate it to affected *communities*.

f. The *due diligence process* shall be reviewed periodically and at least annually, and its determination outcomes updated if required.

7.2 Refiner members shall additionally:

a. Maintain internal material control *systems* that can uniquely identify the *origin* of each material including date received, quantity and assay, and reconcile movement of inventory in and out.

b. Collect information on the mine of *origin* of mined *gold* received and source and type of recycled *gold* received, and annually:

i. Submit this information to the RJC.

ii. Report this information publicly, with due regard to *business confidentiality*.

Responsible supply chains and human rights

COP 8: SOURCING DIRECTLY FROM ARTISANAL AND SMALL-SCALE MINING (ASM)

COP 8 applies to all members that source COP RJC Scope Materials directly from ASM producers

8.1 Members that source COP RJC Scope Materials, directly from ASM producers that are not under their control shall:

a. Regularly assess risks outlined in COP 7 (Due Diligence for Responsible Sourcing, Including from Conflict-Affected and High-Risk Areas) and also risks of unsafe working conditions, uncontrolled *mercury* or *cyanide* use, and *significant* environmental impacts (including impacts on *biodiversity*), and other risks where applicable.

b. Seek development opportunities for *ASM* communities in line with COP 10 (Community Development).

c. Use *best endeavours* to positively *influence* practices by working to:

i. Reduce or avoid risks and provide for, or cooperate in remedying, *adverse human rights impacts* and environmental impacts including climate change and *biodiversity*. Measurable risk mitigation shall aim to promote progressive improvement within a defined period from the adoption of the risk management plan.

ii. Actively participate in initiatives, including multi-stakeholder ones, that enable the professionalisation, formalisation and/or certification of *ASM*, as appropriate to the situation.

iii. Seek to understand fair commercial terms and offer these to all *ASM* suppliers.

COP 9: SOURCING POST-CONSUMER INDUSTRIAL PRECIOUS METALS DIRECTLY FROM INFORMAL RECYCLERS

COP 9 applies to all members that source gold, silver and/or platinum group metals (PGMs) directly from informal recyclers

9.1 Members that source *gold*, *silver* and/or *PGMs* directly from informal *recyclers* that are not under their *control* shall:

a. Regularly assess risks outlined in COP 7 (Due Diligence for Responsible Sourcing, Including from Conflict-Affected and High-Risk Areas) and risks of unsafe working conditions, exposure to toxic chemicals and metals, and other *significant* environmental impacts; and seek opportunities for the development of *informal recycling* communities in line with COP 10 (Community Development).

b. Use *best endeavours* to positively *influence* practices by working to:

i. Reduce or avoid risks and provide for, or cooperate in remedying, adverse human rights and environmental impacts. Measurable risk mitigation should aim to promote progressive improvement within a defined period from the adoption of the risk management plan.

ii. Support development opportunities for *informal recycling* communities.

Responsible supply chains and human rights

COP 10: COMMUNITY DEVELOPMENT

COP 10 applies to all members

10.1 Members shall seek to support the social, economic and institutional development of the *communities* in which they operate and support *community* initiatives.

COP 11: BRIBERY AND FACILITATION PAYMENTS

COP 11 applies to all members

11.1 Members shall establish and publicly disclose policies and *procedures* that:

a. Prohibit all forms of *corruption*, including *bribery* in all business practices and transactions carried out by themselves and by agents acting on their behalf.

b. Protect *workers* from any penalty or adverse consequences for identifying in good faith concerns related to suspected *bribery*, refusing to participate in *bribery* or refusing to pay a facilitation payment where *facilitation payments* are prohibited, even if this action may result in the enterprise losing business.

c. Set the criteria and approval *procedures* in line with *internationally recognised* standards for *workers* to follow when offering and/or accepting gifts to or from third parties.

11.2 Members shall have *systems* in place to manage *bribery* risk in their organisations. The *systems* shall include:

a. Identification and monitoring of those parts of the business that pose a high risk of participation in *bribery*.

b. Training of relevant managers and *workers* on policies and *procedures*.

c. Recording of relevant gifts to and from third parties in a gift register, as per the member's policy.

d. A whistle-blowing or other mechanism for *workers* or other *Affected People or Groups* to raise concerns.

e. Investigation of any incidences of suspected *bribery* within the organisation.

f. Sanctions for *bribery* and attempted *bribery*.

11.3 Where *facilitation payments* are allowed by *applicable law*, members shall:

a. Act to eliminate all *facilitation payments*, or, where elimination is not possible, reduce the size and frequency of *facilitation payments* over time.

b. Ensure that any *facilitation payments* are of limited nature and scope.

c. Implement controls to monitor, oversee and fully account for any *facilitation payments* made by them or made on their behalf.

d. Annually publicly disclose *facilitation payments* made to public or government officials.

Responsible supply chains and human rights

COP 12: KNOW YOUR COUNTERPARTY (KYC): MONEY LAUNDERING AND FINANCING OF TERRORISM

COP 12 applies to all members

12.1 Members shall document and apply KYC policy and *procedures* for counterparties and *business partners* that are suppliers of and *customers* for COP RJC Scope Materials; *jewellery products* containing COP RJC Scope Materials; or other materials that are intended to be converted into COP RJC Scope Materials. The policy and *procedures* shall:

a. Establish the identity of the *counterparty* by checking government-issued identification. Where triggered by a risk assessment or *applicable law*, members shall determine and record the *beneficial ownership* and principals of the *counterparty*.

b. Verify that the *counterparty* and, if applicable, its *beneficial owners* are not named on relevant government lists for *individuals* or organisations implicated in *money laundering*, fraud or involvement with prohibited organisations and/or those financing conflict.

c. Maintain an understanding of the nature and legitimacy of their business.

d. Monitor transactions for unusual or suspicious activity and report suspicions of *money laundering* or *financing of terrorism* to the relevant authority as applicable.

e. Maintain adequate *records* for either a minimum of five years or as long as required by national legislation, whichever is longer.

12.2 *Enhanced KYC* commensurate with the nature, scale and purpose of the business shall be conducted by:

a. Members with mineral processing or refining *operations* that extract COP RJC Scope Materials from input substances on behalf of a third party.

b. Members that handle COP RJC Scope Materials on consignment.

12.3 Members shall assign authority and responsibility to a *senior staff* member for implementing the KYC policy and *procedures*.

12.4 Members' KYC policy and *procedures* shall be up to date and appropriate, and shall include training, documentation *procedures* and regular reviews.

12.5 Members shall maintain *records* of all single or apparently linked cash or cash-like transactions equal to or above 10,000 euros/US dollars or the threshold defined by *applicable law* (whichever is lower). Where required by law, members shall report such transactions to the relevant designated authority.

Responsible supply chains and human rights

COP 13: SECURITY

COP 13.1, 13.2 and 13.4 apply to all members, and 13.3 also applies to members with mining (including exploration) and mineral processing operations

13.1 Members shall assess security risks and establish measures that protect *workers*, *visitors* and personnel employed by relevant *business partners* against product theft, damage or substitution of products within the premises and during events, exhibitions and *shipments*.

13.2 Members shall ensure that all security personnel respect the *human rights* and dignity of all people and use force only when strictly necessary, using the minimum proportionate to the threat.

13.3 Members with *mining* or mineral processing *operations* shall ensure that their security approaches are:

a. Consistent with the Voluntary Principles on Security and Human Rights.

b. Consistent with the United Nations Basic Principles on the Use of Force and Firearms.

c. Include commitments to acknowledging their security approaches in a *publicly available* policy in line with COP 2.1.

13.4 Members whose business it is to provide private security services to the jewellery supply chain shall be certified members of the International Code of Conduct Association (*ICoCA*).

COP 14: CLAIMS

COP 14 applies to all members that make claims

14.1 Members shall check whether they make any *claims* that apply under this provision that relate to:

- RJC membership.
- RJC certification.
- *Provenance claims* about COP RJC Scope Materials, or products containing COP RJC Scope Materials.
- Product *claims* or marketing *claims*.
- Sustainability *claims* about members or their products, services and/or business practices in relation to the scope of the RJC standards.

14.2 Members that make one or more *claims*, whether to other businesses, the end *consumer* or the public, shall have management *systems* that:

a. Ensure that the *claims* meet *applicable law* and are truthful and substantiated by evidence.

b. Ensure that *workers* who are responsible for implementing the *claims*, and responding to enquiries about the *claims*, are trained, understand the *claims* and can explain them accurately.

c. Provide information to suppliers, *customers*, end *consumers* or members of the public who ask about a claim.

d. Revoke *claims* that are found to be misleading, untruthful or not verifiable, take corrective action to avoid their recurrence, and inform *Affected People or Groups* about the revoked *claims* and the corrective actions.

Responsible supply chains and human rights

14.3 Members that make one or more *provenance claims* shall ensure that:

a. Claims being made are clear, unambiguous and not misleading.

b. Claims are transparent and include statements about the underpinning *systems* and verifiable supporting evidence that substantiate the claims.

c. All *provenance claims* are independently verified during an RJC audit and reviewed by RJC.

d. For situations when an existing RJC-verified *provenance claim* is no longer valid or truthful due to a change in the member's business *operations* or to other external factors, it implements actions in line with COP 14.2d and notifies its certification body and RJC in writing within seven business days with information about the situation and associated evidence of actions taken.

e. Once certified to the COP, a new *provenance claim* or a change to an existing validated *provenance claim* shall be verified and reviewed in line with COP 14.3c.

14.4. Members that make one or more product *claims* shall ensure that the *claims* being made are not misleading and are verifiable. This includes responsible sourcing, environmental and sustainability *claims*.

14.5 Members shall ensure that any use of the RJC logo, including its use in association with *jewellery products*, abides by the rules for use of the logo, trademarks and intellectual property.

