



Resources, Rights and Respect

Investor Expectations of the Human Rights Responsibilities of Mining Companies

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INTRODUCTION

Mining is a globally important industry with profound effects on communities and the environment. Due to the growing interest in the social impacts of business, these effects - both positive and negative - are increasingly being viewed through the lens of international human rights. Expectations of the human rights responsibilities of mining companies are evolving, with input from international agencies, governments, industry associations, civil society organisations, academics and communities.

This report presents SHARE's analysis of the current and emerging international human rights standards for the mining sector. It details how mining companies should demonstrate their commitment to respect human rights through their management systems and their performance in specific areas such as labour rights, relationships with communities, and the environment. The report also identifies opportunities for investors to engage with companies to examine and enhance human rights policies and to achieve better human rights outcomes. It is our view that investors have a critical role to play in encouraging companies to adopt and effectively implement human rights management systems. It is also our view that companies that perform well in these areas can have stronger reputations, a more secure social license to operate, reduced potential for legal liabilities and ultimately better financial performance.

This report:

- **Outlines** corporate policies and management systems that should be used in meeting human rights responsibilities;
- **Highlights** areas that typically have human rights impacts for mining companies;
- **Details** our expectations of corporate performance in these areas; and
- **Provides** benchmarks against which the responsibility to respect human rights may be measured.

Development of the UN Guiding Principles on Business and Human Rights

In 2005, then UN Secretary-General Kofi Annan appointed Harvard professor John Ruggie as the UN Special Representative on Human Rights and Transnational Corporations and Other Business Enterprises. After consulting with businesses, NGOs, communities and governments, Professor Ruggie released his “Protect, Respect and Remedy” Framework for Business and Human Rights in 2008. In that document, he outlined the state duty to protect human rights, the responsibility of business to respect human rights, and the need of those adversely affected by business operations for an effective remedy. Professor Ruggie and his team spent a further three years developing the Framework into the more detailed UN Guiding Principles. In 2011, the UN Human Rights Council unanimously endorsed the UN Guiding Principles.

BACKGROUND

What are Human Rights?

Human rights are rights we have simply by virtue of being human, and are necessary to live in dignity and security. While ideas of human rights exist in many philosophical traditions, our modern understanding of the concept is rooted in instruments developed by the United Nations after the Second World War.¹ In this context, human rights are understood to be universal (they apply to everyone), interdependent (the rights support each other) and are to be applied without discrimination (regardless of nationality, sex, place of residence or any other status). Key rights include:

- the right to life, liberty and security of the person
- the right to health
- the right not to be discriminated against
- the right to fair and safe working conditions
- the right to an adequate standard of living
- the right to equal recognition and protection under the law

All of these human rights can potentially be relevant for business.

What is the Role of Business in Respecting Human Rights?

While protecting and fulfilling human rights are the primary responsibility of governments, it is now widely agreed that businesses have a responsibility to respect the human rights of those affected by their operations. Companies have the potential to promote human rights by contributing to sustainable economic development, but can also negatively affect individuals and communities. This recognition is embodied in the 2011 Guiding Principles on Business and Human Rights (“UN Guiding Principles”), put forward by UN Special Representative John Ruggie and developed with significant input from the business community, including representatives of the global mining industry.

Respect for human rights, in this context, means that companies should avoid causing or contributing to human rights impacts through their own operations, and seek to prevent or mitigate adverse human rights impacts that are linked to their operations through business relationships. The UN Guiding Principles do not directly create new legal obligations, but articulate a consensus for the standard of conduct for business operations. Where host country laws reflect weaker protections than international human rights standards, the latter should prevail.²

What is the Business Case for Respecting Human Rights?

While respecting human rights is a value in itself, many companies – and their shareholders – recognize that addressing human rights issues is an important aspect of risk management. Mining companies that adopt mechanisms to address their human rights impacts create a solid foundation for engaging with stakeholders and are better prepared to deal with any legal or reputational allegations of their involvement in human rights violations. The benefits of incorporating human rights into management practices include:³

- Stronger “social licence to operate” by avoiding costly strikes and protests;
- A more stable operating environment through effective and respectful community relations;
- Greater competitive advantage in attracting investment capital;
- Increased likelihood of obtaining and maintaining permits and licenses; and
- Increased ability to attract and retain the best employees.

Conversely, companies that fail to manage human rights risks may:

- Face lawsuits related to company involvement in alleged human rights abuses;
- Incur higher security and insurance costs;
- Experience disruption to project development and maintenance;
- Face damaging public campaigns; and
- Experience a loss of shareholder confidence.

Why Focus on Mining?

We have chosen to focus on the mining sector for four reasons.

First, Canada is a major player in the global mining industry. Financial markets based in Vancouver and Toronto are the world's largest source of equity capital for mining companies undertaking exploration and development. Mining companies based in Canada account for almost half of global exploration expenditures.⁴

Second, mining can have a significant impact on human rights – both positive and negative. Mining can contribute to human rights development by providing increased opportunities for employment, education and community development, but the industry can also have detrimental impacts on human health, communities and the environment.

Third, companies in the global mining sector have extensive operations in weak governance zones, where host governments are either unwilling or unable to effectively regulate business consistent with human rights principles. Companies that abide by domestic laws in these zones may still, therefore, adversely affect the human rights of others and be exposed to human rights related risks.

Finally, despite growing awareness of the UN Guiding Principles, progress by the Canadian mining industry in assessing, managing and reporting human rights impacts has been uneven. The presence of outward commitments does not provide sufficient information for investors to assess how companies are meeting their responsibility to respect human rights. Consequently, in addition to outlining expected practices in terms of corporate policies, this document offers practical guidance and benchmarks for companies against which to measure their performance.

HUMAN RIGHTS MANAGEMENT SYSTEMS

The UN Guiding Principles provide a management framework for companies to meet their responsibility to respect human rights. This framework requires companies to develop a policy commitment to respect human rights, conduct human rights due diligence, and provide for remediation of any adverse human rights impacts.

Policy Commitment

Mining companies should express their commitment to respect internationally recognized human rights through a policy statement that is approved at the highest level of the business, is publicly available, and is fully embedded in a coherent way in the company's operational procedures. There is no prescribed form to the policy and associated procedures, but they should clearly set out the human rights expectations of the company's staff, business partners and parties related to the company's operations, and be made available to all relevant stakeholders. The policies should be supported by appropriate training of personnel.⁵

Due Diligence

Due diligence is at the heart of the responsibility to respect. It is a process that identifies and addresses human rights impacts. While human rights due diligence may be incorporated into existing risk management frameworks, it must be understood that human rights risks include risks to rights-holders, not just to the company.

