



RESPONSIBLE  
JEWELLERY  
COUNCIL

# CODE OF PRACTICES

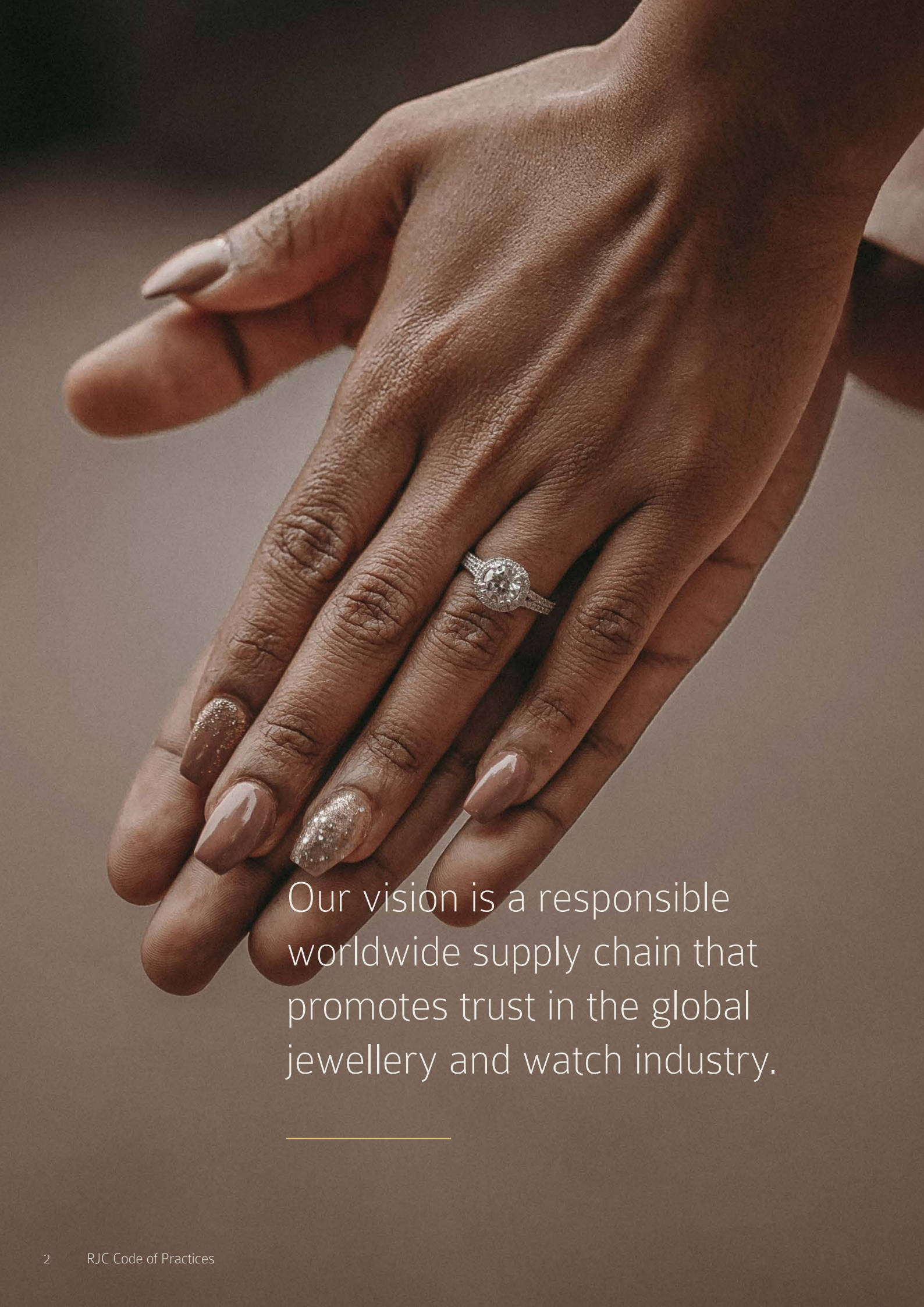
Standard

DECEMBER 2019

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CODE  
OF  
PRACTICES



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

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# 01 INTRODUCTION

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## ABOUT THE RJC CODE OF PRACTICES (COP)

The RJC COP defines the requirements for establishing responsible business practices throughout the jewellery 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 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 supply chains.

Requires third-party auditing and is mandatory for all RJC members.

Is designed to improve ethical, social, human rights and environmental conditions.





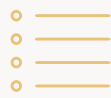
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## SCOPE

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 supply chain. The RJC's aim is to include all sectors of all coloured gemstones used in the jewellery supply chain over time. The initial scope in this 2019 version of the COP is all sectors of the rubies, sapphires and emeralds jewellery supply chain. The option to expand to include all other coloured gemstones will be assessed within two years of the publication of this 2019 version of the COP. Until the COP is subsequently updated, 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; refining and alloying; cutting and polishing; trading, hedging and wholesaling; manufacturing; retailing; and service industries, such as gemmological laboratories, assayers and secure transport providers.

The COP is made up of 42 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

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

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## CERTIFICATION

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 supply chain. All members' certification scopes are published on their certificates, available on the RJC website (see [www.responsiblejewellery.com/members](http://www.responsiblejewellery.com/members)).

### COP CERTIFICATION COMPRISES FIVE STEPS:

# 01

#### SELF-ASSESSMENT

The member prepares for a certification audit by doing a self-assessment and then engaging an RJC accredited auditor.

# 02

#### AUDIT

The auditor visits the member's sites and verifies that the systems and operating procedures in place conform to the COP.

# 03

#### REPORT

The auditor prepares an audit report, including a statement of conformance, and sends it to the member and the RJC. Non-conformances are noted.

# 04

#### CERTIFICATION DECISION

The RJC reviews the auditor's report for completeness and clarity and, based on the report's findings, certifies the member. If the auditor finds no, or only minor, non-conformances, the RJC will certify the member for three years. If major non-conformances are found, the member will only be certified for one year, and only on the condition that it develops a corrective action plan that is agreed by the auditor. If a critical breach is found, the member will face disciplinary proceedings.

# 05

#### REVIEW AND RECERTIFICATION

The member starts the certification cycle again after one or three years as the certification period comes to an end. Where required, the auditor may carry out a mid-term review to verify that the member's systems still work effectively.





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## STATUS AND EFFECTIVE DATE

This is the 2019 version of the COP, which was approved by the RJC Board on 1 April 2019 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, and modified in 2013 following its first formal revision. This 2019 version is the outcome of a second formal revision; it includes changes to account for certification experience, evolving standards and stakeholder feedback.

This 2019 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 (see Table 1). All existing COP certifications will remain in place, and members do not need to get recertified until their current certificates expire.

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## SUPPORTING DOCUMENTS

The RJC offers training and peer learning to support members achieve best practice and adhere to the COP. A set of toolkits and guidelines are freely available to help companies implement the COP and get through certification:



### RJC COP GUIDANCE:

Business-level guidance for meeting individual COP requirements.



### ASSESSMENT MANUAL:

Overview of the RJC audit and certification framework.



### SELF-ASSESSMENT WORKBOOK:

Instructions for assessing conformance and designing corrective actions.



### RISK ASSESSMENT TOOLKIT:

Instructions for assessing risk.



### HUMAN RIGHTS DUE DILIGENCE TOOLKIT:

Instructions for carrying out due diligence.

## DUE DILIGENCE TOOLKIT

In 2019, the RJC will trial a due diligence toolkit to help companies implement the new due diligence COP requirements for responsible sourcing from conflict-affected and high-risk areas (COP 7). The toolkit will be specifically designed to support companies in the diamond and coloured gemstone supply chain, including small- to medium-sized companies that may be unfamiliar with the OECD guidance on due diligence that underpins COP requirements or may have limited capacity to implement it. The toolkit will offer a series of templates, forms, checklists and other tools designed to simplify the due diligence process as much as possible and limit the resource burden for small businesses.

The toolkit will be piloted for three years after which guidance and supporting tools will be reviewed as necessary to reflect findings. During this piloting period, conformance assessment with the COP shall be phased in (see COP 7 for details).

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## COP DEVELOPMENT AND REVIEW

This version of the COP was developed through a formal process, following the ISEAL Code of Good Practice for Setting Social and Environmental Standards. The process, which included comprehensive and transparent consultation with a broad range of 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 formally review this standard by 2024 (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.

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## LINKS TO OTHER FRAMEWORKS

The COP aims to recognise and align with other initiatives and standards for responsible business practices wherever possible. So, for example, COP provisions on labour rights and working conditions (COP 15–22) reflect labour provisions in the Universal Declaration of Human Rights and in various International Labour Organization conventions. Similarly the latest COP provision on due diligence for responsible sourcing from conflict-affected and high-risk areas (COP 7) is fully 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 Assessment Manual.

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 2). 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 26) 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.

**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, HUMAN RIGHTS  
AND DUE DILIGENCE  
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 15-22**



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 23-27**



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 28-30**



16 Peace, justice and strong institutions

**RESPONSIBLE  
MINING  
COP 31-42**



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

# 02 COP STANDARD

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## GENERAL REQUIREMENTS

### 1 LEGAL COMPLIANCE

- 1.1 Members shall have systems in place that maintain awareness of, and ensure compliance with, applicable law.

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### 2 POLICY AND IMPLEMENTATION

- 2.1 Members shall adopt a policy/policies that documents their commitment to responsible business practices, is endorsed by senior management, is actively communicated to employees and is made publicly available.
- 2.2 Senior 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.

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### 3 REPORTING

- 3.1 Members shall communicate publicly and directly with stakeholders at least annually on their business practices relevant to the COP.
- 3.2 Members with mining facilities shall publicly report annually on their sustainability performance using the Global Reporting Initiative (GRI) Sustainability Reporting Standards or comparable reporting guidelines. The reports shall have external assurance.

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### 4 FINANCIAL ACCOUNTS

- 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, by an independent qualified accountant.

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## RESPONSIBLE SUPPLY CHAINS, HUMAN RIGHTS AND DUE DILIGENCE

### 5 BUSINESS PARTNERS

- 5.1 Members shall use their best endeavours, commensurate with their ability to influence to promote responsible business practices among their significant business partners.
- 5.2 All employees and visitors to the member's facilities shall be required to comply with the member's policies, systems and procedures relevant to the COP.

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### 6 HUMAN RIGHTS

- 6.1 Members shall respect human rights by considering all potential and actual impacts in their operations and business relationships. They shall also commit to, and implement, the UN Guiding Principles on Business and Human Rights as appropriate to their size and circumstances.