14.6 Members that sell directly to *consumers* must make available at the point of sale, and on their website, further details about the *claims* being made, including data to support the verification of the *claims*, and the *systems* in place to achieve them.

Labour rights and working conditions

COP 15: GENERAL EMPLOYMENT TERMS

COP 15 applies to all members

15.1 Members shall implement policies and *procedures* regarding their approach to managing *workers* and employment terms with regard to wages, *working hours* and other employment conditions and communicate these policies and terms to *workers* in writing before employment starts, in a language that is understood by them. This shall include:

a. Informing *workers* of their employment rights under *applicable law*, including that they are free to join a *workers'* organisation of their choosing without any negative consequences or *retaliation* from the operating company, and of their rights to applicable *collective bargaining* in line with COP 21 (Freedom of Association and Collective Bargaining).

b. Where applicable, providing *workers* with a copy of the collective agreement and the contact information for the appropriate *workers'* representative.

15.2 Members shall not:

a. Avoid fulfilling legal labour and social security obligations, including *collective bargaining agreements* or other legitimate *worker*-organising efforts, by using labour-only contracts, false apprenticeship schemes, excessive consecutive short-term employment contracts or zero-hour contracts and/or subcontracting or homeworking arrangements.

b. Hire replacement *workers* in order to prevent, undermine or cease a legal strike, support a lockout or avoid negotiating in good faith, unless the labour hire replacement *workers* are to ensure that critical maintenance, *health and safety*, and environmental control measures are maintained during a legal strike.

Labour rights and working conditions

15.3 Members shall maintain appropriate *records* for all *employees*, whether on a full-time, part-time or seasonal basis. *Records* shall include proof of identity and age, and piece-rate and wage payments, as well as *working hours* relevant to the role type, and, where applicable, work permit documents according to applicable migration laws.

15.4 Prior to implementing any *collective dismissals* or retrenchments, the member shall carry out an analysis and explore alternatives to *retrenchment*. If the analysis does not identify viable alternatives to *retrenchment*, a *retrenchment* plan that is based on the principle of *non-discrimination* (see See COP 22 Non-Discrimination) and, where practicable, that minimises adverse impacts on the retrenched *workers* shall be developed in consultation with *workers*, their representatives and, where appropriate, relevant official agencies.

15.5 Members shall provide *workers* with reasonable notice of dismissal and severance payments mandated by *applicable law* and collective agreements. Severance payments including outstanding back pay, social security benefits and pension contributions and benefits shall be paid on or before the termination of the working relationship, or in accordance with a timeline agreed through a collective agreement. Payments shall be made directly to *workers*, or to appropriate institutions for the benefit of *workers*, and *records* of the payment provided to *workers* in line with COP 17 (Remuneration).

COP 16: WORKING HOURS

COP 16 applies to all members

16.1 At a minimum, members shall comply with *applicable law* on *working hours*. The *normal working week*, not including *overtime*, shall not exceed 48 hours. Where *workers* are employed in shifts, the 48-hour week may be exceeded provided that the average number of normal hours worked over a three-week period does not exceed 48 hours per week.

16.2 If *overtime* work is required for business needs, members shall ensure that:

a. They use voluntary *systems* for *overtime* work. Required *overtime* is only acceptable where it is allowed under *applicable law* or *collective bargaining agreements*, within the limits defined by COP 16 (Working Hours) and outlined in employment contracts.

b. In all other circumstances, *overtime* work shall be requested under a voluntary system and within limits set under *applicable law* or *collective bargaining agreements*. The imposition of *overtime* during which *workers* cannot leave the work premises or are in any way forced to accept it (through abuse, threats of dismissal or other means) is not allowed. Refusal to work *overtime* shall not be punished, retaliated against or penalised in any way.

c. *Overtime* is limited to 12 hours per week; 12 hours per week may be exceeded provided that the average number of *overtime* hours worked over a three-week period does not exceed 12 hours per week.

Labour rights and working conditions

d. The sum of the *normal working week* and *overtime* hours shall not exceed 60 hours in a week unless:

i. Defined otherwise by *applicable law*, or a *collective bargaining agreement*, that allows for working-time averaging including adequate rest periods.

ii. There are exceptional circumstances (such as *production peaks*, accidents or emergencies), which will be assessed as outlined in the guidance for COP 16 (Working Hours). Peak production periods are allowed so long as the longer working time is *occasional*, voluntarily performed and compensated at the appropriate premium level established by law and in line with COP 17.2.

iii. Through consultations with *workers* (or *workers*' representatives, where applicable), members conduct a risk assessment for extended *working hours* and take appropriate measures to protect *workers* and minimise the impact of longer *working hours* on the health, safety and welfare of *workers* in line with COP 24 (Health and Safety).

16.3 Members shall provide all *workers* with at least one rest day in seven consecutive working days in accordance with International Labour Organization (*ILO*) Convention 14.

16.4 Members shall provide *workers* with all legally mandated public holidays and leave, including parental, compassionate, sick and paid annual leave. Where no *applicable law* exists, paid annual leave and parental leave shall be provided, in accordance with *ILO* Convention 132 and *ILO* Convention 183, respectively. Special leave or working-time arrangements for *workers* with family responsibilities shall apply to all *workers* regardless of gender.

16.5 Members shall provide all *workers* with time off for meals and breaks, in accordance with *applicable law*. If there is no *applicable law*, then members shall provide *workers* with at least one uninterrupted meal and work break of reasonable duration if they work longer than six hours.

16.6 Members shall maintain *records* of work hours, *overtime* and annual and sick leave for each *worker*, in accordance with *applicable law* and in line with COP 2.5.

COP 17: REMUNERATION

COP 17 applies to all members

17.1 Members shall pay all *workers* a wage rate for normal hours worked, not including *overtime*, based on the higher of either the applicable legal or collective agreement *minimum wage* plus associated statutory benefits, or the prevailing industry standards, or where possible a *living wage*. Wages paid on a performance-related basis shall not be less than the higher of either the applicable legal or collective agreement *minimum wage* plus associated statutory benefits, or the prevailing industry standards for a *normal working week*. Members shall ensure that comparable wages are given to all *workers* for carrying out work of equal value, with processes to assess and remediate any potential wage disparity that discriminates against any category of *workers*.

17.2 Members shall reimburse *overtime* work at a rate at least equal to that required by *applicable law* or a *collective bargaining agreement*, or, where *applicable law* does not require a premium for *overtime* hours, by either a minimum of 1.25 x base wage or a premium rate above the regular wage at least equal to the prevailing industry standards.

Labour rights and working conditions

17.3 Members shall make wage payments to *workers* in accordance with the law that are:

a. Regular and predetermined, and not delayed or deferred.

b. By bank transfer to an account controlled by the *worker*, or in cash or cheque form in a manner and location convenient to the *worker*.

c. Accompanied by a wage slip that clearly details wage rates, benefits and *deductions* where applicable, and is in a format that *workers* can easily understand.

d. If employment agencies are used, made through *systems* that ensure equitable compensation and workplace standards, and ensure that wages are effectively received by *workers*, including migrant, contract, contingent and temporary *workers*.

17.4 Members shall only make *deductions* from wages if these *deductions*:

a. Comply with the law and, if applicable, are governed by *collective bargaining agreements*.

b. Are determined and calculated following a documented due *process* that is clearly communicated to *workers*.

c. Do not result in a worker receiving less than the *minimum wage*.

17.5 Members shall not make *deductions* for disciplinary purposes.

17.6 Members shall not force *workers* to buy provisions or services from their own business or facilities; where there is no alternative, members shall not charge excessive rates for these.

17.7 Members that provide wage advances or loans shall ensure that the interest and repayment terms are transparent and fair, and not deceptive to the *worker*.

17.8 Members shall ensure that all benefits are given to *workers* in accordance with *applicable law*.

17.9 Members shall ensure that *workers*, and/or their dependents where relevant, are compensated for work-related injuries, illnesses and fatalities in accordance with *applicable law* and any *collective bargaining agreements*. Where legal instruments do not exist, *ILO* Standard 102 on employment injury benefits or a comparable *internationally recognised* standard shall be met.

Labour rights and working conditions

COP 18: HARASSMENT, DISCIPLINE, GRIEVANCE PROCEDURES AND NON-RETALIATION

COP 18 applies to all members

18.1 All forms of workplace *violence and harassment*, directly and indirectly in any form, including intimidation or during disciplinary actions, are prohibited.

18.2 Members shall develop and implement measures to ensure that *workers* are treated with dignity and respect and are not subjected to violence or *harassment*, or threatened with violence or *harassment*, towards themselves, their family or colleagues.

18.3 Managers, medical professionals and other key personnel among security staff and others shall be regularly trained to recognise signs of *violence and harassment* and understand relevant laws and organisational policies.

18.4 Members shall clearly and actively communicate their disciplinary process and related standards on appropriate *disciplinary procedures* and *worker* treatment in line with COP 18.1 and apply these equally to all management and staff. Members shall keep *records* of all disciplinary actions taken, and ensure confidentiality and anonymity are protected as appropriate.

18.5 In addition to the requirements of COP 2.6, members shall:

a. Actively communicate the complaints and *grievance mechanism* to all *workers* including new *workers* at the time of recruitment.

b. Ensure that *workers* acting individually or with other *workers* are free to submit grievances through the complaints and *grievance mechanism* without suffering any penalty or *retaliation*.

c. Allow in the complaints and *grievance mechanism* for the involvement of a *workers'* representative, if requested by the *worker*.

COP 19: CHILD LABOUR

COP 19 applies to all members

19.1a Members shall not engage in or support *child labour* as defined in ILO Convention 138 and Recommendation 146, which set a basic *minimum working age* of 15 years, to enable children to complete compulsory schooling.