Due diligence includes:

1. assessing actual and potential adverse human rights impacts;
2. acting upon the assessment;
3. tracking responses; and
4. communicating how impacts are addressed.⁶

In assessing human rights risks, companies should look at both human rights impacts with which the company is directly involved, and those impacts to which it may be linked through business relationships. Companies should engage in meaningful and appropriate stakeholder consultation in assessing its human rights risks.⁷

Companies should integrate the findings from human rights impact assessments into their operations, and take action to prevent and mitigate any adverse human rights impacts. Companies should track the effectiveness of their response through qualitative and quantitative means, including feedback from affected stakeholders, and report externally on how any adverse human rights impacts were addressed. Companies may consider using a third party to verify their progress in addressing human rights impacts.⁸

Remediation

Remediation is required where companies identify that they have caused or contributed to adverse human rights impacts. Depending on the nature of the harm and the level of responsibility of the company, this may involve cooperation with other actors.

Companies should establish or participate in operational-level grievance mechanisms that are directly accessible to affected individuals and communities. This supports the due diligence process by providing a way for information about human rights impacts to be raised within the company's procedures, and can be an effective way to address adverse human rights impacts. Operational-level grievance mechanisms should be legitimate, accessible, predictable, equitable, transparent, rights-compatible, a source of continuous learning and based on engagement and dialogue. Companies should provide for independent adjudication in the event that issues cannot be addressed through dialogue.⁹

Human Rights Management Systems: Summary of Expectations

Outcomes	Indicators
Company has human rights policy	Commitment to respect internationally recognized human rights
	Approval at the highest level of the business
	Expectations of personnel, business partners and relevant parties set out clearly
	Policy publicly available and communicated externally and internally
	Policy reflected in procedures necessary to embed it throughout the company's operations
	Policy provides for adequate training on human rights for personnel
Company conducts human rights due diligence	Assessment of the company's human rights impacts on initial and on-going basis
	Meaningful consultation with potentially affected stakeholders
	Findings from assessment integrated into internal processes
	Appropriate action taken to address human rights impacts
	Response to adverse human rights impacts tracked
	Communication of how human rights impacts addressed
Company conducts remediation for adverse human rights impacts	Remediation provided if company causes or contributes to adverse human rights impacts
	Legitimate grievance mechanisms established

The UN Guiding Principles make it clear that each company should assess the human rights impacts of its particular operations. The following are common human rights issues relevant for the mining sector, but do not represent an exhaustive list.

KEY ISSUES FOR MINING COMPANIES

Business Relationships

Companies need to carefully consider how they ensure respect for human rights in their business relationships. In the mining industry, joint ventures, mergers and acquisitions are common as these allow companies to increase their opportunities and maintain flexibility. Working with contractors and supply chains may be necessary to increase efficiency or expand operations. All of these may bring human rights-related impacts that may not be addressed in the standard due diligence or negotiation process.¹⁰ At the same time, it is expected that companies will manage their business relationships having regard for human rights impacts.¹¹ In an important case for the mining industry, an Ontario court recently held that a Canadian parent mining company could be held liable for the actions of its subsidiary operating outside Canada in certain circumstances.¹²

Joint Ventures, Mergers and Acquisitions

The UN Guiding Principles specifically require companies to consider human rights when developing business relationships. Human rights should be addressed at the earliest stage of forming relationships with new partners, and incorporated into business arrangements. Human rights due diligence should be conducted on potential partners or target companies, and human rights considerations incorporated into the relevant joint venture or acquisition agreements.¹³

Contractors and Supply Chains

Additional challenges arise when dealing with contractors and entities in the supply chain. Companies should ensure they conduct due diligence on relevant suppliers. In cases where there are a large number of entities in the value chain, companies should prioritise the most significant for due diligence.¹⁴ Human rights expectations should be made clear to key suppliers, through contractual provisions if appropriate, and enforced through regular monitoring.¹⁵

Remediation

Where adverse human rights impacts have been identified, companies should provide for or cooperate in remediation if they have contributed to the impacts. Where a company finds itself linked to the human rights violations through its relationships, a range of factors should be considered, including the severity of the abuse and the leverage the company has over the partner's actions.¹⁶

Business Relationships: Summary of Expectations

Outcomes	Indicators
Company has policies to address human rights in business relationships	Policies relating to joint venture partners, mergers and acquisitions, contractors and supply chains
Company conducts human rights due diligence in joint ventures, mergers and acquisitions	Human rights addressed at earliest stage of assessment of business partners Human rights part of negotiation with business partners Human rights incorporated into relevant agreements
Company conducts human rights due diligence on contractors and in supply chains	Due diligence conducted on relevant suppliers Human rights incorporated into relevant agreements Monitoring of key suppliers
Company remediates human rights impacts where responsible or partly responsible	Company remediates if caused or contributed to human rights impacts Company considers how best to remediate if linked to human rights impacts through business relationships Company establishes legitimate grievance mechanisms

Labour

Labour rights are a core component of the corporate responsibility to respect human rights. Companies have direct responsibility for the rights of workers they employ, and can have indirect responsibility for workers employed by other companies with which they have business relationships. The four core human rights obligations related to labour and employment practices are:¹⁷

- *Freedom of association and collective bargaining*: Companies should develop policies consistent with the right of workers to freely associate and to form independent trade unions and organisations for the purpose of protecting their interests. Where national law substantially restricts workers' organizations, companies should not restrict workers from developing alternative mechanisms to express their grievances and protect their rights regarding working conditions and terms of employment.¹⁸
- *Non-discrimination*: All employment policies and conditions must be applied fairly to all workers, regardless of ethnic origin, gender, religion, sexual orientation/identification or political opinion. This includes recruitment and hiring, compensation, working conditions, access to training, job assignment, promotion, disciplinary practices, termination of employment and retirement.¹⁹
- *Forced labour*: Companies should ensure that they do not use, contract or benefit from the use of forced labour. This includes ensuring that companies do not benefit from the forced labour of workers contracted through temporary employment agencies, suppliers, business partners, or government actors.²⁰
- *Child labour*: Companies should not employ workers under 15 years of age, or 14 years of age in certain developing countries. If the work is hazardous, companies should not employ workers under 18. Special provisions must be in place to ensure young workers are not expected to carry out tasks beyond their physical capabilities or are harmful to their health or safety. As with forced labour, these standards apply to workers contracted through temporary employment agencies, suppliers, business partners, or government actors.²¹

For the mining sector, health and safety are also primary concerns. Companies should take necessary steps to minimize or eliminate risks to safety and health, including specific measures to ensure safe design and construction of mine sites, and ongoing monitoring, inspection and assessment of potential hazards. Insofar as risk remains, personal protective equipment must be provided and workers trained in its use. Where accommodation is provided for workers, it should also be clean, safe, and meet the basic needs of the workers.²²

Labour Standards and Business Partners

One issue for mining companies is the labour standards of business partners.