As a minimum, members shall:

- a. Have a policy commitment, endorsed at the highest level of their organisation, to respect human rights within their operations and business relationships, and procedures for implementing the policy in alignment with COP 2 (Policy and implementation).
  - b. Have a human rights due diligence process to identify, prevent, mitigate and account for adverse human rights impacts that are connected to their business.
  - 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. Communicate annually with stakeholders about their human rights due diligence efforts and remedy activities in accordance with COP 3 (Reporting).
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## **7 DUE DILIGENCE FOR RESPONSIBLE SOURCING FROM CONFLICT-AFFECTED AND HIGH-RISK AREAS**

- 7.1 Members in the gold, silver, PGM, diamonds and coloured gemstones supply chain shall exercise due diligence over their 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 their size and circumstances. In addition:
    - a. Members in the gold value chain shall implement the OECD Guidance Supplement on Gold as applicable to their operations and supply chains.
    - b. Members in the diamond supply chain shall implement the OECD Guidance while complying with COP 29 (Kimberley Process Certification Scheme and World Diamond Council System of Warranties).
  - 7.2 Members shall adopt and communicate publicly and to their suppliers a supply chain policy with respect to sourcing from conflict-affected and high-risk areas. The policy shall be consistent at a minimum with Annex II of the OECD Guidance or with other RJC-recognised due diligence frameworks.
  - 7.3 Refiner members shall:
    - a. Maintain internal material control systems that can reconcile movement of inventory in and out over a given time.
    - b. Gold refiners shall additionally collect and, with due regard to business confidentiality, share annually information with the RJC on the mine of origin of mined gold received.
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## **8 SOURCING DIRECTLY FROM ARTISANAL AND SMALL-SCALE MINING**

- 8.1 Members that source gold, silver, PGM, diamonds and/or coloured gemstones directly from artisanal and small-scale mining (ASM) producers that are not under their control shall:
  - a. Regularly assess risks outlined in COP 7 (Due diligence for responsible sourcing from conflict-affected and high-risk areas) and also risks of unsafe working conditions, uncontrolled mercury use and significant environmental impacts (including impacts to biodiversity), and seek opportunities for ASM community development in line with COP 10 (Community development).



- b. Use best endeavours to positively influence practices by working to:
    - i. Reduce or avoid risks and provide for, or co-operate in, remedying adverse human rights and environmental impacts. Measurable risk mitigation should aim to promote significant improvement within a defined period from the adoption of the risk management plan.
    - ii. Support development opportunities for ASM communities.
    - iii. Actively participate in initiatives, including multi-stakeholder ones, that enable the professionalisation, formalisation and/or certification of ASM, as appropriate to the situation.
    - iv. Seek to understand fair commercial terms and offer these to all ASM suppliers.
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## 9 SOURCING POST-CONSUMER INDUSTRIAL PRECIOUS METALS DIRECTLY FROM INFORMAL RECYCLERS

- 9.1 Members that source gold, silver and/or PGM directly from informal recyclers that are not under their control shall:
    - a. Regularly assess risks outlined in COP 7 (Due diligence for responsible sourcing 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 significant improvement within a defined period from the adoption of the risk management plan.
      - ii. Support development opportunities for informal recycling communities.
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## 10 COMMUNITY DEVELOPMENT

- 10.1 Members shall seek to support the social, economic and institutional development of the communities in which they operate and support community initiatives.
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## 11 BRIBERY AND FACILITATION PAYMENTS

- 11.1 Members shall establish policy/policies and procedures that:
  - a. Prohibit bribery in all business practices and transactions carried out by themselves and by agents acting on their behalf.
  - b. Protect employees 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 for employees 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 organisation. The systems shall include:
- a. Identification and monitoring of those parts of their business that pose high risk of participation in bribery.
  - b. Training of relevant managers and employees 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 employees or stakeholders to raise concerns.
  - e. Investigation of any incidences of suspected bribery within their 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 to 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.
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## **12 KNOW YOUR COUNTERPARTY: MONEY LAUNDERING AND FINANCE OF TERRORISM**

- 12.1** Members shall document and apply a Know Your Counterparty (KYC) policy and procedures for business partners that are suppliers and customers of gold, silver, PGM, diamonds, coloured gemstones or jewellery products containing these 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, establish the beneficial ownership and principals of the counterparty.
  - b. Verify that the counterparty and, if applicable, their 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 finance of terrorism to the relevant authority as applicable.
  - e. Maintain adequate records for either five years minimum or as long as required by national legislation, whichever is longer.
- 12.2** Members shall nominate an individual to be responsible for implementing the KYC policy and procedures.
- 12.3** Members' KYC policy and procedures shall be up to date and appropriate, and shall include training, documentation procedures and regular reviews.

- 12.4** 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.
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### **13 SECURITY**

- 13.1** Members shall assess security risks and establish measures that protect employees, contractors, 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 and the minimum proportionate to the threat.
- 13.3** Members with mining facilities shall ensure that their security approaches are consistent with the Voluntary Principles on Security and Human Rights. In particular, members shall:
- a.** Carry out a risk assessment to evaluate security risks and the potential for human rights abuses.
  - b.** Contract or otherwise engage with public and private security in a way that helps protect human rights.
- 13.4** Members whose business is to provide private security services to the jewellery supply chain shall be certified members of the International Code of Conduct Association (ICoCA).
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### **14 PROVENANCE CLAIMS**

- 14.1** Members shall check whether they make any provenance claims that apply under this provision.
- 14.2** Members that make one or more provenance claims shall:
- a.** Have systems to ensure that the provenance claims are truthful and substantiated by evidence.
  - b.** Do training to ensure that employees who are responsible for implementing the claims and responding to product enquiries, understand the claims and can explain them accurately.
  - c.** Make further information available to customers who ask about a provenance claim.
  - d.** Have a complaints or grievance mechanism appropriate to the nature, scale and impact of the business to allow interested parties to voice concerns.
- 14.3** Members who sell directly to consumers must make available at the point of sale, and on their website, further detail about the claim/s being made, and the systems in place to achieve them.

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# LABOUR RIGHTS AND WORKING CONDITIONS

## 15 GENERAL EMPLOYMENT TERMS

- 15.1 Members shall ensure that employment terms with regards to wages, working hours and other employment conditions are communicated to employees in writing before employment starts, in a language that is understood by them.
- 15.2 Members shall not avoid fulfilling legal labour and social security obligations to employees by using labour-only contracts, false apprenticeship schemes, excessive consecutive short-term employment contracts, and/or subcontracting or homeworking arrangements.
- 15.3 Members shall maintain appropriate employee records, including records of piece-rate and wage payments as well as working hours, for all employees, whether on a full-time, part-time or seasonal basis.

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## 16 WORKING HOURS

- 16.1 Members shall comply with applicable law on working hours. The normal working week, not including overtime, shall not exceed 48 hours.
- 16.2 If overtime work is required for business needs, members shall ensure that:
  - a. They strive to 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 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 where employees cannot leave the work premises or are in any way forced to accept it (through abuse, threats of dismissal or other) is not allowed. Refusal to work overtime shall not be punished, retaliated against or penalised in any way.
  - c. The sum of the normal working week and overtime hours shall not exceed 60 hours in a week unless defined otherwise by applicable law or a collective bargaining agreement, or unless there are exceptional circumstances (such as production peaks, accidents or emergencies), which will be assessed as outlined in the guidance for COP 16. In all cases, members shall take appropriate safeguards to protect the workers' health and safety.
- 16.3 Members shall provide all employees with at least one rest day in seven consecutive working days in accordance with International Labour Organization (ILO) Convention 14. Work time exceeding this limit is only allowed if:
  - a. A collective bargaining agreement or applicable law allows for work-time averaging including adequate rest periods; or
  - b. During peak production periods, so long as the longer work time is rare, voluntarily performed, and compensated at the appropriate premium level established by law or a collective bargaining agreement, or where unregulated by either, at a premium rate at least equal to the prevailing industry standards.
- 16.4 Members shall provide employees with all legally mandated public holidays and leave, including maternity and paternity, compassionate and paid annual leave. Where no applicable law exists, three weeks' paid annual leave shall be provided, in accordance with ILO Convention 132. Special leave or working-time arrangements for employees with family responsibilities shall apply to all employees regardless of gender.

- 16.5** Members shall provide all employees with a workday break in accordance with applicable law. If there is no applicable law, then members shall provide employees with at least one uninterrupted work break of reasonable duration if they work longer than six hours.
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## **17 REMUNERATION**

- 17.1** Members shall pay all employees a wage rate for normal hours worked, not including overtime, based on the higher of either the applicable legal minimum wage, plus associated statutory benefits, or the prevailing industry standards. Wages paid on a performance-related basis shall not be less than the legal minimum wage for a normal working week. Members shall ensure that comparable wages are given to all employees 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 unregulated by either, at a premium rate at least equal to the prevailing industry standards.
- 17.3** Members shall make wage payments to employees 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 employee, or in cash or cheque form in a manner and location convenient to the employees.
  - c.** Accompanied by a wage slip that clearly details wage rates, benefits and deductions where applicable, and is in a format that employees can easily understand.
  - d.** If employment agencies are used, members shall have systems to ensure equitable compensation and workplace standards, and to ensure that wages are effectively received by employees, including migrant, contract, contingent and temporary employees.
- 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 employees.
  - c.** Do not result in an employee making less than the minimum wage.
- 17.5** Members shall not make deductions for disciplinary purposes.
- 17.6** Members shall not force employees 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 employee.
- 17.8** Members shall ensure that all benefits are given to employees in accordance with applicable law.

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## 18 HARASSMENT, DISCIPLINE, GRIEVANCE PROCEDURES AND NON-RETALIATION

- 18.1** All forms of violence and harassment in the workplace are prohibited, including but not limited to corporal punishment; harsh or degrading treatment; sexual or physical harassment; mental, physical, verbal or sexual abuse; retaliation; coercion; and intimidation. Both direct and indirect harassment in any form is not acceptable in workplace facilities. Members shall ensure that employees are treated with dignity and respect and are not subjected to harassment or violence, or threatened with these towards themselves, their family or colleagues.
- 18.2** Doctors, nurses and key personnel among security staff, managers or others shall be regularly trained to recognise signs of gender-based violence and understand relevant laws and organisational policies.
- 18.3** Members shall clearly and actively communicate their disciplinary process and related standards on appropriate disciplinary procedures and employee treatment, and apply these equally to all management and staff.
- 18.4** Members shall have clear, confidential and unbiased grievance procedures and investigation processes and actively communicate these to all employees.
- a.** Employees acting individually or with other workers shall be free to submit a grievance without suffering any penalty or retaliation.
  - b.** Grievance procedures shall be designed to function effectively and reach a timely outcome.
  - c.** Records shall be kept of employee grievances raised, investigation processes and outcomes.
  - d.** The selection of individuals to manage and assess the grievances shall be sensitive to the situation and strive to ensure gender balance.
- 18.5** Members shall have a policy and management systems to avoid retaliation for individuals filing complaints or engaging with the grievance procedure, in line with COP 2 (Policy and implementation).

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## 19 CHILD LABOUR

- 19.1** Members shall not engage in or support child labour as defined in ILO Convention 138 and Recommendation 146, which set the following minimum ages for work:
- a.** A basic minimum working age of 15 years, to enable children to complete compulsory schooling.
  - b.** Members operating in countries where compulsory schooling ends earlier than 15 years can start RJC membership while allowing a minimum working age of 14 (subject to applicable law) but shall transition to a minimum working age of 15 by the end of their first certification period.
- 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 includes:
- 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. Where allowed by applicable law and supported by risk assessment and controls under COP 23 (Health and safety), a minimum age of 16 is allowed on condition that the health, safety and morals of the children concerned are fully protected, and that the children have received adequate specific instruction or vocational training in the relevant branch of activity.