19.1b Members operating in countries where compulsory schooling ends earlier than 15 years can start RJC membership but cannot achieve or maintain RJC certification if there are *workers* below the *minimum working age* of 15 years.

19.2 Members shall not engage in or support the *worst forms of child labour* as defined in *ILO* Convention 182 and Recommendation 190, which include:

a. Hazardous *child labour*, which by its nature or circumstances is likely to jeopardise the health, safety or morals of persons younger than 18 years.

b. All forms of child slavery and practices similar to slavery, including *debt bondage*, the trafficking of children, forced *child labour* and the use of children in armed conflict.

Labour rights and working conditions

19.3 Notwithstanding COP 19.1 and COP 19.2, where *child labour* is discovered, members shall immediately withdraw children engaged in *child labour* and develop documented remediation processes that include steps for the continued welfare of each *child* and the financial situation of the child's family. Remediation shall include:

a. For a *child* not still subject to compulsory education laws or attending school, attempts to source alternative income generation and/or vocational training opportunities, which can include decent and permissible employment.

b. For a *child* still subject to compulsory education laws or attending school, offering adequate support to enable the *child* to attend and remain in school until the completion of compulsory education.

c. A systemic review of the member's approach to avoiding *child labour*, to identify root causes of non-conformances and implement controls to avoid any recurrence.

COP 20: FORCED LABOUR

COP 20 applies to all members

20.1 Members shall not engage in or support the use of *forced labour*, including bonded, indentured or involuntary *prison labour* as defined in *ILO* Convention 29.

20.2 Members shall ensure that all *workers* are working in voluntary situations. Members shall not:

a. Unduly restrict the freedom of movement of *workers* in the workplace or in on-site housing.

b. Retain original copies of a worker's personal documentation, such as identity papers.

c. Use deceptive recruitment practices and/or require *workers* to pay any deposits, equipment advances or recruitment fees (either wholly or partially) as part of the recruitment *process*. If any such fees are found to have been paid by *workers*, they shall be reimbursed.

d. Withhold any part of a worker's salary, benefits or property to force a *worker* to continue working.

e. Prevent *workers* from terminating their employment after reasonable notice or as established by *applicable law*.

20.3 Members shall not engage in or support *human trafficking* or any other type of deceptive recruitment and/or *bonded labour* practices. Members shall clearly communicate this requirement to labour recruiters, agencies and providers with whom they work, and shall monitor their relationships and remedy negative human rights impacts as they occur, as defined in COP 6.1.

Labour rights and working conditions

COP 21: FREEDOM OF ASSOCIATION AND COLLECTIVE BARGAINING

COP 21 applies to all members

21.1 Members shall respect the right of *workers* to associate freely in *workers' organisations* of their choice, without interference or negative consequences, in alignment with the *ILO* Declaration on Fundamental Principles and Rights at Work 1998. Members shall ensure that *workers* seeking to form, join or participate in an organisation of their own choosing, including participating in a legal strike, are not subject to any form of *harassment* as outlined in COP 18.1.

21.2 Members shall respect the right of *workers* to *collective bargaining*, and shall adhere to *collective bargaining agreements*, where these exist. Members shall, subject to *applicable law*, participate in any *collective bargaining* processes in good faith.

21.3 Where legislation restricts the right to *freedom of association* and *collective bargaining*, members shall not obstruct alternative means that are allowable under *applicable law*, nor *seek to influence* or control these mechanisms.

COP 22: NON-DISCRIMINATION

COP 22 applies to all members

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

COP 23 DIVERSITY, EQUITY AND INCLUSIVITY

COP 23 applies to all members

23.1 The member shall establish and maintain:

a. A *publicly available* documented policy endorsed by *top management* with commitments that promote *worker* diversity, equity and inclusivity at all levels of the organisation and across functions including (but not limited to) recruitment, professional development and mobility, and equitable employment conditions.

b. Supporting processes and *procedures* with measures to support the policy implementation.

23.2 The member shall provide training to its *workers* that promotes a culture of diversity, equity and inclusivity; the policy commitments; and the supporting *systems* and *procedures*.

23.3 The member shall review the effectiveness of the diversity, equity and inclusivity policy, processes and *procedures*, at a frequency appropriate to the purpose, nature, scale and impact of its business *operations* and at least in line with COP 2.7.

Health, safety and environment

COP 24: HEALTH AND SAFETY

COP 24 applies to all members

24.1 Members shall provide safe and healthy working conditions for all *workers* and *visitors* in accordance with *applicable law* and other relevant *internationally recognised* industry *health and safety* standards.

24.2 Members shall:

a. Develop and implement an occupational *health and safety policy* with commitments to preventing work-related injury and ill health to *workers*; providing safe and healthy workplaces; and prioritising the *health and safety* of *workers* over profits.

b. Communicate the *policy* to all *workers* and *visitors* to site, and ensure the *policy* is *publicly available*.

c. Identify *hazards* and assess the risks of workplace *hazards* and implement controls to minimise the risks of accidents and injury to *workers*. The risk assessment shall consider *hazards* associated with the members' activities and products

d. Establish and implement occupational *health and safety* management *systems* with *procedures* and processes to managing *operations* in a manner that aims to eliminate *hazards*, manage identified risks, verify the effectiveness of controls, prevents injuries and fatalities, and demonstrate continuing improvement in *health and safety* performance.

e. Conduct, at least annually, documented reviews to assess the ongoing suitability and adequacy of the occupational *health and safety* management *systems*, verify the effectiveness of risk controls, and implement improvements to address any gaps.

Health, safety and environment

24.3 Members shall provide *workers* with a mechanism, such as a joint *health and safety* committee, by which they can raise and discuss *health and safety* issues with management, and participate in the development and implementation of the *health and safety* management *systems*, risk assessments, and establishment of risk controls.

24.4 Members shall provide *health and safety* training to *workers* and information to *visitors* in a format and language that is understandable. This will include training and information on:

a. Specific role-related *health and safety hazards* and controls.

b. Appropriate action in the event of an accident or *emergency*.

c. *Workers'* right and responsibility to stop work or refuse to work in situations with uncontrolled *hazards*, and for any *worker* or *visitor* to immediately flag these situations to those at imminent risk and to management.

24.5 Members shall ensure that appropriate *personal protective equipment* (PPE) to *workers* and *visitors* is provided free of charge and verify that it is current and correctly worn or used.

24.6 Members shall provide access to adequate on-site first-aid provisions and trained first-aid personnel, have appropriate *procedures* for transportation to local medical facilities in the case of a medical *emergency* and assist *workers* with work-related injuries to physically access medical treatment in accordance with country law and company *policy*.

24.7 Members shall establish emergency *procedures* and evacuation plans for all reasonably foreseeable *health and safety* emergencies. These shall be accessible or clearly displayed, regularly tested (including through evacuation drills) and periodically updated.

24.8 Members shall investigate *health and safety* incidents to establish the contributing causal factors, and feed the results into reviews of relevant *hazard* controls to identify opportunities for improvement and to prevent a recurrence.

24.9 Members engaged in the cutting and polishing of *diamonds* and/or *coloured gemstones* shall use cobalt-free diamond-impregnated scaifes.

Health, safety and environment

COP 25: ENVIRONMENTAL MANAGEMENT

COP 25 applies to all members

25.1 Members shall:

a. Establish an environmental *policy* with commitments for the protection of the *environment*, fulfilment of environmental obligations and enhancement of environmental performance.

b. Communicate the *policy* to all *workers* and *visitors* to site, and ensure the *policy* is *publicly available*.

c. Conduct an environmental risk assessment of the business activities and products to identify their *significant* impacts, including for climate change and *biodiversity*.

d. Establish *environmental management systems* and controls appropriate to the purpose, nature, scale and impact of the business *operations* to manage the identified *significant* environmental risks.

e. Provide training and information about environmental risks and controls to all relevant *workers*. These shall be given in a format and language that *workers* can easily understand.

f. Conduct, at least annually, documented reviews to assess the ongoing suitability and adequacy of the *environmental management systems*, verify the effectiveness of risk controls and implement improvements to address any gaps.

COP 26: HAZARDOUS SUBSTANCES

COP 26 applies to all members

26.1 Members shall maintain an inventory of *hazardous substances* at facilities. Safety data sheets (or equivalent) that meet the requirements of *applicable law* shall be accessible wherever *hazardous substances* are used and their associated risks shall be clearly and actively communicated to all *workers* who work with them.

26.2 Members shall not manufacture, trade in or use chemicals and *hazardous substances* prohibited by *applicable law* or subject to international bans.

26.3 Any *hazardous substances* subject to phase-out by *applicable law* or international standards shall not be manufactured or traded in, and their use shall be phased out in accordance with the regulation.

26.4 Wherever technically feasible and economically viable, members shall use alternatives to *hazardous substances* in their business processes.

Health, safety and environment

COP 27: WASTES AND EMISSIONS

COP 27.1, 27.2, 27.3, 27.4 and 27.5 apply to all members and COP 27.6 also applies to members with mining (including exploration) and mineral processing operations

27.1 Members shall identify *significant wastes and emissions* to air, water and land generated in their business processes in accordance with COP 25 (Environmental Management).

27.2 Members shall:

a. Responsibly manage their *wastes and emissions*.

b. Discharge or dispose of *wastes and emissions* in *compliance* with *applicable law* or, where *applicable law* does not exist, in line with prevailing *internationally recognised* standards. This includes maintaining documentation for:

i. Current and legacy waste disposed of on-site, detailing at a minimum the disposal date, location and quantities; physical, chemical and biological characteristics of the hazardous waste; nature of the waste disposal site, including permeability of the layer below the waste; and leachate/run-off collection system.

ii. Hazardous wastes transported off-site, whether transported by the operating company or by contractors.