Companies should take commercially reasonable efforts to ascertain and ensure that third party contractors meet international labour rights standards. Companies should establish a grievance mechanism for employees, and extend this mechanism to serve workers engaged by third parties, if the third parties do not have such mechanisms.

Where there is a high risk of forced/ child labour in supply chains, companies should monitor the practices of primary suppliers and take appropriate steps to remedy any abuses. Where there is a high risk of poor safety practices in the supply chains, companies should introduce measures to ensure that primary suppliers are addressing life-threatening situations.²³

Labour: Summary of Expectations

Outcomes	Indicators
Company allows workers to form associations representing their interests	Policies setting out the right to form associations
	Legitimate grievance mechanism established
Company treats workers without discrimination	Policies against discrimination
	Legitimate grievance mechanism established
Company has no forced or child labour in operations or supply chains	Policies against forced or child labour
	Legitimate grievance mechanism established
	Credible audit showing no forced or child labour in contractors and supply chains
Company provides safe and healthy working environments	Health and safety policies
	Legitimate grievance mechanism established
	Audit of suppliers

Community

Mining companies have a responsibility to engage in meaningful and ongoing consultation with local communities affected by their operations. These consultations should take place prior to a proposed business activity, such as a new mine or mine expansion, and be maintained throughout the life cycle of the mine. Specific standards of consultation are required when dealing with indigenous peoples. The presence of artisanal miners in an area can raise particular challenges and requires a considered approach.

In dealing with local communities, companies should identify affected stakeholders, disclose and disseminate information to those stakeholders, undertake an effective, documented consultation process which provides for meaningful participation, and provide ongoing reporting to affected communities. Companies should also establish community grievance mechanisms for community members to raise issues with the company.²⁴

Involuntary resettlement should be avoided. Where it cannot be avoided, companies should consider feasible alternative project designs to minimize displacement, provide compensation and benefits for displaced persons, and develop a grievance mechanism.²⁵

Indigenous Peoples and Free, Prior and Informed Consent (FPIC)

Indigenous peoples require particular standards of consultation, based on the historical discrimination and exclusion from political processes suffered by these communities, as well as their cultural and economic ties to the land. While the agreed standards of corporate (and state) behaviour are still evolving, a consensus is emerging around the concept of Free, Prior and Informed Consent (FPIC).²⁶ Companies should monitor developments in this area and review their policies regularly.

States have a key role to play in negotiating with indigenous communities, and in many cases companies will collaborate with both states and indigenous communities in the development of a mine site. However, it should be understood that companies have independent responsibilities to respect the rights of indigenous peoples. In particular, companies should not rely on a licence or other government document as proof that FPIC has been obtained.

Based on current and emerging international standards, we define FPIC as follows:

Free – Consent is given without coercion, intimidation or manipulation.²⁷

Prior – Consent is sought sufficiently in advance before key project decisions are made.²⁸

Informed – Consent is based on all relevant information about the project, including nature, scope, duration of activity and all potential impacts and benefits.²⁹ Information is disclosed in a culturally appropriate way.³⁰

Consent – Consent can be the most challenging part of FPIC. For greater clarity, it can be understood to consist of a number of components.

When consent is required – Consent is required for new projects that are located on lands traditionally owned by or under customary use of indigenous peoples and are likely to have significant adverse impacts on indigenous peoples. FPIC is required wherever relocation is likely and/or there will be significant impacts on cultural heritage.³¹

Nature of consent – Consent includes the right to withhold consent. FPIC does not necessarily require unanimity and may be achieved even when individuals or groups within the community disagree. However, consent should be considered a process in which consent is sought, measured and maintained throughout the project's lifecycle, and the process itself should be transparent and made clear to indigenous peoples.³²

Exceptions to the requirement of consent – The requirement for FPIC may be subject to certain limited exceptions, particularly when limitations on these rights exist within an overall framework of respect for human rights and comply with standards of proportionality with regard to a valid public purpose.³³

Companies should ensure their policies are consistent with the above understanding of FPIC, and that they take all good faith efforts to ensure that FPIC is obtained for relevant projects.

Artisanal and Small-Scale Mining

Artisanal and small-scale mining (ASM) is mining conducted with simplified forms of exploration, extraction, processing and transportation. It is usually labour intensive with low capital inputs. While ASM can provide needed livelihoods for people, it is often accompanied by environmental damage, high incidents of injury and health damage, violence for control of mine sites, child and forced labour, and unequal and exploitative conditions for women workers.³⁴ As ASM miners will often be among those whose human rights are impacted by the exploration, development and operation of a large scale commercial mine, mining companies have a responsibility to assess and mitigate any adverse impacts on these communities. There is also a strong business case for addressing issues around ASM, as this will reduce risk (including risks to the physical security of the mine site, as well as reputational risks to the company) and may provide opportunities for collaboration. Mining companies should engage with ASM stakeholders at the exploration stage, conduct an assessment of the relevant issues and develop a plan for responsible engagement. Companies should minimize risks to artisanal miners and support the formalisation of artisanal mining where possible.³⁵

Community: Summary of Expectations

Outcomes	Indicators
Company conducts meaningful consultation with communities	Information about project shared with community
	Documentation of consultation process
	Legitimate grievance mechanism established
Company avoids or mitigates involuntary resettlement	Documentation of consideration of alternative plans
	Legitimate grievance mechanism established
	Compensation given to displaced persons
Company takes all good faith efforts to ensure FPIC of indigenous peoples obtained for project	Company policies consistent with FPIC
	Consent process established
	Dissemination of information before key project decisions
	Documentation of consent granted by indigenous peoples
Company engages responsibly with artisanal miners	Documentation of assessment and engagement plan
	Risks to artisanal miners minimized
	Formalisation of sector supported

