SYNOPSIS OF THE FIRST CONSULTATION COMMENTS ON

THE CRAFT CODE v 1.0

"Code of Risk-mitigation for ASM engaging in Formal Trade"

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Consultation period: 26.02.2018-26.04.2018
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1. Objective

The CRAFT Code was developed by the Alliance for Responsible Mining (ARM) and RESOLVE as part of the CAPAZ Project, with funding from the European Partnership for Responsible Mining (EPRM)). Two multi-sector committees – the Standard Committee and Advisory Group – also provided guidance in scoping and developing the code; these groups included artisanal miners, refiners, industry associations, civil society and organizations working directly with miners, and independent experts.

The CRAFT code has been developed in accordance with the Standards-setting procedures (version 3.0, May, 2017) and the recommendations of the ISEAL Code "Setting Social and Environmental Standards, December 2014." In line with those procedures, we are issuing this synopsis of the consultation process, including the following:

- a summary of the issues raised
- an analysis of the range of stakeholder groups who have submitted comments
- a general response to comments
- a proposal of how the issues might be addressed in the subsequent standard draft, if applicable.

2. Stakeholder engagement and consultation process

Consultation first began with a needs assessment in which we consulted stakeholders from all points along the supply chain, industry associations, and civil society organizations working with artisanal miners to confirm the need for a "market entry standard" and to identify key stakeholders who should be engaged in or consulted throughout the development process. These interviews informed the development of a proposed Terms of Reference (TOR) for the code, and a call for interest in participating in the Advisory Group or the Standard Committee. These TORs were widely distributed in April and May 2017. Based on feedback received during the needs assessment and in response to the TORs, we first convened the Advisory Group and the Standard Committee in July 2017. These governance bodies include representatives of standards and responsible sourcing schemes, artisanal miners and the NGOs working with them, and companies seeking due diligence tools to enable expanded artisanal sourcing.

Between July 2017 and February 2018, these committees advised on the development of the CRAFT and further identified stakeholders who should be consulted during a broader stakeholder engagement period. The CRAFT underwent a 2-month global consultation period – February 26 to April 26 – during which approximately 400 people participated in workshops or briefings, or through submission of written comments.

The CRAFT and consultation notice was distributed broadly – both directly by ARM and RESOLVE, and through the networks of our Advisory Group and Standards Committee. The draft code, overview materials, and information on the consultation period were all made available on the CRAFT website. Additionally, the CRAFT team made available four mechanisms to seek broader feedback from global stakeholders to share any concerns and possible revisions to maximize the accessibility and impact of the Code. Stakeholders had the opportunity to:

- Incorporate their comments and suggested revisions directly into the draft code using track changes;
- Complete an online survey form; we offered 3 tailored versions of the survey to outline priority questions for feedback from miners, national/international buyers, or for governments / civil society actors.
- Offer open comments in email form.
- Participate in in-person workshops or phone/web-based webinars to offer verbal input.

Stakeholder outreach involved 16 organized consultation activities, including workshops with artisanal and small-scale miners; as well as in-person conferences, webinars, and bilateral interviews with industry stakeholders, civil society, and governments.

In-person activities took place in Burkina Faso, Colombia, France, Ghana, Guyana, and the United States, and webinars spanned further geographies.

Consultations were held with artisanal and small-scale miners as well as local institutions in the La Llanada and Suárez departments in Colombia, as well as in Burkina Faso, Guyana, and Ghana (the latter was possible with support from Solidaridad Africa). These workshops were important to receive feedback from different geographic and policy contexts.

In parallel, four webinars were carried out with industry stakeholders, including members of the Responsible Jewellery Council, the London Bullion Market Association, the Swiss Better Gold Association, the OECD Multi-stakeholder Group, and the Responsible Minerals Initiative. In Washington, D.C. (USA), a meeting was held with the members of the DC Roundtable for Artisanal and Small-scale Gold Mining. Two meetings were organized in Bogotá (Colombia), one with the members of the National CAPAZ Committee representing academia, the national government, and governmental institutions, and the second space was with the GDIAM Mining Dialogue Group. A session was held at the 12th OECD Forum on Responsible Mineral Supply Chains in Paris (France), which was attended by representatives from the gold industry, ASM miners, association and standards representatives, jewelry industry governments and other civil society actors. Finally, several contributions were collected through the online forms and direct feedback on the CRAFT Code. A full note with the details of the number of participants per activity can be found at the news about the CRAFT consultation results.

Overall, the process included the participation of 35% of women and 65% of men. The stakeholder groups included refiners, ASM miners, governments, NGOs, international agencies, academia, auditors, mining dialogue groups, jewelry companies, support organizations for ASM, traders, supply chain initiatives, consultants and industry associations. Input reflected wide geographic engagement as well; comments were received from Guyana, Burkina Faso, Colombia, Ghana, France, United States, Canada, United Kingdom, Switzerland, the Democratic Republic of the Congo, Germany, Australia, Papua New Guinea, Spain, India, Brazil, the Netherlands, and Peru.

3. Rationale of the systematization and analysis of the comments

Over 500 individual comments were received or collected from the stakeholders through the different activities and mechanisms described above. All comments were systematized, sorted and compiled in **the comments documents** with the respective response to individual stakeholder comments. All respondents were given the option of requesting anonymity; where this was not requested, we have attributed comments.