27.3 Members with *significant wastes and emissions* to air, water or land shall:

a. Quantify *wastes and emissions* to manage and monitor trends over time and drive continuous improvement in environmental performance.

b. Apply the waste *mitigation hierarchy* to reduce, reuse, recycle and recover waste to minimise environmental life cycle impacts where applicable, including reducing *greenhouse gas emissions* and increasing energy efficiency in alignment with COP 27.4, 27.5 and 27.6.

GREENHOUSE GAS AND ENERGY

27.4. Members shall work towards using *renewable energy* in alignment with national frameworks, targets and/or legislation.

27.5. The member shall annually quantify and document its annual *scope 1* and *scope 2 greenhouse gas emissions*, and material energy consumption by source, and document the methodologies used with associated assumptions.

27.6 Members with *significant greenhouse gas emissions* and energy consumption shall:

a. Set a three-year rolling greenhouse gas and energy plan with meaningful and achievable annual reduction targets and improvement opportunities for their *greenhouse gas emissions* and energy per unit production of COP RJC Scope Material. The plan and the targets shall be reviewed annually.

b. Independently verify their *greenhouse gas emissions*, energy usage and reduction targets on an annual basis using an external competent expert.

c. Annually publicly report their independently verified *scope 1* and *scope 2 greenhouse gas emissions* (absolute or per production weight unit of COP RJC Scope Material). The public report shall also provide the status of the reduction targets and improvement opportunities.

Health, safety and environment

27.7 In addition to the requirements in COP 27.5 and 27.6, members with *mining* or mineral processing activities shall:

a. Include *scope 3 greenhouse gas emissions* as part of their annual greenhouse gas quantification, where information is readily available, and state all assumptions used.

b. Adopt the processes in the Greenhouse Gas Protocol Corporate Standard or the *GRI's* 305 emissions *reporting* standard to quantify *greenhouse gas emissions* and energy usage data.

c. Set reduction targets and improvement opportunities consistent with the Paris Agreement using a *science-based approach* or other *internationally recognised* methodology.

COP 28: NATURAL RESOURCES

COP 28 applies to all members

28.1 In alignment with the approach required for COP 25 (Environmental Management), members shall:

a. Identify *significant* natural resources, including water and land, used in their business and seek to ensure their efficient use.

b. Monitor usage of these resources and establish reduction and efficiency initiatives.

WATER

28.2 Members with *significant* adverse impacts on water resources shall:

a. Apply strong and transparent water governance, including policies, *procedures* and clear allocation of responsibilities to protect water resources and ecosystems.

b. Manage water at facilities effectively using water balance and water quality monitoring data, and considering cumulative and *legacy impacts*, and implement actions to mitigate *significant* adverse impacts on water quantity, water quality and current and potential future water uses.

c. Identify *stakeholders*, including water users and water *rights holders*, that may potentially affect or be affected by their water management practices.

d. Engage and collaborate with these *stakeholders* to agree on sustainable water practices at a water catchment level (where applicable). Where agreed responsible and sustainable water use cannot be achieved, the member shall implement practices that avoid or minimise *significant* adverse impacts and have these practices independently verified.

e. Annually publicly report company water withdrawal and efficiency including outcomes arising from COP 28.2a–d, in line with COP 3 (Reporting).

Health, safety and environment

NATURAL CAPITAL

28.3 Members with *significant* adverse impacts on *natural capital* derived from/supported by land and soil resources shall:

a. Apply strong and transparent land management governance, including policies, *procedures* and clear allocation of responsibilities to the*natural capital* derived from/supported by the land and soil resources.

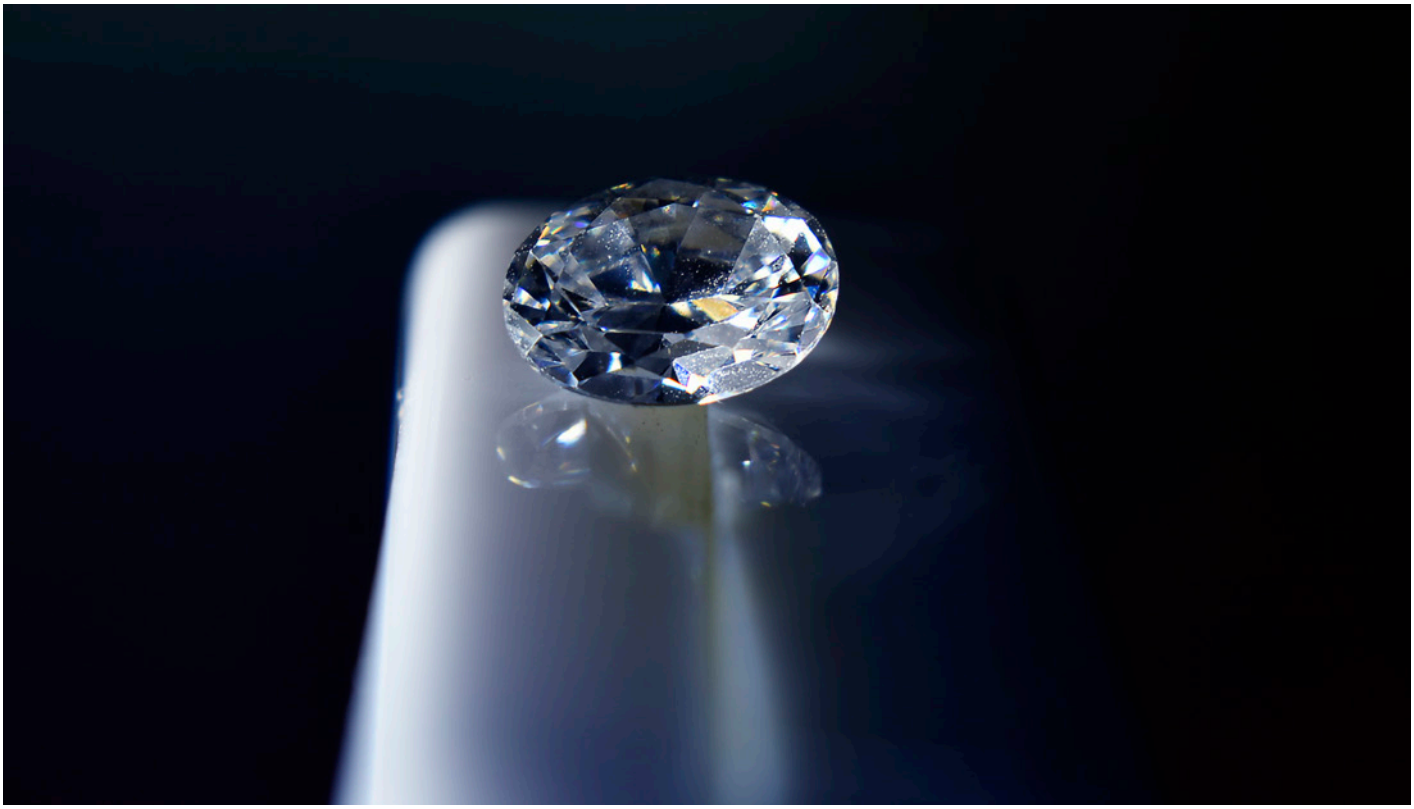
b. Manage land contamination including soil erosion and degradation at facilities effectively using soil characterisation, condition assessment and soil monitoring data, considering cumulative and *legacy* impacts, and implement actions to mitigate*significant* adverse impacts on land and soil and current and potential future land uses.

c. Identify *stakeholders*, including land users and land *rights holders*, that may potentially affect or be affected by members' current or *legacy* land management practices.

d. Engage and collaborate with relevant *stakeholders* (identified in 28.3c) to establish, agree and achieve responsible and sustainable land use for potential future uses. Where agreed responsible and sustainable land use management cannot be achieved, the member shall implement practices that avoid or minimise *significant* adverse impacts and have these practices independently verified.

e. Annually publicly report company land and soil management practices including outcomes arising from COP 28.3a–d, in line with COP 3 (Reporting).

Gold, silver, PGM, diamond and coloured gemstone products



COP 29: PRODUCT DISCLOSURE

COP 29 applies to all members

29.1 Members *selling*, *advertising* or marketing products containing COP RJC Scope Materials, *jewellery products* or treated, reconstructed, composite, simulant or lab-grown *diamonds* or *coloured gemstones* shall:

a. Ensure the information complies with *applicable law* and follows *internationally recognised* standards.

b. Not make any untruthful, misleading or deceptive *representation*, or make any material omissions in these *representations*.

c. Ensure that any *claims* being made are not misleading and are verifiable in line with COP 14 (Claims).

29.2 Members shall disclose information on the physical characteristics of the materials listed in COP 29.1 in *compliance* with *applicable law*. Unless a conflict with *applicable law* exists, members shall apply the following requirements to support disclosure about physical characteristics:

a. *Gold, silver* and *PGMs*: The fineness of *gold, silver* or *PGMs* shall be accurately disclosed. The description of fineness or content shall be equally as conspicuous as the word '*gold*', '*silver*' or the *PGM* or abbreviation. Any quality marks used shall be applied in accordance with *applicable law* or *internationally recognised* industry standards.

b. Plating: The use of *gold, silver* and *PGMs* as plating materials shall be accurately disclosed. The description of the plating and fineness or content of material used shall be equally as conspicuous as the word '*gold*', '*silver*' or the *PGM* or abbreviation.