Security

Mining companies must maintain the safety and security of company operations within a framework that ensures respect for human rights. As a first step, companies should conduct an accurate and effective assessment of risks in the company's operating environment. This assessment should consider the potential for violence, the human rights records of public and private security forces, the capacity and independence of law enforcement and the judiciary, and the nature of local conflicts. Companies should also assess the risks of transferring their equipment, such as transport vehicles, to public and private security forces.³⁶

When entering into a relationship with public security forces, companies should clearly establish their policies regarding human rights, consult regularly with host governments on human rights, security and related workplace safety issues, and respond to any credible allegations of human rights abuse. Companies should promote all international law enforcement principles, and include human rights provisions in agreements with host governments and security forces. Training should be conducted if necessary.³⁷ Monitoring systems should be in place to track investigations of human rights issues, and to track use of company equipment by public security forces.³⁸

When entering into a relationship with a private security provider, companies should conduct due diligence on the background of the provider, particularly with respect to the excessive use of force. Companies should set clear standards for the responsible use of force and respect for human rights, include these standards in contractual arrangements, and ensure providers have been properly trained. Companies should also require that their contracts with security providers include provisions that abusive behaviour will be investigated and disciplined, and a termination clause which permits a cessation of the relationship if human rights standards have not been maintained. Standards should apply equally to subcontractors.³⁹

Security: Summary of Expectations

Outcomes	Indicators
Company uses security forces that respect human rights	Company assessment of risks in operating environment
	Contractual provisions requiring respect for human rights
	Training of security forces on human rights standards
	Allegations of abuse by security forces investigated
	Regular monitoring of security forces

Environment

While environmental protection and human rights are sometimes thought of as separate categories, the link between a healthy environment and healthy human communities is obvious. Mining operations' environmental impacts can affect the right to health, the right to a livelihood, and the right to life itself. The environmental effects of mining operations are of particular concern in countries where environmental regulation is weak or poorly enforced and where communities rely directly on ecosystems for their livelihoods.

Some of the most significant environmental impacts of mining operations are in the areas of water use, energy use, waste generation and biodiversity. For the purposes of this paper, we have focused on the human right to water, an area where standards are developing. However, mining companies should view all of their environmental management systems through a human rights lens.

Human Right to Water

Water is necessary for all life, and is critically important for the mining industry. Water use is one of the main links between a mine and the community and environment in which it operates.⁴⁰ Managing water responsibly involves not only engineering expertise but also respect for and dialogue with communities.

A human right to clean water and sanitation is recognized as part of the right to health and an adequate standard of living.⁴¹ This right includes water that is available, of high quality, accessible, affordable and acceptable.⁴² Company policies should ensure that respect for the human right to water and sanitation is integrated into human rights policies and due diligence frameworks, and in particular that measurement of water quality is robust and transparent. Companies should collect independently-verified water quality data that measures accessibility, availability, quality, affordability and acceptability on a baseline and ongoing basis, and should share this data as part of meaningful consultation with potentially affected groups.⁴³ Where water is scarce or the affected communities are marginalised, due diligence is especially important.⁴⁴

Any change in water quality due to the company's operations should be remediated by the company, and reported to the community. A grievance mechanism should be established to address any complaints.⁴⁵

Best practice for responsible water management includes encouraging suppliers to manage water more responsibly, and contributing to community level and public policy initiatives related to the conservation of water.⁴⁶

Environment (Water): Summary of Expectations

Outcomes	Indicators
Company acknowledges the human right to water	Publicly available policy committing to respect human right to water
As a result of the company's operations, water has the same or better standard of accessibility, availability, quality, affordability and acceptability	Collection of baseline data on accessibility, availability, quality, affordability and acceptability
	On-going assessments on accessibility, availability, quality, affordability and acceptability
	Any damage to water supplies by company remediated
Community input into water management system	Water quality data available to potentially affected groups
	Meaningful consultation with potentially affected groups on an ongoing basis
	Legitimate grievance mechanism established

Conflict-Affected and High-Risk Areas

Mining companies often operate in areas of civil conflict and social instability. These areas carry a heightened risk that companies will negatively affect human rights, and as such require enhanced standards of human rights management. Companies need to be particularly vigilant that they are not causing, contributing or supporting armed conflict, gross violations of human rights or breaches of international humanitarian law.

As a first step, mining companies should conduct a thorough assessment of risks, government capacity, and the impacts of the company's activities, taking into account the particular challenges of the operating environment.⁴⁷ Companies should develop clear policies to engage with governments and local stakeholders and explore all opportunities for proactive and constructive engagement.⁴⁸ Existing policies may need to be adapted to conflict-affected or high-risk contexts.

As with non-conflict areas, companies should commit to addressing grievances constructively through dialogue and a dispute settlement mechanism.⁴⁹ If companies find that they have caused or contributed to adverse human rights impacts, they are required to provide remediation.⁵⁰

Companies should take all necessary measures to avoid causing, contributing to or supporting armed conflict, gross violations of human rights and violations of international humanitarian law. In particular, companies should treat the risk of causing or contributing to gross human rights abuses as a legal compliance issue.⁵¹ All companies, including upstream companies, should have clear policies in place to ensure they are not contributing to conflict. Companies that source minerals from conflict areas should develop rigorous supply chain management systems.⁵² Upstream suppliers should assist by notifying appropriate authorities if abusive practices are occurring in the supply chain, and by working with community and international organisations, as well as industry organisations, to share information and support capacity building.⁵³

Ongoing monitoring is particularly important in high risk areas because of the volatility of the environment. Companies should continue to monitor the operating environment and track and report on performance, working with stakeholders as needed.⁵⁴

Conflict-Affected and High-Risk Areas: Summary of Expectations

Outcomes	Indicators
Company has policies for conflict-affected and high-risk areas	<p>Policies set out public commitments and are reflected throughout company operations</p> <p>If necessary, existing policies are adapted to conflict-affected and high-risk areas</p>
Company conducts enhanced due diligence	<p>Human rights assessment which examines all relevant factors</p> <p>Constructive engagement with stakeholders</p> <p>Ongoing monitoring</p>
Company remediates any human rights impacts	<p>Legitimate grievance mechanism established</p>
Company is not causing, contributing to or supporting armed conflict, gross violations of human rights or breaches of international humanitarian law	<p>Risk of causing or contributing to gross human rights violations treated as a legal compliance issue</p> <p>Policies to ensure company is not contributing to conflict</p> <p>Ongoing monitoring of supply chains</p>

Anti-Corruption and Revenue Transparency

Anti-Corruption

Corruption may be a significant issue in countries where mining companies are operating, and company officials may directly encounter requests for bribes or deal with business partners who accept bribery as a common practice. There is an important link between corruption and human rights, because corruption can severely impede the ability of governments to protect the human rights of its citizens.⁵⁵ Corruption also undermines the rule of law, which is essential to the protection of human rights.