- 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.
- 19.3 Notwithstanding COP 19.1, where child labour is found at a facility, members shall develop documented child labour remediation processes that include steps for the child's continued welfare and consider the financial situation of the child's family. Remediation shall include:
  - a. Immediately withdrawing any children engaged in child labour.
  - 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 she/he completes compulsory education.
  - c. For a child not still subject to compulsory education laws or attending school, finding alternative income generation and/or vocational training opportunities. This can include decent and permissible employment.
  - d. 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.

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## 20 FORCED LABOUR

- 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 employees are working in voluntary situations. Members shall not:
  - a. Unduly restrict the freedom of movement of employees in the workplace or in on-site housing.
  - b. Retain original copies of an employee's personal documentation, such as identity papers.
  - c. Use deceptive recruitment practices and/or require employees 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 employees, they shall be reimbursed.
  - d. Withhold any part of an employee's salary, benefits or property to force an employee to continue working.
  - e. Prevent employees 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 may occur, as defined in COP 6.1 (Human rights).

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## 21 FREEDOM OF ASSOCIATION AND COLLECTIVE BARGAINING

- 21.1 Members shall respect the right of employees to associate freely in workers' organisations of their choice, without interference or negative consequences. Members shall ensure that employees seeking to form or join an organisation of their own choosing are not subject to any form of harassment as outlined in COP 18.1 (Harassment, discipline, grievance procedures and non-retaliation).
- 21.2 Members shall respect the right of employees 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.

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## 22 NON-DISCRIMINATION

- 22.1** 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. This includes discrimination based on race, colour, ethnicity, caste, national origin, religion, disability or genetic information, gender, sexual orientation, union membership, 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.

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## HEALTH, SAFETY AND ENVIRONMENT

### 23 HEALTH AND SAFETY

- 23.1** Members shall provide safe and healthy working conditions for all employees in accordance with applicable law and other relevant industry standards.
- 23.2** Members shall provide and maintain workplaces, and on-site housing where relevant, with:
- a. Safe and accessible potable drinking water.
  - b. Sanitary facilities for eating and storing food.
  - c. Clean and hygienic washing and toilet facilities commensurate with the number and gender of staff employed.
  - d. Fire safety equipment and alarms.
  - e. Clearly marked, unlocked and unblocked emergency exits and escape routes.
  - f. Access to adequate power supply and emergency lighting.
  - g. Childcare and breastfeeding facilities in accordance with applicable law.
  - h. Suitable conditions for pregnant or nursing women, or alternative working arrangements to avoid unsuitable workplaces.
- 23.3** Members shall assess the risks of workplace hazards and implement controls to minimise the risks of accidents and injury to employees. The risk assessment shall consider hazards associated with the members' activities and products which shall include, where relevant, use of machinery and mobile equipment; storage and handling of chemicals including cleaning materials; exposure to excessive fumes, airborne particles, noise and temperature levels, and/or inadequate lighting and ventilation; repetitive strain activities; considerations for any workers under 18 years of age and expectant mothers; and general hygiene and housekeeping issues.
- 23.4** Members shall provide employees with a mechanism, such as a joint health and safety committee, by which they can raise and discuss health and safety issues with management.
- 23.5** Members shall provide training and information about health and safety to employees in a form and language they can understand. 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. Fire safety and emergency procedures.



- d. First-aid training for designated employee representatives.
  - e. Workers' right and responsibility to stop work or refuse to work in situations with uncontrolled hazards, and to immediately flag these situations to those at imminent risk and to management.
- 23.6** Members shall ensure that appropriate personal protective equipment (PPE) is provided free of charge and verify that it is current and correctly worn or used.
- 23.7** 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.
- 23.8** 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.
- 23.9** Members shall investigate health and safety incidents and feed the results into reviews of relevant hazard controls to identify opportunities for improvement.
- 23.10** Members engaged in the cutting and polishing of diamonds and/or coloured gemstones shall use cobalt-free diamond-impregnated scaifes.
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## **24 ENVIRONMENTAL MANAGEMENT**

- 24.1** Members shall establish an environmental management system.
- 24.2** Members shall provide training and information about environmental risks and controls to all relevant employees. These shall be given in a format and language that workers can easily understand.
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## **25 HAZARDOUS SUBSTANCES**

- 25.1** Members shall maintain an inventory of hazardous substances at facilities. Safety data sheets (or equivalent) shall be accessible wherever hazardous substances are used and their associated risks shall be clearly and actively communicated to all employees who work with them.
- 25.2** Members shall not manufacture, trade or use chemicals and hazardous substances subject to international bans. Any hazardous substances subject to international phase-outs shall not be manufactured or traded and their use shall be phased out in accordance with the regulation.
- 25.3** Wherever technically feasible and economically viable, members shall use alternatives to hazardous substances in their business processes.
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## **26 WASTES AND EMISSIONS**

- 26.1** Members shall identify significant wastes and emissions to air, water and land generated in their business processes in accordance with COP 24 (Environmental management).
- 26.2** Members shall responsibly manage the identified wastes and emissions. In particular, they shall:
- a. Quantify wastes and emissions to manage and monitor trends over time and drive continuous improvement in environmental performance.

- b. Apply the principles of reduce, reuse, recycle and recover to minimise environmental impact where applicable, including reducing greenhouse gas emissions and increasing energy efficiency in alignment with COP 27 (Use of natural resources).
  - c. Discharge or dispose of wastes and emissions in compliance with applicable law or, where applicable law does not exist, in line with prevailing international standards.
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## 27 USE OF NATURAL RESOURCES

- 27.1 In alignment with the approach required for COP 24 (Environmental management), members shall monitor energy and water use in their business and establish energy and water efficiency initiatives.
  - 27.2 Members shall identify other significant natural resources used in their business and seek to ensure their efficient use.
  - 27.3 Members shall work towards using renewable energy in alignment with national frameworks, targets and/or legislation.
  - 27.4 Members in the mining sector shall:
    - a. Apply strong and transparent water governance, including policies, procedures and clear allocation of responsibilities.
    - b. Manage water at facilities effectively using a water balance and considering cumulative impacts.
    - c. Publicly report company water performance in line with COP 3 (Reporting).
    - d. Collaborate with stakeholders to achieve responsible and sustainable water use at a water catchment level.
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# GOLD, SILVER, PGM, DIAMOND AND COLOURED GEMSTONE PRODUCTS

## 28 PRODUCT DISCLOSURE

- 28.1 Members shall not make any untruthful, misleading or deceptive representation, or make any material omission in the selling, advertising or marketing of any gold, silver and PGM materials, jewellery products, diamonds, coloured gemstones, or treated, synthetic, reconstructed, composite or simulant diamonds or coloured gemstones. Members shall follow internationally accepted standards.
- 28.2 Members shall disclose information on the physical characteristics of the materials listed in COP 28.1 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 PGM: The fineness of gold, silver or PGM shall be accurately disclosed. The description of fineness or content shall be equally conspicuous as the word 'gold', 'silver' or the PGM or abbreviation. Any quality marks used shall be applied in accordance with applicable law or industry standards.
  - b. Plating: The use of gold, silver and PGM as a plating material shall be accurately disclosed. The description of the plating and fineness or content of material used shall be equally conspicuous as the word 'gold', 'silver' or the PGM or abbreviation.

- c. **Treatments:** Treated diamonds and treated or heated coloured gemstones shall be disclosed as either 'treated' or with specific reference to the treatment. The description shall be equally conspicuous as the word 'diamond' or the name of the coloured gemstone. Any special care requirements that the treatment creates shall be disclosed.
  - d. **Synthetics:** Wholly or partially synthetic diamonds or synthetic coloured gemstones shall be disclosed as 'laboratory created', 'laboratory grown' and/or 'synthetic'. The description shall be equally conspicuous as the word 'diamond' or the name of the coloured gemstone.
  - e. **Composites:** Composite (or assembled) diamonds and coloured gemstones 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 conspicuous as the word 'diamond' or the name of the coloured gemstone used.
  - f. **Reconstructed stones:** Reconstructed diamonds and coloured gemstones shall be disclosed as such and the description shall be equally conspicuous as the word 'diamond' or the name of the coloured gemstone.
  - g. **Simulants (or imitation):** Any artificial product used to imitate the appearance of diamonds or coloured gemstones 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 conspicuous as the word 'diamond' or the name of the coloured gemstone.
  - h. **Descriptions of polished diamonds and coloured gemstones:** Describe the size or carat weight, colour, clarity or cut of diamonds and the quality of coloured gemstones in accordance with the recognised guidelines appropriate to the particular jurisdiction.
  - 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 28.1 in jewellery products sold by members to end consumers shall be disclosed.
- 28.3** Members shall take substantive and documented action to avoid buying or selling undisclosed synthetic diamonds. To that end, members buying or selling diamonds shall:
- a. Obtain a written warranty from their suppliers.
  - b. Have effective policies, procedures, training and monitoring systems in place to avoid the possibility of undisclosed synthetic diamonds being switched for natural diamonds at their facilities.
  - c. Employ a documented due diligence process to identify and mitigate risks related to undisclosed synthetic diamonds entering their supply chain. Identify possible high-risk contamination points.
  - d. For polished diamonds classified as high risk, carry out testing 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.
    - 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 synthetics before the diamond parcel is sold. This is normally just before sale.
  - iv. Be available to clients, including the procedure for managing test referrals.
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## 29 KIMBERLEY PROCESS CERTIFICATION SCHEME AND WORLD DIAMOND COUNCIL SYSTEM OF WARRANTIES

- 29.1 Members shall neither knowingly buy or sell conflict diamonds nor help others to do so.
  - 29.2 Members involved in the international trade of rough diamonds shall comply with the Kimberley Process Certification Scheme (KPCS) minimum requirements and recommendations as incorporated into the applicable legislation of countries where they operate.
  - 29.3 Members involved in buying and selling diamonds, whether rough, polished or set in jewellery, shall adopt the World Diamond Council System of Warranties (SoW).
  - 29.4 Members shall ensure that all employees who buy or sell diamonds are well informed about trade association resolutions and government restrictions prohibiting the trade in conflict diamonds.
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## 30 GRADING, ANALYSIS AND APPRAISAL

- 30.1 Members that generate independent reports on grading, analysis and appraisal shall have systems in place, based on scientific methodology, that are sufficiently thorough and comprehensive to produce valid and reproducible results.
- 30.2 Members that generate independent diamond grading and/or coloured gemstone analysis reports shall identify whether detection of synthetics and/or any treatments are part of the assessment and whether this has been carried out for all stones.
- 30.3 Members that generate independent place of origin reports for coloured gemstones shall have systems in place, based on scientific methodology, to ensure consistency of the determination of origin. They shall also carry out detection of treatments and synthetics as part of the determination.
- 30.4 Members that generate independent reports for end consumers with an opinion on monetary value shall include the name of the consumer to whom the report is given and a statement of the purpose of the appraisal.
- 30.5 Members that offer directly to end consumers diamond grading reports, coloured gemstone analysis and/or place of origin reports, or appraisal reports that might reasonably be construed to be independent shall disclose any relevant vested interests held by the grader, analyst or appraiser in the sale of the jewellery product.
- 30.6 Members shall not mislead end consumers.