Gold, silver, PGM, diamond and coloured gemstone products

c. Treatments: Treated COP RJC Scope Materials shall be disclosed as 'treated' with specific description of the treatment, including whether the treatment involves heating, and whether it is permanent or non-permanent. The description shall be equally as conspicuous as the name of the RJC Scope Material and in line with *internationally recognised* industry standards. Any non-permanent treatment shall be disclosed with specific reference to the treatment. Any special care requirements that the treatment creates shall be disclosed.

d. Laboratory-grown materials: Wholly or partially laboratory-grown materials shall be disclosed as 'laboratory-grown', 'laboratory-created', '[manufacturer name]-created' and/or 'synthetic'. Abbreviations such as 'lab-grown' or 'lab-created' are also acceptable. The description shall be equally as conspicuous as the word '*diamond*' or the name of the *coloured gemstone*.

e. Composites: Composite (or assembled) COP RJC Scope Materials constructed of two or more parts shall be disclosed as 'composite', 'assembled', 'doublet' or 'triplet', and by the correct name of the material of which it is composed. The description shall be equally as conspicuous as the name of the RJC Scope Material used.

f. Reconstructed stones: Reconstructed COP RJC Scope Materials shall be disclosed as such and the description shall be equally as conspicuous as the name of the RJC Scope Material.

g. Simulants (or imitations): Any product used to imitate the appearance of COP RJC Scope Materials without having their chemical composition, physical properties and/or their structure shall be disclosed as 'imitation' or 'simulant' along with the correct name of the material of which it is composed – for example, 'x compound', 'glass', 'plastic'. The description shall be equally as conspicuous as the word '*diamond*' or the name of the *coloured gemstone*.

h. Descriptions of polished *diamonds* and *coloured gemstones*: In accordance with the recognised guidelines appropriate to the particular jurisdiction, describe the:

   i. Dimension or carat weight, colour, clarity and cut of *diamonds*.

   ii. Dimension or carat weight, colour and cut of *coloured gemstones*.

i. Place of *origin* for *coloured gemstones*: When describing the place of *origin* of a *coloured gemstone*, the information on how this was determined shall be disclosed. The place of *origin* shall only be used when it denotes a geographical area where gemstones have been mined.

j. Product *health and safety* information: Any relevant *health and safety* information about the materials listed in COP 29.1 in *jewellery products* sold by members to *end consumers* shall be disclosed. This includes irradiated COP RJC Scope Materials.

Gold, silver, PGM, diamond and coloured gemstone products

29.3 Members shall take substantive and documented action to avoid buying or *selling* undisclosed materials outlined in COP 29.1. To that end, members buying or *selling diamonds* and *coloured gemstones* shall:

a. Obtain written warranties from their suppliers.

b. Have effective policies, *procedures*, training and monitoring *systems* in place to avoid the possibility of undisclosed materials being switched for natural *diamonds* or *coloured gemstones* at their facilities.

c. Employ a documented *due diligence process* to identify and mitigate risks related to undisclosed materials entering their supply chain.

d. Carry out risk-based testing to verify products as polished *diamonds* and *coloured gemstones* using a defined, credible and transparent protocol. This can be an existing industry-accepted protocol or one that is defined by the member. The protocol must:

i. Incorporate an appropriate approach for testing loose and set polished *diamonds* and *coloured gemstones*.

ii. Include either in-house testing, using relevant and effective detection equipment, or outsourced testing by a qualified service provider, such as a gemmological laboratory.

iii. Include testing at least once at a point in the *process* where there is no longer any risk of introducing undisclosed materials before the parcel is sold. This is normally just before sale.

iv. The testing protocol must be disclosed to business clients, including the procedure for managing test referrals.

COP 30: KIMBERLEY PROCESS CERTIFICATION SCHEME AND WORLD DIAMOND COUNCIL SYSTEM OF WARRANTIES

COP 30 applies to all members

30.1 Members shall neither knowingly buy nor sell *conflict diamonds* nor help others to do so.

30.2 Members involved in the international trade of rough *diamonds* shall comply with *the Kimberley Process Certification Scheme* minimum requirements and recommendations as incorporated into the applicable legislation of countries where they operate.

30.3 Members involved in buying and *selling diamonds*, whether rough, polished or set in jewellery, shall adopt the World Diamond Council System of Warranties.

30.4 Members shall ensure that all *workers* who buy or sell *diamonds* are well informed about trade association resolutions and government restrictions prohibiting the trade in *conflict diamonds*.

Gold, silver, PGM, diamond and coloured gemstone products

COP 31: GRADING ANALYSIS AND APPRAISAL

COP 31 applies to all members

31.1 Gemmological laboratories and businesses issuing grading, research, analysis or *appraisal reports* shall:

a. Have clearly documented policies and *procedures* in place to ensure the laboratory or business is organised around a formal *management system*, with clearly defined roles and responsibilities for graders and appraisers that support consistency and integrity.

b. If they issue grading, research, analysis or *appraisal reports* that also engage in the business of the sale of products covered by this COP, establish and document the *procedures* undertaken to avoid all potential or actual conflicts of interest, in *compliance* with sections 31.7 and 31.8 below.

c. Document and implement technical requirements in relation to any *process*-related factors that impact the chain of custody (COC) through the lab; validity and reliability of testing; grading; or *reporting* of results.

d. Implement equipment and calibration documentation and processes that define and control conditions, determine the appropriate equipment for use and establish maintenance requirements and calibration *procedures* of equipment and instruments to ensure accuracy and consistency in their testing results.

31.2 Members that generate reports on grading, research, analysis and appraisal shall:

a. Maintain and employ the minimum baseline technological equipment required to produce the reports offered.

b. Have *systems* in place, based on scientific methodology, that are sufficiently thorough and comprehensive to produce valid and reproducible results, and have management *systems* in place to ensure both the quality and the independence of the analysis and reports produced.

c. Establish necessary additional quality control and assurance *systems* (including sufficient data collection and timely calibration and verification *systems* for testing equipment employed) and a robust COC programme for products in their possession to ensure necessary segregation of products while in their possession.

d. Ensure client anonymity during the testing *process* is maintained.

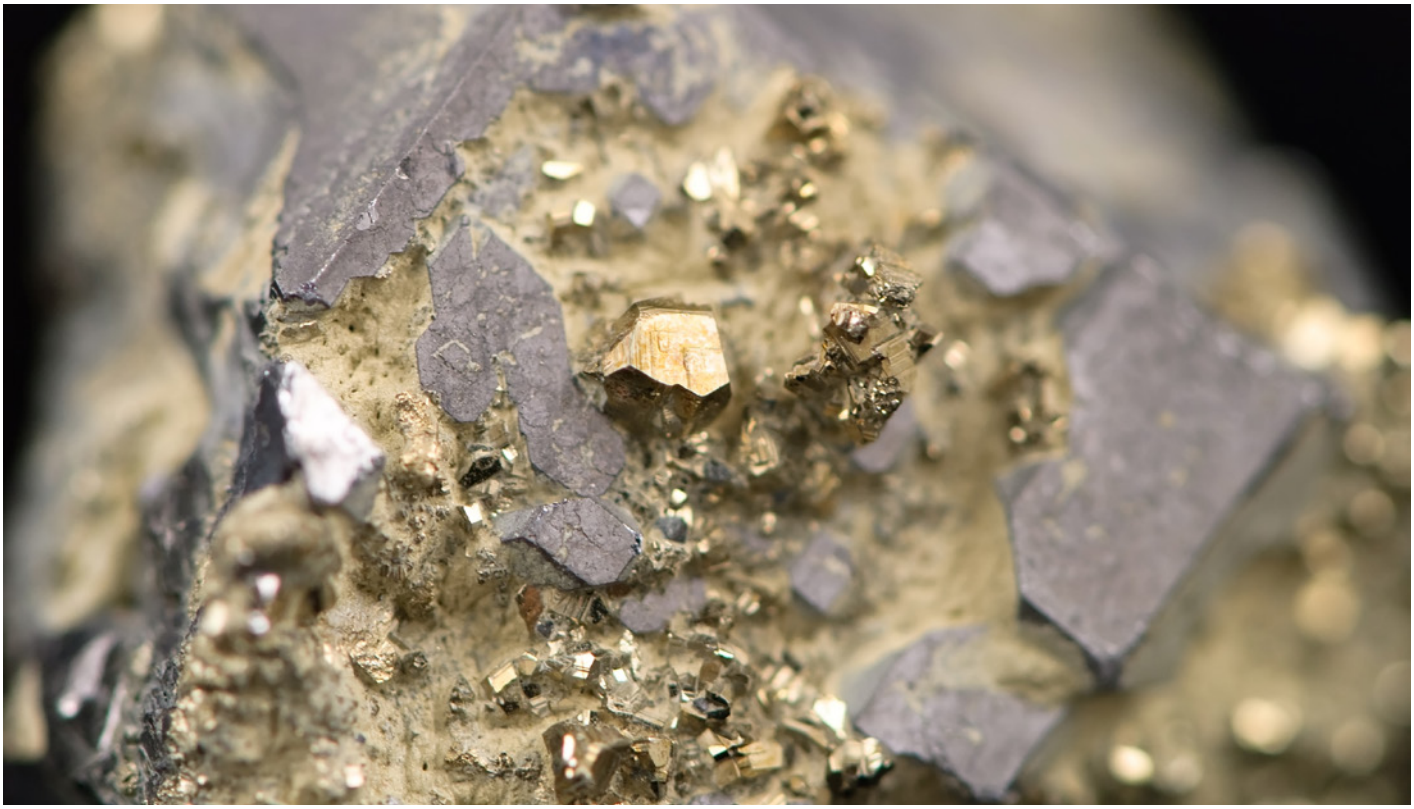
31.3 Members that generate *diamond grading* and/or *coloured gemstone analysis reports* shall identify whether detection of synthetics and/or any treatments is part of the assessment and whether this has been carried out for all stones.