Many countries, including Canada, the US and the UK, have laws in place which prohibit the bribing of public officials in foreign countries. SHARE assumes that responsible companies follow all laws which apply to them. However, regardless of the applicable legal regimes, SHARE expects companies to have robust anti-corruption procedures in place, which are linked to other human rights policies if needed. Mining companies need to be particularly aware of illicit payments fueling conflict or gross human rights abuses in high risk areas.⁵⁶

Revenue Transparency

At the time of writing, the Government of Canada has initiated a consultation on mandatory reporting standards for extractive company payments to governments, following commitments made by the Prime Minister at the G8 summit in 2013. While not strictly a human rights matter, disclosure of these payments can help promote fair tax regimes and good governance, help citizens hold their governments to account for revenues received and help combat corruption. For investors, disclosure helps to assess country- and project-specific governance, reputational and tax risks.

SHARE's position, which we have submitted to the government, is that the recommendations of the Resource Revenue Transparency Working Group should form the basis for the standards and that there should be no exemptions from the reporting regime.⁵⁷ This initiative closely follows similar reporting regimes developed in the United States and Europe.⁵⁸

Regardless of the final form of the regime in Canada, we expect companies to disclose the following payments above \$100,000 (\$10,000 for junior mining companies) on a project-level basis:

- Taxes (including profit, income and production taxes)
- Royalties (including royalties-in-kind)
- Fees (including license fees, rental fees and concession fees)
- Production entitlements (by value and volume)
- Bonuses (including signature, discovery and production bonuses)
- Dividends
- Infrastructure payments as required by law or contract (e.g., building a road or railway)
- Transportation and terminal operations fees
- Fines/penalties paid to governments

Anti-Corruption and Revenue Transparency: Summary of Expectations

Outcomes	Indicators
Company does not pay bribes to public officials in any country in which it operates	<ul style="list-style-type: none"> Robust anti-corruption policies in place Process for tracking and reporting incidents of bribery
Company discloses payments to governments in all countries in which it operates	Disclosure of taxes, royalties, fees, production entitlements, bonuses, dividends, infrastructure payments, transportation and terminal operation fees, fines and penalties

WAYS FORWARD

Human rights are critically important to the mining industry, and investors expect these issues to be managed proactively and responsibly. This document can be used by investors to gauge the effectiveness of companies in managing human rights issues, to make investment decisions, and to engage with companies on their human rights policies and performance. As standards continue to evolve, the tools to manage these issues will improve. Both investors and companies should monitor developments in these areas in order to maintain a constructive dialogue.

APPENDIX A: SUMMARY OF EXPECTATIONS

Human Rights Management Systems

Outcomes	Indicators
Company has human rights policy	<ul style="list-style-type: none"> Commitment to respect internationally recognized human rights Approval at the highest level of the business Expectations of personnel, business partners and relevant parties set out clearly Policy publicly available and communicated externally and internally Policy reflected in procedures necessary to embed it throughout the company's operations Policy provides for adequate training on human rights for personnel
Company conducts human rights due diligence	<ul style="list-style-type: none"> Assessment of the company's human rights impacts on initial and on-going basis Meaningful consultation with potentially affected stakeholders Findings from assessment integrated into internal processes Appropriate action taken to address human rights impacts Response to adverse human rights impacts tracked Communication of how human rights impacts addressed
Company conducts remediation for adverse human rights impacts	<ul style="list-style-type: none"> Remediation provided if company causes or contributes to adverse human rights impacts Legitimate grievance mechanisms established

Business Relationships

Outcomes	Indicators
Company has policies to address human rights in business relationships	<ul style="list-style-type: none"> Policies relating to joint venture partners, mergers and acquisitions, contractors and supply chains
Company conducts human rights due diligence in joint ventures, mergers and acquisitions	<ul style="list-style-type: none"> Human rights addressed at earliest stage of assessment of business partners Human rights part of negotiation with business partners Human rights incorporated into relevant agreements
Company conducts human rights due diligence on contractors and in supply chains	<ul style="list-style-type: none"> Due diligence conducted on relevant suppliers Human rights incorporated into relevant agreements Monitoring of key suppliers
Company remediates human rights impacts where responsible or partly responsible	<ul style="list-style-type: none"> Company remediates if caused or contributed to human rights impacts Company considers how best to remediate if linked to human rights impacts through business relationships Company establishes legitimate grievance mechanisms

Labour

Outcomes	Indicators
Company allows workers to form associations representing their interests	<ul style="list-style-type: none"> Policies setting out the right to form associations Legitimate grievance mechanism established
Company treats workers without discrimination	<ul style="list-style-type: none"> Policies against discrimination Legitimate grievance mechanism established
Company has no forced or child labour in operations or supply chains	<ul style="list-style-type: none"> Policies against forced or child labour Legitimate grievance mechanism established Credible audit showing no forced or child labour in contractors and supply chains
Company provides safe and healthy working environments	<ul style="list-style-type: none"> Health and safety policies Legitimate grievance mechanism established Audit of suppliers

Community

Outcomes	Indicators
Company conducts meaningful consultation with communities	<ul style="list-style-type: none"> Information about project shared with community Documentation of consultation process Legitimate grievance mechanism established
Company avoids or mitigates involuntary resettlement	<ul style="list-style-type: none"> Documentation of consideration of alternative plans Legitimate grievance mechanism established Compensation given to displaced persons
Company takes all good faith efforts to ensure FPIC of indigenous peoples obtained for project	<ul style="list-style-type: none"> Company policies consistent with FPIC Consent process established Dissemination of information before key project decisions Documentation of consent granted by indigenous peoples
Company engages responsibly with artisanal miners	<ul style="list-style-type: none"> Documentation of assessment and engagement plan Risks to artisanal miners minimized Formalisation of sector supported

Security

Outcomes	Indicators
Company uses security forces that respect human rights	Company assessment of risks in operating environment Contractual provisions requiring respect for human rights Training of security forces on human rights standards Allegations of abuse by security forces investigated Regular monitoring of security forces

Environment (Water)