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## RESPONSIBLE MINING

### 31 EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE

**31.1** Members in the mining sector shall support implementation of the Extractive Industries Transparency Initiative (EITI) in EITI implementing countries.

**31.2** 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. Ensure that company processes are appropriate to deliver the data required for high standards of accountability.

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### 32 STAKEHOLDER ENGAGEMENT

**32.1** Members in the mining sector shall carry out stakeholder engagement. The engagement shall be used to identify community development priorities and support activities that contribute to lasting social and economic well-being. This includes considering the interests of affected communities in key mining decisions in the mining lifecycle and seeking broad community support for proposals.

**32.2** Members in the mining sector shall have systems for early and ongoing engagement with affected communities and other relevant stakeholders. These systems shall:

- a. Draw on appropriate skills, resources and suitably experienced personnel.
- b. Apply throughout the mining lifecycle.
- c. Identify affected communities and the full diversity of relevant stakeholders including disadvantaged and vulnerable groups in relation to project risks, impacts and phase of development, and ensure these are effectively and meaningfully represented throughout the mining lifecycle.
- d. Establish effective communication channels to disseminate relevant project information and receive feedback in an inclusive, equitable, culturally appropriate and rights-compatible way.

**32.3** Members in the mining sector shall ensure that affected communities have access to a rights-compatible complaints and grievance mechanism at the operational level for raising and resolving disputes, and shall actively communicate its availability to affected communities. The grievance mechanism shall be easily accessible, easily understood and transparent. Grievances shall be addressed within clear timelines, and records shall be kept of grievances raised, investigation processes completed and outcomes.

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### 33 INDIGENOUS PEOPLES AND FREE PRIOR INFORMED CONSENT

- 33.1** Members in the mining sector that operate in regions where indigenous peoples are present shall 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.
- 33.2** Provision 33.2 applies to new mining facilities, or for changes to existing facilities, that are likely to have significant adverse impacts on indigenous peoples including, but not limited to, those associated with:
- Impacts on lands and natural resources subject to traditional ownership or under customary use.
  - Relocation of indigenous peoples from lands and natural resources subject to traditional ownership or under customary use.
  - Significant impacts on critical cultural heritage that is essential to indigenous peoples' identity and/or their cultures, ceremonies or spiritualities.
  - Use of cultural heritage (including indigenous peoples' knowledge, innovations or practices) for commercial purposes.

Members in the mining sector shall, as described in International Finance Corporation (IFC) Performance Standard 7:

- a. Work to obtain the free, prior and informed consent of affected indigenous peoples during the planning and approval stages, through a process that is based on good faith negotiation and strives to be consistent with their traditional decision-making processes while respecting internationally recognised human rights.
  - b. Document the mutually accepted process between the member, the affected indigenous peoples and relevant government authorities, and document the evidence of agreement between the parties and the outcome of the negotiations including compensation, if applicable.
- 33.3** Where FPIC is found not to apply, members in the mining sector shall seek to obtain broad-based support of affected indigenous peoples before carrying out any new or expanded activities and seek to maintain it throughout the mining lifecycle. 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.

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### 34 IMPACT ASSESSMENT

- 34.1** When planning and approving new mining projects or significant changes to existing projects, members in the mining sector shall complete an environmental and social (including human rights) impact assessment (ESIA), and develop an associated environmental and social management system.
- 34.2** Impact assessments shall be comprehensive, appropriate to the nature and scale of the project, and shall collectively assess:
- a. Baseline conditions.
  - b. Environmental, social and human rights impacts, including but not limited to impacts

on biodiversity and ecosystem services, labour and employment, gender, health and conflict. This includes cumulative and indirect impacts.

- c. Design options to avoid and minimise negative impacts where applicable. Environmental and social impact assessments and management systems shall engage affected communities and stakeholders, including disadvantaged and vulnerable groups. A report on the ESIA shall be publicly disclosed in a format and language appropriate to affected communities and key stakeholders.

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## 35 ARTISANAL AND SMALL-SCALE MINING AND LARGE-SCALE MINING

- 35.1 Members in the mining sector shall, where artisanal and small-scale mining (ASM) not under their control occurs within their areas of operation:
  - a. Engage directly with the ASM community as appropriate and seek to maintain a continuous dialogue with them as a distinct group within the stakeholder engagement programme (COP 32 Stakeholder engagement), social and environmental impact assessment and ongoing risk management activities(COP 34 Impact assessment).
  - b. Actively participate in initiatives, including multi-stakeholder ones, that enable the professionalisation, formalisation and certification of ASM, as appropriate to the situation.

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## 36 RESETTLEMENT

- 36.1 Members in the mining sector shall avoid involuntary resettlement. Where resettlement is unavoidable, it shall be minimised and appropriate measures to mitigate adverse impacts shall be carefully planned and implemented, consistent with International Finance Corporation (IFC) Performance Standard 5. This includes consideration of disadvantaged and vulnerable groups.

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## 37 EMERGENCY RESPONSE

- 37.1 Members in the mining sector shall develop and maintain emergency response plans in collaboration with potentially affected communities, workers and their representatives, and relevant agencies, in accordance with UN Environment guidance on Awareness and Preparedness for Emergencies at Local Level (APELL) for Mining. This shall be developed with COP 23.2 (Health and safety) and should include due consideration of any emergencies arising within the facility that have the potential to impact off-site areas.

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## 38 BIODIVERSITY

- 38.1 Members in the mining sector shall not explore or mine in World Heritage sites and shall ensure that their activities do not negatively impact directly on adjacent World Heritage sites.
- 38.2 Members in the mining sector shall respect legally designated protected areas by ensuring that they:
  - a. Have a process to identify nearby legally designated protected areas.
  - b. Comply with any regulations, covenants or commitments attributed to these areas.
  - c. Take impacts on legally designated protected areas into account when making decisions throughout the mining lifecycle.

- 38.3** Members in the mining sector shall identify Key Biodiversity Areas affected by their operations and:
- a.** Use the mitigation hierarchy to avoid, minimise and rehabilitate impacts on biodiversity and ecosystem services. Offsets to address the residual impact shall only be employed after these steps are applied.
  - b.** Implement action plans to deliver measurable biodiversity benefits that are at least commensurate with the level of adverse impacts and ideally provide a net gain.
  - c.** In areas of critical habitat, ensure there are no measurable adverse impacts (no net loss) 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.
- 38.4** Members in the mining sector shall implement controls to ensure that their operations will not lead to the significant decline (no net loss) of a threatened species, as listed by the IUCN, or create adverse impacts on the habitat critical to supporting their survival.
- 38.5** Members in the mining sector shall not carry out exploration or mining activities, including tailings disposal, in deep sea areas until they have sufficient scientific knowledge of potential impacts of their activities and evidence that controls can be implemented to mitigate adverse impacts.
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## **39 TAILINGS AND WASTE ROCK**

- 39.1** Members in the mining sector shall carry out physical and geochemical characterisations of mine tailings and waste rock.
- 39.2** Members in the mining sector shall design, construct, maintain, monitor and close all tailings and 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 or contamination, including contamination of groundwater during the mine's operation and post-closure.
  - c.** Implement appropriate mitigation or treatment if impacts are identified.
- 39.3** Members in the mining sector shall not use riverine disposal of tailings or waste rock.
- 39.4** Members in the mining sector shall not use marine or lake disposal of tailings and waste rock from land-based mining 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.



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## 40 CYANIDE

- 40.1 Members in the mining sector using cyanide in the recovery of gold and silver shall ensure applicable sites are certified to the International Cyanide Management Code.

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## 41 MERCURY

- 41.1 Members in the mining sector where mercury is contained in saleable products, by-products or emissions shall adopt responsible management practices to control and reduce mercury emissions using best available techniques or best environmental practices that take into account technical and economic considerations. At minimum, this shall be in accordance with applicable law and in line with the Minamata Convention.
- 41.2 Members using mercury in mining or processing activities shall take steps to control, reduce and, where feasible, eliminate their use of mercury and mercury compounds, and their emissions and releases to the environment of mercury. 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.

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## 42 MINE REHABILITATION AND CLOSURE

- 42.1 Members in the mining sector shall prepare and regularly review a mine rehabilitation and closure plan for each mining facility. New facilities shall have a closure plan from start-up, and existing facilities shall establish a comprehensive plan as early as possible.
- 42.2 For each mining facility, members in the mining sector shall engage regularly with local stakeholders, including indigenous peoples, communities, artisanal and small-scale miners, employees and regulators, about mine closure and rehabilitation plans.
- 42.3 Members in the mining sector shall estimate the cost for implementing the mine rehabilitation and closure plan for each mining facility, and shall establish financial provisions to ensure availability of adequate resources to meet closure requirements. Closure funding estimates should be reviewed periodically during the mining lifecycle.
- 42.4 Members in the mining sector shall adopt good practice techniques for rehabilitating environments disturbed or occupied by mining facilities. They shall seek to establish an appropriate self-sustaining ecosystem, or other post-mining use agreed through stakeholder engagement during mine closure planning.

# 03 DEFINITIONS

PLEASE REFER TO THE FOLLOWING GLOSSARY OF DEFINITIONS FOR TERMS USED IN THE RJC CODE OF PRACTICES (COP) AND SUPPORTING DOCUMENTS:

A

TERM	DEFINITION
ABILITY TO INFLUENCE	An RJC member’s ability to influence its business partners will vary, depending on its economic and social context and the size and the nature of its relationship with the business at hand. For example, small businesses that represent just a small share of a supplier’s customer base will have less influence over that supplier than other larger customers. COP auditors will take members’ ability to influence into account when assessing their best endeavours and their compliance with the COP.
ACTIVE COMMUNICATION	Using appropriate methods and frequency for relaying information that enable the receptor to effectively understand and act on the information. For example, sending a company policy to employees and requesting that they read and acknowledge it (active) compared to simply posting it on the company website (passive).
ADVERSE HUMAN RIGHTS IMPACTS	Any harmful effects on the human rights of workers, communities, consumers or other rights-holders. Potential adverse impacts (also called <b>human rights risks</b> ) need to be addressed through prevention or mitigation; actual impacts are those that have already occurred and require remediation.
ADVERTISING	Directly or indirectly promoting the sale or use of a product.
APPLICABLE LAW	All the supra-national, national, state and local laws in place where a business operates.
APPRAISAL REPORT	The commonly used industry term for a documented opinion of the monetary value of a jewellery item. The opinion is based on the identity, composition, qualities and place of origin (where available) for coloured gemstones.
APPRAISING	Generating an opinion of monetary value based on the identity, composition and qualities of a jewellery item.
APPRENTICES	Workers doing vocational training in the workplace for a fixed period. The fundamental aim of an apprenticeship is to learn a trade or acquire a skill. Apprentices do not participate fully in the production process of the unit because they work under an apprentice’s contract that stipulates this or because the fact that they are undertaking vocational training impinges significantly on their productivity.
ARTIFICIAL GEMSTONE	See <b>Coloured gemstones</b> .
ARTISANAL AND SMALL-SCALE MINING (ASM)	Formal or informal operations by individuals, groups, families or co-operatives that can involve up to hundreds of thousands of miners. ASM usually uses little capital and a lot of labour and is carried out with minimal or no mechanisation (although it can involve small and fully mechanised operations). The exact definition of ‘artisanal’ and ‘small’ mining may be stated by national legislation and categorised according to, for instance, a mining organisation’s volume of production of ore or mineral, the size of its concession or the level of mechanisation.