31.4 Members that generate *geographical place-of-origin* reports for *coloured gemstones* shall have *systems* in place, based on scientific methodology, to ensure the consistency of this determination. They shall also carry out detection of treatments and synthetics as part of the determination.

31.5 Members that generate reports assessing monetary value based on expert opinion shall identify the person or *entity* that has requested the report and provide a statement of the purpose for which the report was sought. Such members shall ensure that appropriate client confidentiality and *conflict of interest* policies are in place.

31.6 Members that offer *diamond grading reports*, *coloured gemstone analysis* and/or *geographical place-of-origin* reports, or monetary value reports, shall disclose their relationship, if any, to the seller of the item, and any relevant vested interests held by the grader, analyst or appraiser or organisation in the sale of the jewellery product; describe the grading system employed; and provide disclaimers or limitations on liability and any other specific information pertaining to the report. Such information shall be in plain language and readily accessible.

Responsible mining and mineral processing



COP 32: EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE (EITI)

COP 32 applies to members with mining (including exploration) operations

32.1 Members with *mining* activities shall support the commitments of the *EITI* in *EITI*-implementing countries.

32.2 In all countries, members shall:

a. Promote transparency throughout the *mining* industry, helping public debate and providing opportunities for sustainable development.

b. As a guiding principle, aim to publicly disclose taxes and payments in all countries of operation. Where companies choose not to, they should state why not.

c. Aim to publicly disclose *beneficial owners*.

d. Engage in rigorous procurement processes, including *due diligence* in respect to partners and vendors.

e. Support countries to put into practice their decisions to disclose future licences and contracts.

f. Work with governments to deliver *natural resources* in a way that benefits societies and communities.

g. Establish appropriate accountability checks to ensure the accuracy and quality of the disclosed information.

Responsible mining and mineral processing

COP 33: STAKEHOLDER ENGAGEMENT

COP 33 applies to members with mining (including exploration) or mineral processing operations

33.1 Members shall foster dialogue and carry out meaningful engagement with *Affected People or Groups*. The engagement shall:

a. Be conducted at all stages of the *operations* life cycle, including during early planning and exploration (for *mining*) through to *closure* and in post-closure planning.

b. Based on the level of the *operations* impacts, consider the interests of *Affected People or Groups* in key *mining* decisions in the life cycle of the *operations*, and seek broad *community* support for new proposals.

c. Be respectful, and free from manipulation, interference, coercion or intimidation, and aim to prevent or mitigate *community* conflicts.

d. Be conducted in an inclusive, equitable, culturally appropriate and rights-compatible way, and work to remove any barriers to engagement.

e. Demonstrate that efforts have been made to include participation by women, *marginalised* and *vulnerable* groups or their representatives. Where *stakeholder* engagement processes depend on *community* representatives, members shall adopt *best endeavours* appropriate to the purpose, nature, scale and impact of their business *operations*, to ensure these actors are genuine representatives of affected communities.

33.2 Members shall have documented *systems* for early and ongoing engagement throughout the operation's life cycle that:

a. Identify and analyse the full diversity of relevant *Affected People or Groups* including *marginalised* and *vulnerable* groups and ensure these are effectively and meaningfully represented.

b. Draw on appropriate skills, resources and suitably experienced personnel, including participation by site management and subject-matter experts, especially when addressing concerns of significance.

c. Are designed in consultation with the identified *Affected People or Groups*.

d. Establish processes for timely and effective communication channels to disseminate relevant project information using understandable formats. This shall cover receiving feedback and *reporting* back issues raised during engagement processes and how members have taken their input into account.

e. Have a *process* to respond to requests for information including performance against the COP that are not unreasonable and do not involve commercially sensitive information, and explain reasons for any delays or omissions.

f. Are responsive to systemic and site-induced vulnerability with engagement plans specific to *vulnerable* groups.

g. Have processes for periodic reviews; to implement corrective actions to address situations where engagement *systems* are not effective; and to maintain broad *community* support in a mutually acceptable manner.

Responsible mining and mineral processing

33.3 In addition to the requirements of COP 2.6, members shall:

a. Ensure that affected communities have access to and are informed about their rights-compatible complaints and *grievance mechanisms* at the operational level for raising and resolving disputes about members and their *mining* and/or related mineral processing *operations*, including grievances related to human rights. The mechanisms shall be consistent with *internationally recognised human rights* standards.

b. Consult with *Affected People or Groups*, including *marginalised* and *vulnerable* groups, on the design, implementation and continual improvement of the *grievance mechanisms*.

c. Periodically report to *Affected People or Groups* on grievances received and responses provided in a manner that protects the confidentiality and integrity of those filing the grievance.

COP 34: INDIGENOUS PEOPLES AND FREE, PRIOR AND INFORMED CONSENT (FPIC)

COP 34 applies to members with mining (including exploration) or mineral processing operations

34.1 Members that operate in regions where *Indigenous Peoples* are present shall:

a. Respect the rights of *Indigenous Peoples* as articulated and defined in applicable local, national and international laws and their social, cultural, environmental and economic interests, including their connection with lands and waters.

b. Establish documented policies with supporting *systems* that recognise these rights, which are communicated to affected parties and made *publicly available*.

c. Where applicable, determine whether an adequate consultation *process* was undertaken by the host government in order to obtain Indigenous People's informed consent prior to granting access rights.

34.2 Provision 34.2 applies to new *mining* or mineral processing *operations*, and major changes or expansions to existing *operations*, 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.

Members with *mining* or mineral processing *operations* shall, as described in International Finance Corporation Performance Standard 7:

a. Disclose to *Indigenous Peoples*, in a culturally appropriate manner, the scope and concepts of proposed projects, and the *Indigenous Peoples'* right to FPIC.

Responsible mining and mineral processing

b. Collaborate with the affected *Indigenous Peoples* or their representatives to design, document and implement a mutually agreed FPIC *process* based on *good-faith negotiation* that strives to be consistent with their traditional decision-making processes while respecting *internationally recognised* human rights. The *process* must include a methodology to address the information gaps and needs identified through the FPIC *process* and take into account the different groups affected and their traditional decision-making processes.

c. Make the FPIC *process publicly available*, unless the affected *Indigenous Peoples* or their representatives have explicitly requested otherwise.

d. Work in good faith to obtain the FPIC of affected *Indigenous Peoples* during the planning and approval stages.

e. Document the mutually accepted process that was followed between the member, the affected *Indigenous Peoples* and relevant government authorities; the outcomes of the process; and evidence of the agreement between the parties and of the outcomes of the negotiations, including compensation if applicable.

f. Once support for the proposed project has been obtained, continue engagement with *Indigenous Peoples*, monitor implementation of the FPIC agreement and document the status of the commitments made in the agreement.

g. Where the affected *Indigenous Peoples* or their representatives clearly communicate, at any point during engagement, that they do not wish to proceed with FPIC-related discussions or consent is not given:

   i. Publish this outcome in a manner that is respectful to the affected *Indigenous Peoples*.

   ii. Implement good-faith actions to support positive relationships with affected *Indigenous Peoples*.

   iii. Mitigate *significant* adverse impacts from new projects or from major expansion to existing *operations*, in line with COP 35 (Impact Assessment).

34.3 Where FPIC is found not to apply, members shall seek to obtain broad-based support from affected *Indigenous Peoples* before carrying out any new or expanded *operations* and seek to maintain it throughout the *operations* life cycle. This support shall be formally documented before the project begins. The documentation shall include any compensation, partnerships and/or programmes to provide benefits and mitigate impacts.

Responsible mining and mineral processing

COP 35: IMPACT ASSESSMENT

COP 35 applies to members with mining (including exploration) or mineral processing operations

35.1 When planning and approving new *mining* or *mineral processing projects* or major changes to existing projects or *operations*, members shall complete an environmental and social (including human rights) *impact assessment* (*ESIA*), for the entire project scope and life cycle.

35.2 The *ESIA* shall be comprehensive and consistent with International Finance Corporation Performance Standard 1, appropriate to the purpose, nature, scale and impact of the project.

35.3 The *ESIA* shall:

a. Establish environmental and social baselines.

b. Assess the direct and indirect cumulative impacts and potential impacts of extreme climate change events, relative to the baseline conditions.

c. Design options to avoid and minimise negative impacts where applicable.

d. Develop associated environmental and social management plans to manage impacts. The plans shall be maintained and appropriate for the relevant life cycle stage.

35.4 The *ESIA* shall be documented in a summary report that is publicly disclosed in a format and language appropriate to *Affected People or Groups*. The summary report shall include:

a. The public engagement and consultation process, the views and concerns expressed by *Affected People or Groups* including *marginalised* and *vulnerable* groups and other interested parties, and how the concerns were taken into account, with *Affected People or Groups* anonymised unless written consent to publish their identity has been provided.

b. Names and affiliations of *ESIA* authors and others involved in technical studies.

c. Baseline and supporting data, analyses, studies, assessments and monitoring programmes.

d. An integrated detailed presentation of the information covered in COP 35.1 and COP 35.2.

35.5 Members with existing *mining* or mineral processing *operations* shall:

a. Undertake a comprehensive evaluation of their actual and potential environmental and social (including *human rights*) life cycle impacts, both direct and cumulative. The assessment shall involve engagement and input from *Affected People or Groups* including *marginalised* and *vulnerable* groups and other interested parties.

b. Establish effective mitigation measures that take into account the views of the consulted *Affected People or Groups* to minimise and manage their impacts.

c. Prepare and maintain documented management plans that include the mitigation measures and monitoring programmes, as appropriate.