The comments were categorized and tabulated in a table using the following structure:

Organization /Company	Contact information-Name-email address	Stakeholder group	Country	Module	Original text	Comment	Proposed change	Proposed response of the CRAFT team	Response level

- **Organization/Company:** name of the organization where the person who provided the comment/recommendation belongs or works.
- **Contact Information-Name-email address:** the particular information of the person who provided the comment (name and email address). The personal information name of the person and the email address were only used by the CRAFT´s team to reply to each stakeholder. The email address has been redacted from this public summary.
- **Stakeholder group:** classification depending on the role in the gold supply chain or the type of organization/company that the person belongs/represents.
- **Country:** the nation where the person or the organization is based.
- **Module:** the specific module (Module 1: Scope and Affiliation, Module 2: Legitimacy, Module 3: Immediate OECD Annex II risks, Module 4: Mitigable OECD Annex II risks and Module 5: Non Annex II risks) of the CRAFT Code to which the comment relates (or a 'General' category for comments not related to a specific module.
- **Original text:** the text segment of the CRAFT to which the comment is directed.
- **Comment:** a remark, observation, concern, suggestion from the participant.
- **Proposed change:** the exact recommendation or text for changing or modifying a part/requirement of CRAFT.
- **Response level:** are the three categories mentioned above as strategic, technical and editorial topics.
- **Response of the CRAFT team:** the CRAFT team carefully analyzed each comment to determine whether the comment was in-scope for the current version of CRAFT (i.e., pertaining to OECD Annex II risks or other high risks); whether it should be considered for future iterations of the CRAFT; or whether it was out of scope. Based on these

categorizations, the CRAFT team offered proposals for whether and how to address each comment. A summary of these categorizations appears in the table below:

Category	Description	Total of comments classified in the category
Out of scope, not addressed Example: Shifting the due diligence obligation from BUYERS to AMPs is not the intent of the CRAFT. **Comment not aligned with current scope or approach**	Comments beyond agreed intent and approach of the CRAFT (e.g. alignment with OECD Due Diligence Guidance, Open Source characteristics, ASM, etc.)	29

Comments recorded for future CRAFT development; classified according to:
  o No change proposed
  o No change required
  o No change recommended by CRAFT team
Example:
Comment recorded for future CRAFT development (e.g. version 2, CRAFT Platform and/or Modules 6 and 7)
We recommend no change in current version
	General comments or questions, general affirmative or dissenting opinions, suggestions on future implementation, etc. These comments are recorded for future CRAFT development: the second version which will include Medium and Low risks in Module 6 and 7, recommendations for application, the sustainability of the Code.	311

Issues to be analysed and addressed for release of version 1; classified according to:
  o Strategic topic … for main discussion at Advisory Group level
  o Technical topic … for main discussion at Standard Committee level
  o Editorial topic … to be addressed by team
Example:
Analyse both criteria to evaluate if it is necessary to merge or add clarity to perceive easily the differences. Join!
	Specific comments proposing modifications, identified gaps and errors, suggestions for improvement or clarification. These comments were taken to the Advisory Group, the Standard Committee meetings for discussing and evaluating the incorporation and taking the decisions for the changes. The CRAFT team aggregated the comments depending on the topics, they were	109

4. Comments summary- summary of the issues raised

As noted above, the comments were grouped according to whether they focused on strategic, technical, or editorial issues.

4.1 Strategic comments

The following strategic issues were taken to the Advisory Group on May 16, 2018 for consideration:

- Whether to broaden the CRAFT scope beyond gold
- How to align the worst forms of child labor (WFCL) in Module 3 with OECD Due Diligence Guidance Annex II risks
- How to further define 'corruption' and 'bribery'
- Whether to include an additional requirement on basic health services

The Advisory Group's considerations and instructions are captured in the [summary of that call](#).

4.2 Technical comments

In addition, several technical comments were received and elevated to the Standard Committee during its May 28th call. These considerations included the following:
- Sharpening the gender lens throughout Code
- Further defining and refining performance indicators
- Articulating the underlying theory of change of CRAFT
- How to "downgrade" of AMPs in the case that Annex II risks re-appear after an AMP has advanced to Module 4 or 5.
- Defining Geographic scope in transboundary ASM areas

The Standard Committee's decisions are captured in the [summary of that call](#).

4.3 Editorial comments

The following editorial recommendations were evaluated by the CRAFT team, and the Advisory Group and Standard Committee were invited to provide their guidance:

- Improve clarity between definitions of legitimacy and legality
- Clarify the role of standard maintainer.
- Reference the UN guiding principles
- Further clarify the difference between Modules 3, 4 and Module 5 in the Child labor requirement
- Make (pass/fail/ progress) criteria as auditable as possible
- Address proposals to extend guidance in some requirements
- Reduce the length of the document
- Improve readability of code and ensure consistency of terminology
- Expand the glossary

5. Next steps

We remind readers that responses to individual stakeholder comments are provided in **the compiled comments document- Annex 1**. The CRAFT team greatly appreciates the time and insightful contributions from the participants and submitters.

This document will be published with the CRAFT Code. If you require further details of the consultation process, you may submit your queries to standards@responsiblemines.org

The ISEAL Code requires that two rounds of public consultation should be undertaken in standards-setting processes. We are planning a second round of consultation in early 2020 after further piloting and after the development of additional modules to the CRAFT to incorporate medium and low risks as part of the improvement path of the ASM sector.