Outcomes	Indicators
Company acknowledges the human right to water	Publicly available policy committing to respect human right to water
As a result of the company's operations, water has the same or better standard of accessibility, availability, quality, affordability and acceptability	Collection of baseline data on accessibility, availability, quality, affordability and acceptability On-going assessments on accessibility, availability, quality, affordability and acceptability Any damage to water supplies by company remediated
Community input into water management system	Water quality data available to potentially affected groups Meaningful consultation with potentially affected groups on an ongoing basis Legitimate grievance mechanism established

Conflict-Affected and High-Risk Areas

Outcomes	Indicators
Company has policies for conflict-affected and high-risk areas	<p>Policies set out public commitments and are reflected throughout company operations</p> <p>If necessary, existing policies are adapted to conflict-affected and high-risk areas</p>
Company conducts enhanced due diligence	<p>Human rights assessment which examines all relevant factors</p> <p>Constructive engagement with stakeholders</p> <p>Ongoing monitoring</p>
Company remediates any human rights impacts	<p>Legitimate grievance mechanism established</p>
Company is not causing, contributing to or supporting armed conflict, gross violations of human rights or breaches of international humanitarian law	<p>Risk of causing or contributing to gross human rights violations treated as a legal compliance issue</p> <p>Policies to ensure company is not contributing to conflict</p> <p>Ongoing monitoring of supply chains</p>

Anti-Corruption and Revenue Transparency

Outcomes	Indicators
Company does not pay bribes to public officials in any country in which it operates	<p>Robust anti-corruption policies in place</p> <p>Process for tracking and reporting incidents of bribery</p>
Company discloses payments to governments in all countries in which it operates	<p>Disclosure of taxes, royalties, fees, production entitlements, bonuses, dividends, infrastructure payments, transportation and terminal operation fees, fines and penalties</p>

APPENDIX B: RESOURCES

Key International Human Rights Standards

1. International Bill of Human Rights

The Universal Declaration of Human Rights, 1948

The International Covenant on Civil and Political Rights, 1966

The International Covenant on Economic, Social & Cultural Rights, 1966

2. International Labour Organization Core Conventions

International Labour Organization Fundamental Principles and Rights at Work, 1998

Convention 87, Freedom of Association and Protection of the Right to Organize Convention, 1948

Convention 98, Right to Organize and Collective Bargaining Convention, 1949

Convention 100, Equal Remuneration Convention, 1951

Convention 111, Discrimination (Employment and Occupation) Convention, 1958

Convention 138, Minimum Age Convention, 1973

Convention 182, Worst Forms of Child Labour Convention, 1999

Convention 29, Forced Labour Convention, 1930

Convention 105, Abolition of Forced Labour Convention, 1957

3. International Standards on the Rights of Indigenous Peoples

The United Nations Declaration on the Rights of Indigenous Peoples, 2007

International Labour Organization Convention 169 on Indigenous and Tribal Peoples, 1989

4. International Standards on Business and Human Rights

The United Nations Guiding Principles on Business and Human Rights, 2011

The International Finance Corporation Performance Standards on Environmental and Social Sustainability, 2012

The OECD Guidelines for Multinational Enterprises, 2011

The United Nations Global Compact

Additional Resources

1. General

Institute for Human Rights and Business, *Investing the Rights Way*, 2013

Institute for Human Rights and Business, *State of Play: The Corporate Responsibility to Respect Human Rights in Business Relationships*, 2012

Business Ethics, *Business and Human Rights: Interview with John Ruggie*, 2011

Rachel Davis and Daniel Franks, *The costs of conflict with local communities in the extractive industry*, 2011

2. Human Rights Management Systems

ICMM, *Human Rights in the Mining and Metals Industry: Overview, Management Approach and Issues*, 2009

ICMM, *Integrating Human Rights Due Diligence Into Corporate Risk Management Processes*, 2012

ICMM, *Human Rights in the Mining and Metals Sector: Handling and Resolving Local Level Concerns and Grievances*, 2010

3. Business Relationships

F&C Management Ltd, *Do You Know What Junior is Doing? Managing ESG Risks in "Independently-Managed Operations" in the Mining Sector*, 2007

Institute for Human Rights and Business, *State of Play: The Corporate Responsibility to Respect Human Rights in Business Relationships*, 2012

Choc v. Hudbay Minerals Inc., 2013 ONSC 1414

4. Labour

IFC Performance Standard 2, 2012

5. Community

IFC Performance Standard 1, 2012

IFC Performance Standard 5, 2012

ICMM, Community Development Toolkit, 2012

IFC Performance Standard 7, 2012

UN Development Group, Guidelines on Indigenous Peoples' Issues, 2008

ICMM, Indigenous Peoples and Mining Position Statement, 2013

UN General Assembly, Report of the Special Rapporteur on the rights of indigenous peoples, James Anaya: Extractive industries and indigenous peoples, 2013

Boreal Leadership Council, Free, Prior and Informed Consent in Canada, 2012

ICMM, IFC, Communities and Small Scale Mining, Working Together: How Large Scale Miners Can Engage with Artisanal and Small Scale Miners, 2009

IIED, Responding to the Challenge of Artisanal and Small-Scale Mining, 2013

Global Reporting Initiative, G4 Sector Disclosures: Mining and Metals, 2013

OECD, Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas Supplement on Gold, 2012

6. Security

Voluntary Principles on Security and Human Rights, 2000

International Code of Conduct for Private Security Providers, 2010

ICMM, IFC, ICRC, IPIECA, Voluntary Principles on Security and Human Rights: Implementation Guidance Tools

7. Environment (Water)

UN General Assembly, Report of the independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation, Catarina de Albuquerque, 2010

Institute for Human Rights and Business, More than a resource: water, business and human rights, 2011

Centre for Water in the Minerals Industry, Summary of International Water Issues for Mining: A Scoping Paper Prepared for ICMM, 2009

UN Global Compact, CEO Water Mandate, 2011

8. Conflict-Affected and High Risk Areas

UN Global Compact, UN Principles for Responsible Investment, Guidance on Responsible Business in Conflict-Affected and High-Risk Areas: A Resource for Companies and Investors, 2010

Institute of Human Rights and Business, From Red to Green Flags - The corporate responsibility to respect human rights in high-risk countries, 2011

OECD, Due Diligence Guidelines for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas, 2013

World Gold Council, Conflict-Free Gold Standard, 2012

9. Anti-Corruption and Revenue Transparency

International Council on Human Rights, Transparency International, Corruption and Human Rights: Making the Connection, 2009