Responsible mining and mineral processing

COP 36: ARTISANAL AND SMALL-SCALE MINING (ASM) AND LARGE-SCALE MINING

COP 36 applies to members with mining (including exploration)

36.1 Members where *ASM* not under their *control* occurs within their areas of operation or located in close proximity such that it affects their areas of operation shall, as appropriate to the purpose, nature, scale and impact of their *operations*:

a. Engage directly with each *ASM* community as appropriate and seek to maintain a continuous dialogue with them as a distinct group within the *stakeholder* engagement programme (COP 33 Stakeholder Engagement), to understand their legal operating context, and where relevant assist with *ESIA* and ongoing risk management of the *ASM* activities (COP 35 Impact Assessment) and with *closure* planning in line with COP 43 (Rehabilitation and Closure).

b. Actively participate in initiatives, including multi-*stakeholder* ones, that support the professionalisation, formalisation and certification of *ASM*, to improve the safety and environmental and social performance of *ASM* activities for the benefit of *ASM* operators and host communities, as appropriate to the situation.

c. Engage, where appropriate, with communities that are or may be affected by *ASM* activities in members' areas of *operations*, including informing communities and the *ASM* operators that they have access to their complaints and *grievance mechanisms* to raise concerns and resolve conflicts (COP 2.6 and COP 33.3).

Responsible mining and mineral processing

COP 37: RESETTLEMENT

COP 37 applies to members with mining (including exploration) or mineral processing operations

37.1 Members shall:

a. Avoid involuntary physical *resettlement* and/or economic displacement of people, including women, children and *marginalised* and *vulnerable* groups.

b. Where *resettlement* is unavoidable, develop and implement a *Resettlement* Plan with appropriate measures consistent with International Finance Corporation Performance Standard 5. The plan and its measures shall take into account the views of consulted and *Affected People or Groups* and be established to minimise and mitigate adverse impacts. The plan shall be independently reviewed by competent and experienced professionals and then communicated to relevant *Affected People or Groups*.

37.2 Members planning new projects or major changes to existing projects or *operations*, for all designs and alternatives, shall include as part of their *ESIA* an assessment of risks and impacts related to the physical and/or economic *resettlement* of people, including potential impacts on women, children and *marginalised* and *vulnerable* groups in line with COP 35 (Impact Assessment).

37.3 If *resettlement* for an existing mine or mineral processing operation was completed after December 2024 or the date the member joins the RJC, whichever is later, the member shall:

a. Commission an independent completion audit that verifies that the *resettlement* process has been completed as per the member's *Resettlement* Plan as per COP 37.1b and in alignment with International Finance Corporation Performance Standard 5.

b. Until the completion audit has been completed, annually evaluate and confirm that displaced persons and affected *communities* have been compensated and their livelihoods restored as per the *Resettlement* Plan, and that its complaints and *grievance mechanism* is active to address any residual concerns (COP 2.6 and COP 33.3).

c. Implement new restorative actions in consultation with *Affected People or Groups* or their representatives, where the annual evaluation identifies gaps in the agreed compensation, ineffective improvement in livelihoods, lingering *human rights* impacts or other introduced adverse impacts attributed to the historical *resettlement*.

d. At least every year, report to *Affected People or Groups* progress made towards full implementation of historical and any new restorative actions.

37.4 *Forced evictions* shall not be carried out except in accordance with *applicable law* and prevailing United Nations guidance about *human rights* associated with *forced evictions*.

Responsible mining and mineral processing

COP 38: EMERGENCY RESPONSE

COP 38 applies to members with mining (including exploration) or mineral processing operations

38.1 Members shall develop, maintain and regularly test (through drills and emergency response exercises conducted at least annually) emergency response plans in collaboration with potentially affected communities, *workers* and their representatives, and relevant agencies, in accordance with UN Environment Programme guidance on the Awareness and Preparedness for Emergencies at Local Level (APELL) methodology for *mining*. Plans shall:

a. Include up-to-date emergency contact details.

b. Be developed in line with COP 24.2.

c. Provide responses for any emergencies arising within a facility that have the potential to impact off-site areas including the surrounding environment and *communities*.

d. Include evacuation and emergency medical *procedures*, for all potential industrial accidents that pose a *significant* risk to *worker* health or safety.

e. Be reviewed at least annually.

Responsible mining and mineral processing

COP 39: BIODIVERSITY

COP 39 applies to members with mining (including exploration) or mineral processing operations

39.1 Members shall not operate in *World Heritage sites*.

39.2 Members shall respect *protected areas* by ensuring:

a. They have processes to identify nearby *protected areas*.

b. *Compliance* with any regulations, covenants or commitments attributed to these areas.

c. They take impacts on *protected areas* into account when making decisions throughout the *operations* life cycle.

39.3 If existing *operations* are located adjacent to *World Heritage sites*, or they are located entirely or partially in or adjacent to other *protected areas*, the member shall develop and implement documented management plans in collaboration with the relevant pr*otected area's* management authorities, and, where relevant, *Affected People or Groups*, for the life cycle of the operation, with actions to maintain the special values for which the area was designated for protection and ensure that their activities do not negatively impact these areas.

39.4 Members with proposed projects, or major expansion of existing *operations*, shall:

a. Comply with COP 39.1.

b. Not proceed with the project or major expansion in or adjacent to a *protected area* unless the member:

i. Carries out an assessment of *biodiversity* and *ecosystem services* impact and management requirements in line with COP 35 (Impact Assessment) and commissions an additional assessment that is carried out or independently peer-reviewed by a reputable conservation organisation and/or academic institution to demonstrate that activities will not damage the integrity of the special values for which the area was designated for protection.

ii. Obtains approvals required by *applicable law*, and, where relevant, FPIC in line with COP 34 (Indigenous Peoples and Free, Prior and Informed Consent (FPIC)).

iii. Consults with *protected area* sponsors, managers and *Affected People or Groups* in line with COP 33 (Stakeholder Engagement).

iv. For the life cycle of the operation, takes actions to maintain the special values for which the area was designated for protection.

v. Implements additional conservation actions or programmes to promote and enhance the conservation aims and/or effective management of the area.

39.5 Members shall not carry out *mining* or mineral processing *operations*, including *tailings* disposal, in deep sea areas until they have sufficient scientific knowledge of the potential impacts of their activities and evidence that controls can be implemented to mitigate adverse impacts.

Responsible mining and mineral processing

39.6 Members shall identify *Key Biodiversity Areas* affected by their *operations* and:

a. Use the *mitigation hierarchy* to avoid, minimise and rehabilitate impacts on *significant* biodiversity values.

b. Where *residual impacts* remain, set a commitment to 'no net loss' with preference to be explored for a net gain outcome, where feasible. Biodiversity offsets to address *significant residual impacts* shall only be employed after these *mitigation hierarchy* steps are applied and meet international best practice.

c. Maintain the functionality of *ecosystem services* and the ecological processes, *habitats* and species necessary to support them.

d. Implement and maintain action plans that follow the *mitigation hierarchy* and include context-based targets, with clearly defined roles and responsibilities to deliver measurable biodiversity benefits that are self-sustaining after decommissioning and reclamation of the area.

e. In areas of critical *habitat* or *priority ecosystem services*, ensure there are no measurable adverse *residual impacts* on the criteria for which the *habitat* was designated or on the ecological processes supporting those criteria, and provide an overall net gain in biodiversity benefits for the area.

39.7 Members shall implement controls to ensure that their *operations* will not lead to the *significant* population decline of a threatened species, as listed by the International Union for Conservation of Nature (*IUCN*), or create adverse impacts on *habitats* critical to supporting their survival.

39.8 Members shall develop and implement programmes to monitor the implementation of their action plans, controls and targets throughout the life cycle of the *operations*. The programme shall include:

a. Monitoring of key *biodiversity*, ecosystems services or other indicators to evaluate the effectiveness of mitigation strategies and progress towards the objectives of at least no net loss or net gain in biodiversity over time.

b. Mechanisms to identify and implement timely and effective corrective action developed in consultation with relevant *Affected People or Groups* to address situations where the monitoring programme reveals that the actions, controls or targets are not implemented or achieved as expected.

c. Processes for independent review of monitoring information, as appropriate.

d. *Reporting* that is conducted at least annually, and which is *publicly available*, of monitoring information and the effectiveness of actions, controls or targets in line with *applicable law* and *internationally recognised* standards for sustainability *reporting*.

Responsible mining and mineral processing

COP 40: TAILINGS AND WASTE ROCK

COP 40 applies to members with mining (including exploration) and mineral processing operations

40.1 Members shall carry out physical and geochemical characterisations of mine waste rock or *tailings* from *mining* or mineral processing *operations*.

40.2 Members shall manage *tailings* and waste rock consistent with the Global Industry Standard on *Tailings* Management (*GISTM*), as appropriate. Members shall design, construct, maintain, monitor and close all *tailings* and mine waste rock facilities and supporting infrastructure to:

a. Ensure structural stability and take measures to prevent catastrophic failures.

b. Ensure controlled discharge and protect the surrounding environment and local *communities* from potential impacts of acidification, metal leaching, loss of containment and contamination of groundwater during the mine's or mineral processing facility's operation and post closure.

c. Implement appropriate mitigation or treatment if impacts are identified.

40.3 Members shall not use riverine disposal of *tailings* or waste rock.

40.4 Members shall not use marine or lake disposal of *tailings* and waste rock from land-based *mining* and/or mineral processing facilities unless:

a. A thorough environmental and social analysis of alternatives, using scientifically valid data, was conducted that showed marine or lake *tailings* disposal creates less environmental and social impact and risk than a land-based *tailings* facility; and

b. It can be scientifically demonstrated that there will be no *significant* adverse effect on coastal or marine species and *habitats*; and

c. There is long-term impact monitoring, including for cumulative impacts, and provision made for a mitigation plan.