## B

TERM	DEFINITION
AUDIT	Assessment carried out by an independent, RJC-accredited, third party to confirm an RJC member's conformance with the RJC COP. Audit types include certification audits, mid-term reviews and recertification audits.
AUDITED FINANCIAL STATEMENTS	Financial statements that a financial auditor has reviewed and found to be presented fairly and, in all material respects, in line with the applicable financial reporting framework. The financial auditor of these financial statements is required to: <ul style="list-style-type: none"> <li>• get an understanding of the entity's internal control and assess fraud risk;</li> <li>• corroborate the disclosures in the financial statements with evidence; and</li> <li>• submit a written opinion on whether the statements are fairly presented and adhere to the applicable financial reporting framework.</li> </ul>
AUDITOR	An independent, third-party person or organisation meeting the RJC's objective selection criteria and accredited to carry out verification.
AUDIT PLAN	A plan developed by an auditor to outline which of the RJC member's business practices will be reviewed, by whom, when and in which facilities, and with which personnel. The audit plan is developed based on the certification scope.
AUDIT REPORT	An auditor's report on the RJC member's audit, which is submitted both to the member and to the RJC.
AUDIT SCOPE	This is defined by an auditor and includes a selection of facilities and business activities from within an RJC member's certification scope along with a selection of the most relevant COP provisions, taking into consideration the nature, scale and impact of the member's business.
BENEFICIAL OWNER	The person who owns or controls a counterparty and/or the person on whose behalf a transaction is being done. The term beneficial owner also incorporates those persons who exercise ultimate effective control over a legal person or arrangement.
BEST ENDEAVOURS	Acting honestly, reasonably and with a positive effort to perform the relevant obligation.
BIODIVERSITY	The variability among living organisms from all sources including, among others, terrestrial, marine and aquatic ecosystems and the ecological complexes of which they are part; this includes diversity within species, between species and of ecosystems. Biodiversity encompasses all living things, from human beings to micro-organisms and the habitats in which they live. It also includes the genetic material within individual species.
BONDED LABOUR	See <b>Forced labour</b> .
BRIBERY	Giving or offering (as well as demanding or receiving) any undue advantage to (or from): <ul style="list-style-type: none"> <li>• a public or government official (<b>politically exposed persons</b>);</li> <li>• a political candidate, party or official; or</li> <li>• any private sector employees, directors or officers, or their agents or representatives.</li> </ul>



TERM	DEFINITION
BUSINESS ACTIVITY	A performance-related task, role, function or service that is controlled by an RJC member.
BUSINESS PARTNERS	<p>An organisation, business or other type of entity with which an RJC member has a direct business relationship. This relationship can involve a contractual agreement to buy or sell any product or service related to the materials in scope of the COP. Business partners include all contractors, agents, customers, suppliers, local and international intermediaries or traders, and joint venture partners. They also include service providers such as security services and recruitment agencies, or any other third parties subject to your due diligence through COP requirements or applicable law. Business partners do not include end consumers buying products for personal use.</p> <p>A <b>significant business partner</b> is any business partner that is very important to the RJC member's business, including all major suppliers and large customers. Members should use their own judgement to determine whether a business partner is significant or not.</p>
BUSINESS RELATIONSHIPS	Broadly encompass relationships with an RJC member's business partners, entities in its value chain and any other state or non-state entity directly linked to its business operations, products or services. This includes entities in its supply chains beyond the first tier and both direct and indirect business relationships.
CERTIFICATION	Confirmation, based on the results of a valid certification audit, that a company conforms with a specific standard. For RJC members, this is conformance with the COP.
CERTIFICATION AUDIT	<p>A certification audit comprises:</p> <ul style="list-style-type: none"><li>• a preliminary desktop review of an RJC member's self-assessment questionnaire and other related information;</li><li>• selection of a representative set of the member's facilities and business activities to visit and assess; and</li><li>• verification of the member's self-assessment through on-site review.</li></ul>
CERTIFICATION PERIOD	The period of time that certification is valid; for the COP, this is between one and three years, depending on the certification audit.
CERTIFICATION SCOPE	This must include all entities, facilities and business activities under the RJC member's control that actively contribute to the gold, silver, PGM, diamonds, coloured gemstones or jewellery supply chain.
CERTIFIED MEMBER	An RJC member that has been proven to conform with the COP.
CHILD	Anyone under the age of 18, as defined by the UN Convention on the Rights of the Child.

TERM	DEFINITION
CHILD LABOUR	<p>Work done by children that deprives them of their childhood, potential and dignity, and that is harmful to their social, physical and mental development. It refers to work that:</p> <ul style="list-style-type: none"> <li>• is mentally, physically, socially or morally dangerous and harmful to children;</li> <li>• deprives them of the opportunity to attend school; obliges them to leave school prematurely; or</li> <li>• requires them to attempt to combine school attendance with excessively long and heavy work. See also <b>Hazardous work</b> and <b>Worst forms of child labour</b>.</li> </ul>
CODE OF PRACTICES (COP)	<p>The RJC’s set of standards that defines responsible ethical, human rights, social and environmental practices, which are applicable to all RJC members.</p>
COLLECTIVE BARGAINING	<p>The process of negotiation between organisations of workers and their employers (or a single employer). It involves joint decision-making and so is distinct from other forms of governance such as government regulation, individual contracts or the unilateral decisions of employers.</p>
COLLECTIVE BARGAINING AGREEMENT	<p>A legally enforceable, written contract between a company’s management and its employees, represented by a trade union or equivalent. Collective bargaining agreements must comply with applicable law. Some of the subjects of collective bargaining, as identified by the International Labour Organization, include wages, benefits and allowances, working time, annual leave, selection criteria in case of redundancy, the coverage of collective agreement and granting of trade union facilities.</p>
COLOURED GEMSTONE ANALYSIS REPORT	<p>A report identifying the species and variety of a coloured gemstone. The analysis states whether the stone is natural or synthetic and provides other data to describe its shape, cut, weight, measurements, colour, transparency and major characteristics.</p>
COLOURED GEMSTONES	<p>A <b>coloured gemstone</b> forms in nature. Each variety has unique chemical, optical and physical properties. All mentions of ‘coloured gemstones’ throughout the COP refer to the defined scope; the 2019 COP includes rubies, sapphires and emeralds.</p> <p>An <b>imitation or artificial coloured gemstone</b> is a product that imitates the appearance of a natural gemstone but does not have the same chemical or physical properties.</p> <p>A <b>reconstructed coloured gemstone</b> (also called a <b>reconstituted gemstone</b>) is an imitation stone made by melting (without subsequent crystallisation) or fusing together natural materials.</p> <p>A <b>simulant coloured gemstone</b> is a product that imitates the appearance of a coloured gemstone but does not have the same physical and chemical properties.</p> <p>A <b>synthetic coloured gemstone</b> is a man-made gemstone with the same chemical and physical properties as its naturally occurring counterpart.</p> <p>A <b>treated coloured gemstone</b> has been altered to change its appearance or durability.</p>

TERM	DEFINITION
COMMUNITY	A group of people that share the same geographical space or have a common interest that brings them together. Community members generally share some beliefs and values. A community is any group of people that may experience positive or negative effects from an RJC member's operations.
COMMUNITY DEVELOPMENT	A way of working, underpinned by a commitment to equity, social justice, participation and empowerment, that enables people to identify common concerns and that supports them in taking action related to them.
COMMUNITY ENGAGEMENT	<b>Stakeholder engagement</b> (see definition) for communities.
COMPLIANCE	A state of being in accordance with established guidelines, specifications or legislation.
CONFLICT	Armed aggression, widespread violence and/or widespread human rights abuses.
CONFLICT-AFFECTED AND HIGH-RISK AREAS (CAHRAS)	These are identified by the presence of armed conflict, widespread violence (including violence generated by criminal networks) or other risks of serious and widespread harm to people. Armed conflict may take a variety of forms, such as conflict of international or non-international character, which may involve two or more states, or may consist of wars of liberation or insurgencies, civil wars, etc. High-risk areas may include areas of political instability or repression, institutional weakness, insecurity, collapse of civil infrastructure and widespread violence. Such areas are often characterised by widespread human rights abuses and violations of national or international law. A CAHRA can be a region, a country, an area within a country or an area that crosses one or more national boundaries. Operations are not necessarily complicit in conflict if they are located in a CAHRA.
CONFLICT DIAMONDS	Rough diamonds used by rebel movements or their allies to finance conflict aimed at undermining legitimate governments, as described by the UN Security Council (UNSC) and as recognised by the UN General Assembly (through resolution A/RES/55/56).
CONTINUAL IMPROVEMENT	An ongoing process of enhancing performance.
CONTRACTOR (AND SUBCONTRACTOR)	An individual, company or other legal entity that carries out work or performs services under a contract for an RJC member.
CONTROL	See the related section in the Assessment Manual for more detail. <sup>1</sup> An RJC member controls a business or other organisation if it: <ul style="list-style-type: none"> <li>• directly or indirectly owns or controls 50.1 per cent or more of the business's voting rights;</li> <li>• directly or indirectly has the power to remove, nominate or appoint at least half the business's board members or managers; or</li> <li>• has day-to-day or executive management of the business (for example, by setting and enforcing workplace standards).</li> </ul>
CORRECTIVE ACTION	Action taken by an RJC member to eliminate the cause of a non-conformance and stop it happening again.

1 Note that if there are any differences between the definition in the Assessment Manual and this one, the Assessment Manual definition takes precedence.