UN Global Compact, UN Principles for Responsible Investment, Guidance on Responsible Business in Conflict-Affected and High-Risk Areas, 2010

ICMM, Human Rights in the Mining and Metals Industry: Overview, Management, Approach and Issues, 2009

Extractive Industries Transparency Initiative Standard, 2013

ENDNOTES

- ¹ The most significant international instruments enumerating these rights are the Universal Declaration of Human Rights (1948), the International Covenant on Civil and Political Rights (1966), and the International Covenant on Economic, Social and Cultural Rights (1966). These are sometimes collectively referred to as the International Bill of Human Rights. See Appendix B.
- ² UN Guiding Principles on Business and Human Rights (2011), Guiding Principles 11 and 12 and commentaries.
- ³ Institute for Human Rights and Business, *Investing the Rights Way* (2013), pp 7-10; Institute for Human Rights and Business, *State of Play: The Corporate Responsibility to Respect Human Rights in Business Relationships* (2012), p. 21; Business Ethics, *Business and Human Rights: Interview with John Ruggie* (2011); Rachel Davis and Daniel Franks, *The costs of conflict with local communities in the extractive industry* (2011).
- ⁴ Information from the Government of Canada, <http://www.international.gc.ca/trade-agreements-accords-commerciaux/topics-domaines/other-autre/csr-strat-rse.aspx>
- ⁵ UN Guiding Principles on Business and Human Rights (2011), Guiding Principle 16. See also ICMM, *Human Rights in the Mining and Metals Industry: Overview, Management Approach and Issues* (2009).
- ⁶ UN Guiding Principles on Business and Human Rights (2011), Guiding Principle 17.
- ⁷ UN Guiding Principles on Business and Human Rights (2011), Guiding Principle 17- 18. See also ICMM, *Integrating Human Rights Due Diligence Into Corporate Risk Management Processes* (2012).
- ⁸ UN Guiding Principles on Business and Human Rights (2011), Guiding Principles 19-21. See also ICMM, *Integrating Human Rights Due Diligence Into Corporate Risk Management Processes* (2012).
- ⁹ UN Guiding Principles on Business and Human Rights (2011), Guiding Principles 29-31. See also ICMM, *Human Rights in the Mining and Metals Sector: Handling and Resolving Local Level Concerns and Grievances* (2010).
- ¹⁰ See generally, F&C Management Ltd., *Do You Know What Junior is Doing? Managing ESG Risks in "Independently-Managed Operations" in the Mining Sector* (2007).
- ¹¹ UN Guiding Principles on Business and Human Rights (2011), Guiding Principle 17.
- ¹² *Choc v. Hudbay Minerals Inc.*, 2013 ONSC 1414.
- ¹³ UN Guiding Principles on Business and Human Rights (2011), Commentary to Guiding Principle 17. See also Institute for Human Rights and Business, *State of Play: The Corporate Responsibility to Respect Human Rights in Business Relationships* (2012), Chapter 5: Respect for Human Rights in Joint Venture Relationships, pp 73-81 and Chapter 6: Respect for Human Rights in Mergers, Acquisitions and Disposal Relationships, pp 83-91.
- ¹⁴ UN Guiding Principles on Business and Human Rights (2011), Guiding Principle 17 and Commentary.
- ¹⁵ Institute for Human Rights and Business, *State of Play: The Corporate Responsibility to Respect Human Rights in Business Relationships* (2012), Chapter 8: Respect for Human Rights in Supply Chains and Service Provider Relationships, pp. 101-117.
- ¹⁶ UN Guiding Principles on Business and Human Rights (2011), Guiding Principle 19 and 22, and Commentaries.
- ¹⁷ As reflected in the labour rights recognized in the International Bill of Human Rights and in the International Labour Organization Declaration on Fundamental Principles and Rights at Work (1998). IFC Performance Standard 2 (2012) reflects these standards and provides useful guidance.
- ¹⁸ ILO Convention 87, Freedom of Association and Protection of the Right to Organize Convention (1948); ILO Convention 98, Right to Organize and Collective Bargaining Convention (1949); IFC Performance Standard 2 (2012).
- ¹⁹ ILO Convention 100, Equal Remuneration Convention (1951); ILO Convention 111, Discrimination (Employment and Occupation) Convention (1958); IFC Performance Standard 2 (2012). ILO Convention 111 describes discrimination as "any distinction, exclusion or preference made on the basis of race, colour, sex, religion, political opinion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation." SHARE would include sexual orientation/identification.
- ²⁰ ILO Convention 29, Forced Labour Convention (1930); ILO Convention 105, Abolition of Forced Labour Convention (1957); IFC Performance Standard 2 (2012).
- ²¹ ILO Convention 138, Minimum Age Convention (1973); ILO Convention 182, Worst Forms of Child Labour Convention (1999); IFC Performance Standard 2 (2012).
- ²² IFC Performance Standard 2 (2012).
- ²³ IFC Performance Standard 2 (2012).
- ²⁴ IFC Performance Standard 1 (2012); UN Guiding Principles on Business and Human Rights (2011), Guiding Principle 18. See also ICMM, *Community Development Toolkit* (2012).
- ²⁵ IFC Performance Standard 5 (2012).
- ²⁶ The basis for the concept of Free, Prior and Informed Consent (FPIC) stems from the UN Declaration on the Rights of Indigenous Peoples (2007) and ILO Convention 169 on Indigenous and Tribal Peoples Convention (1989). Recent documents demonstrating a convergence of opinion include: the UN Development Group, *Guidelines on Indigenous Peoples' Issues* (2008), IFC Performance Standard 7 (2012) and ICMM's *Indigenous Peoples and Mining Position Statement* (2013). Also relevant are the statements of the UN Special Rapporteur on the rights of indigenous peoples.
- ²⁷ UN Development Group, *Guidelines on Indigenous Peoples' Issues* (2008); ICMM, *Indigenous Peoples and Mining Position Statement* (2013).
- ²⁸ UN Development Group, *Guidelines on Indigenous Peoples' Issues* (2008); ICMM, *Indigenous Peoples and Mining Position Statement* (2013).
- ²⁹ UN Development Group, *Guidelines on Indigenous Peoples' Issues* (2008); ICMM, *Indigenous Peoples and Mining Position Statement* (2013).
- ³⁰ IFC Performance Standard 7 (2012).