COP 41: CYANIDE

COP 41 applies to members with mining (including exploration) and mineral processing operations

41.1 Members using *cyanide* in the recovery of *gold*, *silver* or *PGMs* shall ensure applicable sites are certified to the International Cyanide Management Code.

Responsible mining and mineral processing

COP 42: MERCURY

COP 42 applies to members with mining (including exploration) and mineral processing operations

42.1 Members with sites where *mercury* is contained in saleable products, by-products or emissions shall adopt responsible management practices to control and reduce *mercury* emissions using the best available techniques or best environmental practices that take into account technical and economic considerations. At a minimum, this shall be in accordance with *applicable law* and in line with the Minamata Convention.

42.2 Members using *mercury* shall take steps to control, reduce and, where feasible, eliminate their use of *mercury* and *mercury* compounds, and their emissions and releases of *mercury* to the environment. They shall use time-bound action plans for doing so.

a. Members shall not practise whole ore amalgamation or open burning of amalgam (or processed amalgam) under any circumstances; in residential areas they shall not practise the burning of amalgam. They shall not practise *cyanide* leaching in sediment, ore or *tailings* to which *mercury* has been added without first removing the *mercury*.

b. Members shall take steps to prevent *vulnerable* groups being exposed to *mercury*, particularly children, women of childbearing age and pregnant women.

COP 43: REHABILITATION AND CLOSURE

COP 43 applies to members with mining (including exploration) and mineral processing operations

43.1 Members shall prepare and regularly review a mine *rehabilitation* and *closure* plan for each site and its *associated facilities*. New *operations* shall have a *closure* plan from start-up, and existing facilities shall establish a comprehensive plan as early as possible. Plans shall be designed to prioritise protection of human health and the environment, with the area returned to a stable *landscape* to suit the agreed post-*mining* and/or post-mineral-processing use and include:

a. A clear purpose and scope with details of the location and relevant background information.

b. A description of the *operations*, and the site features.

c. Agreed-on post-operational use, including details of the consultation undertaken and *Affected People or Groups* involved to achieve the agreement on use.

d. Methods and timeline for land and ecosystem restoration earthworks, revegetation and disposal of *hazardous* materials.

e. *Rehabilitation* maintenance and monitoring.

f. The role of *communities* in post-restoration monitoring activities.

43.2 Members shall engage regularly with *Affected People or Groups*, including *Indigenous Peoples*, communities, artisanal and small-scale miners, *workers* and regulators, about site *closure* and *rehabilitation* plans.

Responsible mining and mineral processing

43.3 Members shall:

a. Estimate the cost of implementing the site *rehabilitation* and *closure* plan for each site and its *associated facilities*.

b. Establish financial provisions to ensure availability of adequate resources to meet *rehabilitation* and *closure* requirements, including exploration and post-closure monitoring.

c. Ensure that sufficient financial assurances and guarantees to cover *rehabilitation* and *closure* are established in accordance with *applicable law* or, in the absence of *applicable law*, *internationally recognised* standards. These shall be in place at all times during the *operations* life cycle, including decommissioning, *rehabilitation*, *closure* and post-closure *rehabilitation*.

d. Periodically review, at least every five years, or earlier if there is a major change to their *operations*, and report on-site *closure* funding estimates.

43.4 Members shall adopt good-practice techniques for rehabilitating environments disturbed or occupied by *mining* or mineral processing *operations*. They shall:

a. Implement mine operation-related reclamation in a timely manner and progressively rehabilitate all other sites and *operations*, including those areas where exploration activity has disturbed the environment, as appropriate.

b. Only adopt long-term post-closure water treatment subject to an independent engineering and risk assessment that evaluates the environmental, social and financial impacts and with consideration of *Affected People or Groups* including technical experts.

c. Seek to establish an appropriate self-sustaining ecosystem, or other post-operational use agreed through *stakeholder* engagement during site *closure* planning.

COP 44: COMMUNITY HEALTH AND SAFETY

COP 44 applies to members with mining (including exploration) and mineral processing operations

44.1 Members shall identify and assess potential risks and impacts on *community health and safety* from activities related to *mining* or mineral processing that may occur throughout the *operations* life cycle. The assessment shall at a minimum:

a. Be informed by relevant data including information sourced from collaboration with *Affected People or Groups*, health agencies and *workers* who live in affected communities and *individuals* or representatives of *marginalised* and *vulnerable* groups.

b. Consider potential risks and impacts arising from incidents, failure of controls and infrastructure, impacts on *priority ecosystem services* used by the *communities*, release of *hazardous* materials, contamination and degradation of land, soil, water and air, and effects on *community* demographics and other *community* services.

c. Identify differential impacts on *vulnerable* groups or susceptible members of affected communities.

Responsible mining and mineral processing

d. Evaluate the significance of each impact with consideration of relevant public *health and safety applicable law* or, in the absence of *applicable law*, *internationally recognised* standards, to determine whether it is acceptable, requires mitigation or is unacceptable. Where deemed unacceptable, the activity shall cease until the impacts can be reassessed as acceptable.

e. Communicate relevant information on *community health and safety* risks and impacts and monitoring results to relevant *Affected People or Groups*.

44.2 Members shall identify and assess risks of *worker* exposure to communicable infectious disease. Where *significant risks* have been identified, the member shall engage with *workers* or their representatives, and relevant *stakeholders* including health agencies and government policymakers, to establish:

a. Prevention or mitigation initiatives to address the identified risks. This includes providing:

i. Understandable information for its *workers* about the risks and the initiatives.

ii. Free and voluntary testing for its *workers* where testing is otherwise inaccessible to *workers*.

b. *Health and safety* monitoring programmes.

COP 45: CULTURAL HERITAGE

COP 45 applies to members with mining (including exploration) and mineral processing operations

45.1 Members, in consultation and in cooperation with *Affected People or Groups* and *competent professionals*, shall identify and protect tangible forms of *cultural heritage*, unique natural features or tangible objects that embody cultural values and/or intangible forms of *cultural heritage*, whether or not these are legally protected or previously disturbed. This shall be consistent with COP 34 (Indigenous Peoples and Free, Prior and Informed Consent (FPIC)) and COP 39 (Biodiversity), where applicable.

45.2 Members shall:

a. Avoid impacts on, damage to or removal or *significant* alteration of critical *cultural heritage* sites or values.

b. Not remove any *cultural heritage* items, unless there are no technically or financially feasible alternatives to removal based on the overall benefits of the *mining* or mineral processing *operations*; removal is carried out by *competent professionals*; items are registered; and information about the *cultural heritage* items is shared with *Affected People or Groups*.

c. For new *mining* and mineral processing *operations*, and major changes to existing ones, proposed within legally protected *cultural heritage* areas; areas proposed by host governments for such a designation; or legally defined *protected area* buffer zones, consult with agencies responsible for *protected area* governance and management and *Affected People or Groups* on the proposed new or major expansion project.

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45.3 Where sacred or *cultural heritage* sites and values have been identified, documented management plans with appropriate control measures and monitoring *systems* that use *internationally recognised* standards for the protection of *cultural heritage* to avoid or remedy impacts shall be developed, implemented and maintained. Management plans and control measures shall:

a. Be developed by *competent professionals* in consultation with *Affected People or Groups*.

b. Include controls that favour avoidance of impacts for all non-replicable cultural heritage sites, and where prevention is not possible take measures to minimise adverse impacts.

c. Describe processes that ensure continued rights of access to such sites or values subject to consultations with affected *communities* and overriding health, safety, and security risks.

d. Be communicated and used to educate relevant *workers*, contractors and *visitors* with respect to cultural awareness, *cultural heritage* site recognition and adherence to the protection controls and monitoring *systems*.

45.4 Where impacts on sacred or *cultural heritage* sites and values have been caused by *mining* and mineral processing *operations*, mitigation and remedial action shall be carried out and documented by *competent professionals*, using *internationally recognised* standards for the protection of *cultural heritage* in consultation with relevant agencies responsible for protected area governance and management, and *Affected People or Groups*. In addition:

a. The member shall establish in-situ restorative measures in keeping with the value and functionality of the *cultural heritage*, including the supporting ecosystem.

b. Where in-situ restorative measures are not possible, the member shall adopt the values and functionality of the *cultural heritage*, including the supporting ecosystem, in a different location.

c. Where relocation is not possible, the member shall comply with laws, covenants and *internationally recognised* standards for the removal and cataloguing of historical and archaeological artefacts and structures and make *records* available to local heritage agencies and *Affected People or Groups*.

Key references

KEY REFERENCES

- Extractive Industries Transparency Initiative
- Global Industry Standard on Tailings Management
- Global Reporting Initiative Sustainability Reporting Standards
- Global Reporting Initiative's GRI 305 Emissions Reporting Standard
- Greenhouse Gas Protocol Corporate Standard
- International Cyanide Management Code
- International Finance Corporation Performance Standard 1
- International Finance Corporation Performance Standard 5
- International Finance Corporation Performance Standard 7
- ILO Convention 29
- ILO Convention 132
- ILO Convention 138
- ILO Convention 14
- ILO Convention 182s
- ILO Convention 183
- ILO Convention Declaration on Fundamental Principles and Rights at Work 1998
- ILO Recommendation 146
- ILO Recommendation 190
- ILO Standard 102
- International Code of Conduct Association
- Kimberley Process Certification Scheme
- OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas
- OECD Guidance Supplement on Gold
- Paris Agreement
- United Nations Environment guidance on Awareness and Preparedness for Emergencies at Local Level
- United Nations Basic Principles on the Use of Force and Firearms
- United Nations Guiding Principles on Business and Human Rights
- Voluntary Principles on Security and Human Rights
- World Diamond Council System of Warranties

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