# D

TERM	DEFINITION
CORRECTIVE ACTION PLANS	Plans with set milestones that RJC members develop to address non-conformances identified during their self-assessment or certification audit.
CORRUPTION	Any unlawful or improper behaviour that seeks to gain a private advantage through illegitimate means. Any kind of bribery is a form of corruption; but corruption also includes abuse of power, extortion, fraud, deception, collusion, cartels, embezzlement and money laundering.
COUNTERPARTY	Any supplier or customer of gold, silver, PGM, diamonds, coloured gemstones or jewellery products containing these materials with whom the RJC member does business.
CRITICAL BREACH	A major non-conformance against a provision that is deemed to be critical to the integrity of the RJC COP. 'Critical provisions' are identified in the Assessment Manual. If a critical breach is identified, the RJC member and auditor must notify the RJC Management Team immediately or face disciplinary proceedings.
CRITICAL HABITATS	Areas with high biodiversity value, including habitats of significant importance to critically endangered or endangered species or endemic or restricted-range species, as well as habitats supporting globally significant concentrations of migratory or congregatory species, highly threatened or unique ecosystems and areas associated with key evolutionary processes.
CYANIDE	For the purposes of the COP, cyanide includes cyanide ion and hydrogen cyanide, as well as salts and complexes of cyanide with a variety of metals in solids and solutions.
DEDUCTIONS	The financial amount withheld from an employee's earnings. Common legally required deductions include taxes, health care and social insurance. Deductions may also include lawful garnishments, where employers are required to deduct funds from employees' wages, for example as a result of a court order to pay off a debt.
DIAMOND GRADING	An activity to classify a diamond's characteristics, in terms of cut, colour, clarity and carat weight. Diamond grading can be carried out in independent laboratories or in-house. While a diamond can be weighed accurately and given an exact carat value (for example, 1.17cts), the cut, colour and clarity of a diamond are classified and reported within a range. Standards and methodologies for diamond grading, and information contained in grading reports or certificates, vary depending on the laboratory.
DIAMOND GRADING REPORT	A report on the grading of a diamond's physical characteristics against the laboratory's grading system, usually in terms of cut, colour, clarity and carat weight. If an opinion on monetary value is included in a diamond grading report, it is also considered to be an <b>appraisal report</b> .



TERM	DEFINITION
DIAMONDS	<p>A <b>diamond</b> is a mineral that has been formed completely by nature without human interference during its formation.</p> <p>A <b>diamond simulant</b> is a product that imitates the appearance of a diamond but does not have the same physical and chemical properties.</p> <p>A <b>synthetic diamond</b> is a man-made diamond with essentially the same physical and chemical properties as a natural, mined diamond.</p> <p>A <b>treated diamond</b> has undergone a process to alter its colour or clarity.</p>
DIRECTLY EMPLOYED WORKERS	See <b>Employees</b> .
DISCIPLINARY PROCEDURES	A set way for dealing with disciplinary issues in the workplace. They make sure that a company's standards of conduct and performance at work are followed. They also provide a fair and humane method of dealing with workers who fail to meet these standards.
DISCIPLINE	Workplace discipline is the means used to correct or improve job-related behaviour or performance.
DISCLOSURE	See <b>Product disclosure</b> and <b>Reporting</b> .
DISCRIMINATION	<p>Where people are treated differently, or given unequal opportunities, because of their race, ethnicity, caste, national origin, religion, disability, gender, sexual orientation, union membership, political affiliation, marital or pregnancy status, physical appearance, HIV status, age or any other personal characteristic.</p> <p>Discrimination can be direct or indirect, and it does not have to be intentional. Practices that appear neutral but result in unequal treatment of people with certain characteristics are considered indirect discrimination. Harassment (behaviour that creates an intimidating, hostile or humiliating working environment) is also considered discrimination when it is based on discriminatory grounds.</p>
DUE DILIGENCE	<p>Reasonable steps undertaken by a business to investigate a company, and its related supply chain, in preparation for a business transaction.</p> <p>See also <b>Risk-based due diligence</b> and <b>Human rights due diligence</b>.</p>
ECOSYSTEM SERVICES	The benefits people get from ecosystems. They include provisioning services, such as food and water; regulating services, such as regulation of floods, drought, land degradation and disease; supporting services, such as soil formation and nutrient cycling; and cultural services, such as recreational, spiritual, religious and other non-material benefits.
EFFECTIVE WASTE MANAGEMENT	This involves a commitment to minimise waste, supported by suitable measures for handling, storing, transporting and disposing of different wastes.
EMERGENCY	An abnormal occurrence that poses a threat to the safety or health of employees, contractors, visitors, customers or local communities, or that can damage assets or the environment.
EMISSIONS	See <b>Wastes and emissions</b> .

## TERM

## DEFINITION

TERM	DEFINITION
EMPLOYEES	An <b>employee</b> is an individual who has entered into, or works under, a contract of employment, service or apprenticeship with an RJC member. This includes permanent, temporary, full-time, part-time, casual, homework and seasonal employees at any level.
	<b>Employees</b> include both directly and indirectly employed workers.
	<b>Directly employed workers</b> have employment contracts with the company (that is, the RJC member). The company is responsible for paying taxes and social security contributions, and the contractual relationship is subject to national legislation.
	<b>Indirectly employed workers</b> regularly work on the company's site but have employment contracts with a third party, such as a labour agent, labour provider or a subcontractor. Examples include subcontracted personnel such as security guards, housekeeping and canteen staff, as well as temporary or seasonal workers.
<b>Young workers</b> are those under 18 but over the minimum working age.	
EMPLOYMENT RELATIONSHIP	The legal link between employers and employees that exists when a person performs work or provides services under certain conditions in return for remuneration.
ENTITY	A business or similar that operates one or more facilities owned or controlled by an RJC member. A member can be one or more entities.
ENVIRONMENT	The surroundings in which a company's facility operates, including air, water, land, natural resources, flora, fauna, habitats, ecosystems, biodiversity, humans (including human artefacts, culturally significant sites and social aspects) and their interrelationships. The environment in this context extends from within a company's area of operation to the global system.
ENVIRONMENTAL MANAGEMENT	The process of regulating and administering environment-related risks and issues. It may involve directly managing the environment itself, but is more often about controlling the organisation's activities, products and services that interact with the natural environment to minimise adverse impacts and, where possible, have a positive impact.
E-WASTE	See <b>Waste electrical and electronic equipment (WEEE)</b> .
EXPROPRIATION	The action by the state or an authority of taking property from its owner for public use or benefit.
FACILITATION PAYMENTS	Sums of money paid to get preferential treatment for something the receiver is otherwise still required to do—for example, paying an official to speed up, or 'facilitate', an authorisation process.
FACILITY	A site or premises that is: <ul style="list-style-type: none"><li>• under an RJC member's control; and that</li><li>• actively contributes to the gold, silver, PGM, diamonds, coloured gemstones or jewellery supply chain.</li></ul>

## F

TERM	DEFINITION
FINANCE OF TERRORISM	Any kind of financial support to those who attempt to encourage, plan or engage in terrorism. The meaning of terrorism is not universally accepted due to significant political, religious and national implications that differ from country to country.
FINANCIAL ACCOUNTING	The structured presentation of financial information, typically in four basic financial statements—balance sheet, income statement, earnings statement and cash flow statement—and notes to these.
FORCED LABOUR	<p>Any work or service that is exacted from someone under the menace of a penalty, and which the person has not voluntarily agreed to do. There are four key types of forced labour:</p> <ul style="list-style-type: none"> <li>• <b>Bonded labour</b>, also known as debt bondage, happens when a worker pledges their labour (or that of their family members) as security to repay a loan or wage advance from an employer or labour recruiter, where the terms of repayment are not clear and the loan provider does not intend to ever declare the loan repaid. Bonded labour can trap workers in debt to an employer for years, sometimes even passing from generation to generation.</li> <li>• <b>Indentured labour</b> happens when a third party, often a parent or guardian, offers a worker in exchange for money. Indentured labourers are forced to work for either a fixed time, or until the proprietors decide they have received fair value.</li> <li>• <b>Human trafficking</b> involves recruiting, harbouring or transporting people into a situation of exploitation using violence, coercion or deception and forced to work against their will. People can be trafficked for many reasons, including forced labour.</li> <li>• <b>Prison labour</b> is involuntary work done by prisoners who have not been convicted in a court of law and whose work is not supervised by a public authority. It also includes involuntary work done by a prisoner for the benefit of a private undertaking.</li> </ul>
FRANCHISING (OR LICENSING)	Where an RJC member licenses its intellectual property rights to third parties outside its control to enable those parties to produce, market or sell all or part of the member's branded products or services.
FREEDOM OF ASSOCIATION	The right of all workers and employers without exception to establish and join organisations of their own choosing without prior authorisation and without interference from government or from one another.
FREE, PRIOR AND INFORMED CONSENT (FPIC)	<p>Within the COP, FPIC refers to a set of mutual engagement processes between RJC members and indigenous peoples that are culturally appropriate, are established through good faith negotiation and go beyond consultation to include clear agreement by affected indigenous peoples. FPIC does not necessarily require unanimity and may be achieved even when individuals or groups within the community explicitly disagree. Through these processes, indigenous peoples are:</p> <ul style="list-style-type: none"> <li>• able to freely make decisions without coercion, intimidation or manipulation;</li> <li>• given enough time to be involved in project decision-making before key decisions are made and impacts occur; and</li> <li>• fully informed about the project and its potential impacts and benefits.</li> </ul>

# G

## TERM

## DEFINITION

### GOLD

A rare yellow metallic element with the chemical symbol Au. It is a mineral with specific hardness of 2.5–3 on the Mohs scale of hardness and the atomic number 79.

### GOOD FAITH NEGOTIATION

A documented process (and resulting outcomes) of negotiation, in which all parties:

- are willing to engage in the process and can meet at reasonable times and frequency;
- use mutually acceptable procedures for negotiation;
- know enough about the situation for informed negotiation;
- explore key issues of importance;
- are willing to change their initial position and modify offers where possible; and
- are given enough time to make decisions.

### GRIEVANCE MECHANISMS

Formal complaint processes for individuals, workers, communities and/or civil society organisations adversely affected by business activities and operations to report their grievances for investigation and remediation as necessary. They are defined through an internal set of defined protocols that are collectively referred to as the **grievance procedures**.

### HARASSMENT

Any type of unwelcome conduct from a boss, co-worker, group of co-workers, customer or vendor whose actions, communication or behaviour mocks, demeans, puts down, disparages or ridicules an employee. Physical assaults, threats and intimidation are severe forms of harassment.

### HAZARD

A source of potential harm, injury or detriment.

### HAZARDOUS SUBSTANCE

Any material that poses a threat to human health or the environment.

### HAZARDOUS WORK

Any work that puts a child's (or young worker's) physical or psychological well-being at risk because of the nature of the work or the conditions under which it is carried out. Based on International Labour Organization Recommendation 190, this includes:

- work that exposes children to physical, psychological or sexual abuse;
- work underground, underwater, at dangerous heights or in confined spaces;
- work with dangerous machinery, equipment and tools, or which involves the manual handling or transport of heavy loads;
- work in an unhealthy environment, for example one that exposes children to hazardous substances, agents or processes, or to temperatures, noise levels or vibrations damaging to their health; and
- work under particularly difficult conditions such as long hours, night work or work that unreasonably confines children to the employer's premises.

### HEALTH

A state of physical, mental and social well-being and not merely the absence of disease or infirmity.

### HEALTH AND SAFETY

A diverse range of initiatives intended to protect workers from exposure to short- and long-term risks at work and to reduce workplace injuries and illnesses.