- ³¹ IFC Performance Standard 7 (2012); ICMM, *Indigenous Peoples and Mining Position Statement* (2013).
- ³² IFC Performance Standard 7 (2012); ICMM, *Indigenous Peoples and Mining Position Statement* (2013); Boreal Leadership Council, *Free, Prior and Informed Consent in Canada* (2012).
- ³³ UN General Assembly, *Report of the Special Rapporteur on the rights of indigenous peoples, James Anaya: Extractive industries and indigenous peoples* (2013), p. 20.
- ³⁴ ICMM, IFC, Communities and Small Scale Mining, *Working Together: How Large Scale Miners Can Engage with Artisanal and Small Scale Miners* (2009); Global Reporting Initiative, *G4 Sector Disclosures: Mining and Metals* (2013), p.18; OECD, *Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas Supplement on Gold* (2012). See also IIED, *Responding to the Challenge of Artisanal and Small-Scale Mining* (2013).
- ³⁵ ICMM, *Human Rights in the Mining and Metals Industry: Overview, Management, Approach and Issues* (2009), p.24; OECD, *Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas* (2012), p. 25.
- ³⁶ *Voluntary Principles on Security and Human Rights* (2000); *International Code of Conduct for Private Security Providers* (2010). See also ICMM, IFC, ICRC, IPIECA, *Voluntary Principles on Security and Human Rights: Implementation Guidance Tools*.
- ³⁷ *Voluntary Principles on Security and Human Rights* (2000). See also the UN Principles on the Use of Force and Firearms by Law Enforcement Officials and the UN Code of Conduct for Law Enforcement Officials. For including human rights provisions in agreements with host governments and security forces and training, see ICMM, IFC, ICRC, IPIECA, *Voluntary Principles on Security and Human Rights: Implementation Guidance Tools*, p. 41, 43, 45.
- ³⁸ *Voluntary Principles on Security and Human Rights* (2000); ICMM, IFC, ICRC, IPIECA, *Voluntary Principles on Security and Human Rights: Implementation Guidance Tools*, p. 43.
- ³⁹ See *Voluntary Principles on Security and Human Rights* (2000) and the *International Code of Conduct for Private Security Providers* (2010).
- ⁴⁰ Centre for Water in the Minerals Industry, *Summary of International Water Issues for Mining: A Scoping Paper Prepared for ICMM* (2009), p.3.
- ⁴¹ UN General Assembly Resolution 64/292 (2010) recognized “the right to safe and clean drinking water and sanitation as a human right that is essential for the full enjoyment of life and all human rights”. See also General Comment 15 by the United Nations Committee on Economic, Social and Cultural Rights (2002).
- ⁴² UN General Assembly, *Report of the independent expert on the issue of human rights obligations related to access to safe drinking water and sanitation, Catarina de Albuquerque* (2010), p.16.
- ⁴³ UN Guiding Principles on Business and Human Rights (2011), Guiding Principles 16-21.
- ⁴⁴ Institute for Human Rights and Business, *More than a resource: water, business and human rights* (2011), p.2.
- ⁴⁵ UN Guiding Principles on Business and Human Rights (2011), Guiding Principles 20, 22, 29-31.
- ⁴⁶ These goals are taken from the UN Global Compact, *CEO Water Mandate* (2011).
- ⁴⁷ UN Global Compact, UN Principles for Responsible Investment, *Guidance on Responsible Business in Conflict-Affected and High-Risk Areas: A Resource for Companies and Investors* (2010), p. 10. See also Institute of Human Rights and Business, *From Red to Green Flags - The corporate responsibility to respect human rights in high-risk countries* (2011).
- ⁴⁸ UN Global Compact, UN Principles for Responsible Investment, *Guidance on Responsible Business in Conflict-Affected and High-Risk Areas: A Resource for Companies and Investors* (2010), p. 16, 22.
- ⁴⁹ UN Guiding Principles on Business and Human Rights (2011), Guiding Principles 29-31; UN Global Compact, UN Principles for Responsible Investment, *Guidance on Responsible Business in Conflict-Affected and High-Risk Areas: A Resource for Companies and Investors* (2010), p. 12; World Gold Council, *Conflict-Free Gold Standard* (2012), p. 24.
- ⁵⁰ UN Guiding Principles on Business and Human Rights (2011), Guiding Principle 22. See also World Gold Council, *Conflict-Free Gold Standard* (2012), p. 34.
- ⁵¹ UN Guiding Principles on Business and Human Rights (2011), Guiding Principle 23(c); UN Global Compact, UN Principles for Responsible Investment, *Guidance on Responsible Business in Conflict-Affected and High-Risk Areas: A Resource for Companies and Investors* (2010), p. 18; World Gold Council, *Conflict-Free Gold Standard* (2012).
- ⁵² UN Global Compact, UN Principles for Responsible Investment, *Guidance on Responsible Business in Conflict-Affected and High-Risk Areas: A Resource for Companies and Investors* (2010), p. 14. See also OECD, *Due Diligence Guidelines for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas* (2013) and World Gold Council, *Conflict-Free Gold Standard* (2012). Companies may also have obligations under US legislation.
- ⁵³ OECD, *Due Diligence Guidelines for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas* (2013), p. 25-28.
- ⁵⁴ UN Global Compact, UN Principles for Responsible Investment, *Guidance on Responsible Business in Conflict-Affected and High-Risk Areas: A Resource for Companies and Investors* (2010), p. 11; UN Guiding Principles on Business and Human Rights, Guiding Principle 20.
- ⁵⁵ International Council on Human Rights, Transparency International, *Corruption and Human Rights: Making the Connection* (2009), p.23- 29.
- ⁵⁶ UN Global Compact, UN Principles for Responsible Investment, *Guidance on Responsible Business in Conflict-Affected and High-Risk Areas* (2010), p.15.
- ⁵⁷ The Resource Revenue Transparency Working Group is a multi-stakeholder initiative made up of members from Publish What You Pay Canada, Revenue Watch, Prospectors and Developers Association of Canada, and the Mining Association of Canada. For SHARE’s position, see http://www.share.ca/files/2013-08-30_SHARE_to_NRCan.pdf.
- ⁵⁸ ICMM requires its members to support the Extractive Industries Transparency Initiative, a voluntary process in which signatory countries disclose payments made to them in the extractive sector and resource companies operating in those countries disclose payments made. <http://eiti.org/eiti>. See ICMM, *Human Rights in the Mining and Metals Industry: Overview, Management, Approach and Issues* (2009), p. 26.

Resources, Rights and Respect

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