# H

TERM	DEFINITION
HOMEWORKERS	Workers who are contracted by the company or by a third party (for example, a supplier, sub-supplier or subcontractor) but do not work on the company's site.
HUMAN RIGHTS	The universal rights and freedoms that belong to all people without discrimination. As a minimum, the RJC understands human rights to mean those rights articulated in the International Bill of Human Rights, the International Labour Organization Declaration on Fundamental Principles and Rights at Work and applicable law.
HUMAN RIGHTS DUE DILIGENCE	The reasonable investigation undertaken by a business to identify, assess, prevent and mitigate human rights impacts in its supply chain.
HUMAN TRAFFICKING	See <b>Forced labour</b> .
ILLEGITIMATE SOURCES	These go against applicable law. They include all sources involved in illegal mining and gold or money laundering, as well as all sources used to fund conflict, terrorism or crime.
IMITATION GEMSTONE	See <b>Coloured gemstones</b> .
IMPACT ASSESSMENT	The process of identifying, predicting, evaluating and mitigating the biophysical, social and other relevant effects of development proposals before any major decision or commitment is made. Impact assessment is used to ensure that projects, programmes and policies are economically viable, socially equitable and environmentally sustainable.
INDENTURED LABOUR	See <b>Forced labour</b> .
INDIGENOUS PEOPLE	There is no universally accepted definition of 'indigenous people'. The term is used in the COP to refer to a distinct social and cultural group of people who, to varying degrees: <ul style="list-style-type: none"> <li>• identify themselves as members of a distinct indigenous cultural group and are recognised as such by others;</li> <li>• are collectively attached to geographically distinct habitats or ancestral territories within the mining project area and to the natural resources in these habitats and territories;</li> <li>• have customary cultural, economic, social or political institutions that are separate from those of the dominant society or culture;</li> <li>• share a distinct language or dialect that often differs from the official languages of the country or region in which they live; and</li> <li>• may or may not be recognised by law.</li> </ul>
INDIRECTLY EMPLOYED WORKERS	See <b>Employees</b> .
INFORMAL RECYCLING	The collection, aggregation and manual processing of end-of-life scrap to extract recyclable materials. Unlike the formal recycling sector, informal recycling is largely unmechanised and instead relies on manual, labour-intensive techniques.

J

K

L

TERM	DEFINITION
INVOLUNTARY RESETTLEMENT	Situations when affected people or communities do not have the right to refuse land acquisition or restrictions on land use that result in physical or economic displacement. This happens in cases of lawful expropriation or temporary or permanent restrictions on land use. It can also happen during negotiated settlements if negotiations fail. See also <b>Resettlement</b> .
JEWELLERY	An adornment containing gold, silver or PGM and/or set with diamonds, coloured gemstones or synthetic stones. Jewellery includes, but is not limited to, bracelets, rings, necklaces, earrings and watches.
KEY BIODIVERSITY AREAS (KBAS)	Sites contributing significantly to the global persistence of biodiversity. They represent the world's most important sites for biodiversity conservation and are identified nationally using standard criteria and thresholds set by the International Union for Conservation of Nature (IUCN). KBAs typically include areas of <b>critical habitat</b> .
KNOW YOUR COUNTERPARTY (KYC)	KYC principles, established to combat money laundering and finance of terrorism, require businesses to identify every organisation that they deal with, to understand the legitimacy of their business relationships and, within reason, to identify and react to unusual or suspicious transaction patterns.
LANDSCAPE LEVEL PLANNING	Whether done to guide conservation, sustainable land use or development, landscape level planning sets out to tackle issues that are not tractable at the very local scale by taking a multi-stakeholder perspective at a wider, landscape scale. It encompasses a diverse range of practices that seek to link local community-based action to the broader landscape or ecosystem, taking into consideration national and regional perspectives.
LEAD AUDITOR	The auditor responsible for conducting, co-ordinating and completing an RJC member's certification audit efficiently and effectively.
LEGAL COMPLIANCE	Behaviours and practices that are done in accordance with applicable law.
LIGHT WORK	Work that is not likely to harm the health or development of children and does not prejudice their attendance at school, their participation in legitimate vocational orientation or training programmes or their capacity to benefit from the instruction received.
LIVING WAGE	The remuneration received for a normal working week by a worker in a specific place, which is sufficient to afford a decent standard of living for the worker and her or his family. Elements of a decent standard of living include food, water, housing, education, health care, transportation, clothing and other essential needs including provision for unexpected events.

# M

TERM	DEFINITION
MAJOR NON-CONFORMANCE	<p>A major non-conformance with the COP happens when an RJC member:</p> <ul style="list-style-type: none"> <li>• does not implement a required provision at all;</li> <li>• lacks working systems and controls to manage business risks related to the COP;</li> <li>• has not identified relevant legislative or regulatory requirements, or is known not to comply with these and: <ul style="list-style-type: none"> <li>• makes inadequate attempts to rectify the situation, or</li> <li>• potentially poses an imminent significant risk to workers, the community or the environment;</li> </ul> </li> <li>• has a group of related, repetitive or persistent minor non-conformances; and</li> <li>• is found, with objective evidence, to be in (or near) critical breach of the COP.</li> </ul>
MATERIAL ISSUES	<p>Issues that are relevant or significant. Materiality in the context of a sustainability report includes aspects that reflect an RJC member's significant economic, environmental and social impacts, or that substantively influence the assessments and decisions of stakeholders.</p>
MEMBER (OR COMMERCIAL MEMBER)	<p>Any business that:</p> <ul style="list-style-type: none"> <li>• is actively involved for commercial reasons in the gold, silver, PGM, diamonds, coloured gemstones and jewellery supply chain;</li> <li>• is exempt from the role of consultant, advisor or any other similar entity;</li> <li>• commits to the COP;</li> <li>• commits to a certification audit against the COP; and</li> <li>• pays an annual RJC commercial membership fee.</li> </ul> <p>A member may consist of one or more entities or facilities.</p>
MERCURY	<p>Also known as quicksilver, mercury is a naturally occurring element found in rocks in the earth's crust. It is a heavy, silvery-white metal which is liquid at room temperature and evaporates easily. It exists in several forms: elemental (metallic) mercury, methylmercury and organic compounds, and inorganic mercury compounds. Mercury has been recognised as a chemical of global concern owing to its potential to travel long distances through the air, its persistence in the environment once put there by people, its ability to concentrate as it rises up the food chain and its significant negative effects on human health and the environment.</p>
MID-TERM REVIEW	<p>An independent review usually held within 12–24 months of an RJC member's certification (or recertification) audit that is carried out by an auditor to ensure that the member still conforms with the COP.</p>
MINE CLOSURE	<p>A process undertaken when the operational stage of a mine is ending or has ended, and the final decommissioning and mine rehabilitation is underway. Planning for mine closure starts before closure itself.</p>
MINE REHABILITATION	<p>The restoration of the post-mined landscape to the intended post-mining land use.</p>
MINIMUM WAGE	<p>The legally required minimum amount that must be paid to workers. It is the higher of that set by the government or that contained in an applicable collective bargaining agreement.</p>

# N

TERM	DEFINITION
MINIMUM WORKING AGE	As defined by the International Labour Organization, the minimum working age is 15 years, or statutory school leaving age, whichever is higher. It can vary by country.
MINING LIFECYCLE	The series of phases over the course of a mining project going from exploration, feasibility studies and construction through production to mine closure, rehabilitation and post-closure.
MINOR NON-CONFORMANCE	A minor non-conformance with the COP happens when an RJC member: <ul style="list-style-type: none"> <li>• has an isolated lapse of either performance, discipline or control of business practices (that doesn't lead to a major non-conformance);</li> <li>• has not identified relevant legislative or regulatory requirements, or is known not to comply with them, but: <ul style="list-style-type: none"> <li>• is making adequate attempts to rectify the situation, and</li> <li>• the situation poses no imminent significant risk to workers, the community or the environment; or</li> </ul> </li> <li>• has business practices that do not actually breach the COP, but are judged to be inadequate.</li> </ul>
MITIGATION HIERARCHY	An approach to mitigation that involves prioritising options in a sequential way, starting with action to avoid impacts, followed by action to minimise them. If the negative environmental impacts are significant, it can also be appropriate to restore and, finally, offset them.
MONEY LAUNDERING	The process of disguising the financial proceeds of crime to conceal their illegal origin.
NATURAL RESOURCES	Materials or substances that are found in nature and used in human activities. They include coal, mineral oil, natural gas, water and forest products.
NIGHT	The consecutive hours between 8 p.m. and 8 a.m. Under International Labour Organization Convention 33, young workers are not allowed to work at night.
NON-CONFORMANCE	A situation where an RJC member's business practices do not conform with the COP.
NON-DISCRIMINATION	Employees are judged on the basis of their ability to do a job, without exclusion or preference on any other grounds. Distinctions based strictly on the inherent requirements of particular work are not discrimination.
NORMAL WORKING WEEK	The amount of non-overtime hours an employee works per week, which is limited to a maximum of 48 hours under international labour standards. National or local law can sometimes define the limit as less than 48 hours per week, and so can a collective bargaining agreement.
ORIGIN	The mine, company, region or geographical location where the mine is located, whether an artisanal and small-scale mine or a medium or large-scale one. The origin of recycled material is the point at which it re-enters the jewellery supply chain. For recycled gold, silver or PGM, this is the point at which it is returned to the refiner or other downstream intermediate processor or recycler.
OVERBURDEN	See <b>Waste rock</b> .

# O



# P

TERM	DEFINITION
OVERTIME	The number of hours an employee works beyond the normal working week. International standards set overtime limits at 60 hours per week. But different countries, local laws and collective bargaining agreements may accept different standards.
PARTNERS	See <b>Business partners</b> .
PERSONAL PROTECTIVE EQUIPMENT (PPE)	Protective clothing and garments (such as gloves, footwear, helmets, goggles and earplugs) designed to protect the wearer from exposure to job-related hazards.
PLACE OF ORIGIN REPORT (COLOURED GEMSTONES)	A report giving an opinion on the geographical origin (for example, country or region) of coloured gemstones.
PLATINUM GROUP METALS (PGM)	Precious metallic elements with similar physical and chemical properties that tend to occur together in the same mineral deposits. Under the COP, PGM includes rhodium, palladium and platinum.
POLICY	A statement of intentions and direction of an RJC member as formally expressed by its top management.
POLITICALLY EXPOSED PERSON	Someone who is or has been entrusted with a prominent public function. Their status and influence puts many of these people in positions that can be potentially abused to commit money laundering and related predicate offences, including corruption and bribery, as well as activities related to terrorist financing.
PREMIUM RATE OF PAY	A rate of pay that is higher than the normal working week pay rate.
PRISON LABOUR	See <b>Forced labour</b> .
PROCEDURE	A specific way of doing an activity or process. Procedures may be documented or not.
PRODUCT DISCLOSURE	The proper, complete and accurate disclosure of all relevant information about the gold, silver, PGM, diamonds and coloured gemstones used in jewellery products, including the types of treatments used to alter the product's appearance, and whether or not the product needs special care (either because of its physical characteristics or because of any treatments it has undergone).
PRODUCT LIFECYCLE	The interlinked stages of a product (or service) system, from raw material acquisition or natural resources to final disposal.
PROTECTED AREA	A geographically defined area that is legally designated or regulated and managed to achieve specific conservation objectives.
PROVENANCE CLAIM	A documented claim, made using descriptions or symbols, that relates to gold, silver, PGM, diamonds or coloured gemstones that are offered for sale (whether as stand-alone materials or set in jewellery). Provenance claims are typically made about a product's origin, verification of source, traceability of material, and certification of material or suppliers.
RECERTIFICATION AUDIT	A certification audit done to renew an RJC member's certification against the COP.
RECONSTITUTED/ RECONSTRUCTED GEMSTONE	See <b>Coloured gemstones</b> .

# R

TERM	DEFINITION
RED FLAG	A warning or indicator of a risk. In the context of due diligence, a red flag can be a location, supplier or circumstance that triggers a need for further investigation.
REMUNERATION	Includes wages or salaries, and any other benefits in cash or in kind, paid by employers to workers.
RENEWABLE ENERGY	Any form of energy from solar, geophysical or biological sources that is replenished by natural processes at a rate that equals or exceeds its rate of use.
REPORTING	A process for publicly communicating about an RJC member's business practices to stakeholders, such as the government, investors, business partners, employees and consumers. It is sometimes called <b>disclosure</b> . Reporting and disclosure can be mandatory (if it is required by law) or voluntary (if it is undertaken by choice, for example to create additional transparency).
REPRESENTATION	Illustrations, descriptions, expressions, words, figures, depictions or symbols shown in a way that may reasonably be regarded as relating to a jewellery product.
RESETTLEMENT	Includes both the physical displacement (relocation or loss of shelter) and the economic displacement (loss of assets or access to assets that leads to loss of income sources or other means of livelihood) that happens when an RJC member acquires land or places new restrictions on land use. See also <b>Involuntary resettlement</b> .
RESIDUAL RISK	The risk that still remains after protective measures (risk reduction) have been taken.
REST DAYS	A continuous period of not less than 24 hours during which an employee is entitled to abstain from working for her or his employer.
RETALIATION	Any kind of negative action taken against an employee as a result of reporting a grievance. This includes any form of punishment and any action that creates a hostile, threatening or uncomfortable environment.
REVIEWED FINANCIAL STATEMENTS	Financial statements that an accountant has reviewed and found to require no material modifications to conform with the applicable financial reporting framework.
RIGHTS-COMPATIBLE	A rights-compatible engagement approach or grievance mechanism is one that provides a vehicle for addressing issues in a way that respects and supports human rights.
RISK	The potential for adverse impacts (on stakeholders or environments) that result from a company's own activities or its relationships with suppliers and other entities in the supply chain. <b>High-risk supply chains</b> are those with the potential for serious human rights abuses, direct or indirect support to non-state armed groups or public or private security forces, bribery and fraudulent misrepresentation of the origin of minerals, money laundering and non-payment of taxes and royalties due to governments.
RISK ASSESSMENT	The systematic evaluation of the degree of risk posed by an activity or operation.

# S

TERM	DEFINITION
RISK-BASED DUE DILIGENCE	The reasonable investigation undertaken by a business to identify, assess, prevent and mitigate risks in its supply chain where the level of scrutiny is commensurate with the identification of risks.
SAFETY DATA SHEET (SDS)	A document giving information on the properties of hazardous chemicals and how they affect health and safety in the workplace.
SELF-ASSESSMENT	The assessment that RJC members do to describe their business and evaluate their own performance against the COP.
SELLING	Offering a product for sale, exposing it for sale or displaying it in any way that could reasonably lead someone to believe it is intended for sale.
SIGNIFICANT BUSINESS PARTNER	See <b>Business partners</b> .
SILVER	A shiny greyish-white metal with the chemical symbol Ag. It is a mineral with specific hardness of 2.5 on the Mohs scale of hardness and the atomic number 47.
SIMULANT DIAMOND/ COLOURED GEMSTONE	See <b>Diamonds</b> and <b>Coloured gemstones</b> .
SOCIAL INSURANCE SCHEME	Any government-sponsored programme that provides protection against various economic risks to people (such as loss of income due to sickness, old age or unemployment) and that requires financial contributions, usually from employers.
SOURCE (OF MATERIAL)	The source of material is the geographical place, person or company from which the material is obtained. The source of mined material is: <ul style="list-style-type: none"> <li>• For gold, silver or PGM: the mine or country of mining origin.</li> <li>• For diamonds or coloured gemstones: for upstream companies and Tier 1 midstream companies, this is the mine or country of mining origin, company and/or region. For Tier 2 midstream and downstream companies, the source is the rough exporter (first export from country of mining origin) or Tier 1 midstream company suppliers if possible, and if not, the furthest known point in the upstream supply chain (see COP 7 for detail on upstream, Tier 1 and Tier 2 midstream and downstream companies).</li> </ul>
STAKEHOLDER	Any person who can affect, or be affected by, an RJC member's business (for example, a mining project). Stakeholders can be individuals, interest groups, government agencies or corporate organisations. They may include politicians, commercial and industrial enterprises, labour unions, academics, religious groups, national social and environmental groups, public sector agencies, the media and communities.

TERM	DEFINITION
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STAKEHOLDER ENGAGEMENT	A two-way process of information sharing and decision-making that aims to simultaneously address community issues and priorities (including the needs of disadvantaged and vulnerable groups), as well as the concerns and needs of the business. It is carried out in a manner that is inclusive and culturally sensitive. Beyond listening, the aim of engagement is to ensure mutual understanding and responsiveness by all parties to enable them to discuss and manage matters with the potential to affect all concerned. Successful engagement requires a robust framework for regular discussion, consultation and interaction.
STATUTORY AUDIT	An audit that is required under applicable law.
SUGGESTED BUSINESS IMPROVEMENT	An auditor's suggestion for improving an RJC member's systems, procedures or activities that conform with the COP. Suggested business improvements are offered without prejudice, and the member remains free to choose whether or not to implement them.
SUPPLIER	A business that provides an RJC member with goods or services.
SUSTAINABILITY REPORT	A report published by an RJC member about the economic, environmental and social impacts caused by its everyday activities. A sustainability report also presents the member's values and governance model, and demonstrates the link between its strategy and its commitment to a sustainable global economy.
SYNTHETIC DIAMOND/ COLOURED GEMSTONE	See <b>Diamonds</b> and <b>Coloured gemstones</b> .
SYSTEMS	Management processes and documented procedures that collectively provide a systematic framework for ensuring tasks are done correctly, consistently and effectively to achieve the desired outcomes and drive continual performance improvement.
TAILINGS	The ground rock and effluents created when the mined ore is processed into a concentrate or final product through physical operations such as screening, crushing, grinding and concentrating, or by methods involving chemicals, heat and pressure, such as leaching.
TREATED DIAMOND/ COLOURED GEMSTONE	See <b>Diamonds</b> and <b>Coloured gemstones</b> .
TREATMENT ANALYSIS	Analysis to determine enhancements to coloured gemstones, such as stone coating, heat treatment, diffusion treatment, clarity enhancement and impregnation.
VULNERABLE GROUPS	Groups of people that are characterised by their higher risk and reduced ability to cope with shock or negative impacts. Their vulnerability may be based on socio-economic condition, gender, age, disability, ethnicity or other criteria that influence people's ability to access resources and development opportunities. It is always specific to the particular location and time.

# W

TERM	DEFINITION
WASTE ELECTRICAL AND ELECTRONIC EQUIPMENT (WEEE)	Also known as <b>e-waste</b> , WEEE is end-of-life electronic and electrical equipment. It includes household appliances, IT and telecommunications equipment, and a range of other electronic and electrical consumer goods.
WASTE MANAGEMENT	See <b>Effective waste management</b> .
WASTE ROCK	Also called <b>overburden</b> , waste rock is the material removed to access ore. It may even contain very low grades of ore, but only at levels that cannot be processed profitably.
WASTE ROCK MANAGEMENT	The removal and storage of waste rock, which may be temporary or for the long term.
WASTES AND EMISSIONS	<p>Solid, liquid or gaseous materials that are released, discarded or no longer needed. Wastes and emissions can cause pollution and adversely impact the environment if not properly managed. In the jewellery supply chain, the main forms of waste include hazardous substances, air and water emissions, and general operational waste.</p> <p><b>Mining wastes</b> are wastes generated during the extraction, beneficiation and processing of ore.</p> <p><b>Significant</b> wastes and emissions are those that are hazardous and require special handling and disposal, have the potential to harm the environment or individuals or require a licence or permit.</p>
WORKERS	See <b>Employees</b> .
WORKERS' ORGANISATION	A voluntary association of workers organised for occupational purposes with the aim of furthering and defending the interests of workers.
WORKING HOURS	The amount of time employees spend working on behalf of their employer.
WORLD HERITAGE SITES	Sites established under the World Heritage Convention of 1972.
WORST FORMS OF CHILD LABOUR	<p>International Labour Organization Convention 182 define the worst forms of child labour as:</p> <ul style="list-style-type: none"> <li>• all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict;</li> <li>• the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances;</li> <li>• the use, procuring or offering of a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties; and</li> <li>• work which is likely to harm the health, safety or morals of children. This includes <b>hazardous</b> work as defined above.</li> </ul>
YOUNG WORKERS	See <b>Employees</b> .

# Y

# 04 KEY REFERENCES

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  - The American Gem Trade Association (AGTA) Gemstone Information Manual (2016)
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  - Extractive Industries Transparency Initiative (EITI)
  - Fair Labour Association Code of Conduct and Compliance Benchmarks
  - Federal Trade Commission (FTC) Guides for Jewelry, Precious Metals, and Pewter Industries
  - Financial Action Task Force (FATF) standards against money laundering and the finance of terrorism
  - Global Reporting Initiative (GRI)
  - International Code of Conduct Association (ICoCA)
  - International Council on Mining and Metals (ICMM) Sustainable Development principles, position statements and guidance documents
  - International Cyanide Management Code
  - International Finance Corporation (IFC) Performance Standards (2012)
  - International Labour Organization (ILO) Fundamental Rights at Work (conventions for the elimination of child labour, forced and compulsory labour and discrimination in the workplace, and for freedom of association and collective bargaining)
  - International Standards Organization (ISO) 18323 Jewellery – Consumer Confidence in the Diamond Industry
  - International Union for Conservation of Nature (IUCN) Red List of Threatened Species
  - Kimberley Process Certification Scheme (KPCS) and World Diamond Council (WDC) System of Warranties (SoW) for Diamond shipments
  - Minamata Convention on Mercury
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  - OECD Guidelines for Multinational Enterprises (2011)
  - Social Accountability International SA8000
  - UN Declaration on the Rights of Indigenous Peoples
  - UN Environment Awareness and Preparedness for Emergencies at Local Level (APELL) Programme
  - UN Global Compact
  - UN Guiding Principles on Business and Human Rights
  - UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children
  - UN Sustainable Development Goals (SDGs)
  - UN Universal Declaration of Human Rights and the Convention on the Rights of the Child
  - Voluntary Principles on Security and Human Rights
  - World Heritage Convention
  - The World Jewellery Confederation (CIBJO) Blue Books





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## STANDARDS COMMITTEE

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