



**GEMFAIR RESPONSIBLE
ARTISANAL AND SMALL-SCALE MINING
ASSURANCE PROGRAMME
MANUAL 2019**

CONTENTS

KEY CONTACT INFORMATION	2
ACRONYMS	3
KEY DEFINITIONS	4
1. INTRODUCTION	9
1.1 ABOUT THIS MANUAL	9
2. LEGITIMACY REQUIREMENTS	12
2.1 ASSESSMENT GUIDANCE FOR LEGITIMACY REQUIREMENTS	13
3. CORE REQUIREMENTS	14
3.1 GROSS HUMAN RIGHTS VIOLATIONS	15
3.2 WORST FORMS OF CHILD LABOUR	15
3.3 FORCED LABOUR AND HUMAN TRAFFICKING	17
3.4 DIRECT OR INDIRECT SUPPORT OF NON-STATE ARMED GROUPS	18
3.5 VIOLENCE-FREE OPERATIONS AND NON-DISCRIMINATION	18
3.6 SEXUAL AND GENDER-BASED VIOLENCE	19
3.7 CONFLICT-AFFECTED AND HIGH-RISK AREAS (CAHRA)	19
3.8 MONEY LAUNDERING AND THE FINANCING OF TERRORISM	20
3.9 IMPEDING TRACEABILITY	21
3.10 OTHERWISE BRINGING THE INDUSTRY INTO DISREPUTE	22
4. MANUAL FOR GENERAL REQUIREMENTS	23
4.1 INVOLVEMENT OF PUBLIC AND/OR PRIVATE SECURITY FORCES	24
4.2 BRIBERY, CORRUPTION AND FACILITATION PAYMENTS	25
4.3 NON-PAYMENT OF TAXES, ROYALTIES OR FEES	26
4.4 WILFUL MISUSE OF GEMFAIR EQUIPMENT	26
4.5 FAIR WAGE FOR SUPPORTED WORKERS	27
4.6 FAIR WAGE FOR KOSOVO WORKERS	28
4.7 OCCUPATIONAL HEALTH AND SAFETY	28
4.8 ENVIRONMENTAL IMPACT MANAGEMENT	30
4.9 COMMUNITY RIGHTS AND CONSENT	31
BIBLIOGRAPHY	32
APPENDIX A: FAIR MINING POLICY	33
APPENDIX B: GENERAL MINING POLICY	34
APPENDIX C: GEMFAIR THIRD-PARTY AUDIT PROTOCOL	35
APPENDIX D: GEMFAIR ASM STANDARD ASSESSMENT SURVEYS	41

KEY CONTACT INFORMATION

In case of queries or problems, please visit the GemFair Office:

- **In-person:** 158 Kainkordu Rd., Kono District, Sierra Leone
- **Telephone:** +232 (0) 750 919 84 or +232 (0) 302 445 95
- **Email:** hello@gemfair.com
- **Website:** www.gemfair.com

Documentation relating to the GemFair Artisanal and Small-Scale Mining Assurance Programme can be found at: <https://gemfair.com/standards/html>

Whistleblowing

The GemFair Whistleblowing Policy and Procedures detail conduct or behaviour that employees and other relevant persons have a duty to report, including, but not limited to:

- Child labour or forced labour;
- Human rights abuses;
- Violence, including sexual or gender-based violence or discrimination;
- Trade in conflict diamonds;
- Wilful or negligent acts or omissions resulting in serious injury or death;
- Failure to comply with any legal obligations;
- Smuggling of diamonds or otherwise breaking the established chain-of-custody of GemFair-eligible diamonds;
- Actions that may result in danger to the health and/or safety of people or damage to the environment;
- Criminal offences, including theft, money laundering, fraud, tax evasion, illegal taxation, bribery and corruption;
- Any conduct contrary to the GemFair Programme's ethical principles;
- Concealment of any of the above.

Any person wishing to make a report can do so either directly to the GemFair Programme using the contact information above or through Anglo American's YourVoice programme, a confidential reporting service for all employees and stakeholders of the GemFair Programme. YourVoice is independently managed by Convercent. Reports can be made at: www.yourvoice.debeersgroup.com.

ACRONYMS

AML-CFT	Anti-money laundering and combatting terrorist financing
ASM	Artisanal and small-scale mining
CAHRA	Conflict-affected and high-risk area
CSO	Civil society organisation
DDI	Diamond Development Initiative
EITI	Extractive Industries Transparency Initiative
EIU	Economic Intelligence Unit
ID	Identification
ILO	International Labour Organisation
KYC	Know Your Customer/Counterparty
Le	Sierra Leone Leones
M	Metre
MDS	Maendeleo Diamond Standards™
NGO	Non-governmental organisation
NMA	National Minerals Agency
OECD	Organisation for Economic Cooperation and Development
PPE	Personal protective equipment
SGBV	Sexual and gender-based violence
UNCAC	United Nations Convention Against Corruption
UNODC	United Nations Office on Drugs and Crime

KEY DEFINITIONS

Artisanal and Small-Scale Mining (ASM)	<p>The Organisation for Economic Cooperation and Development (OECD) defines ASM as ‘formal and informal operations with predominantly simplified forms of exploration, extraction, processing and transportation. [Artisanal and small-scale mining (ASM) is normally low capital intensive and uses high labour-intensive technology. ASM can include men and women working on an individual basis as well as those working in family groups, in partnership, or as members of cooperatives or other types of legal associations and enterprises involving hundreds and even thousands of miners. For example, it is common for working groups of 4–10 individuals, sometimes in family units, to share tasks at one single point of mineral extraction (e.g. excavating one tunnel). At the organisational level, groups of 30–300 miners are common, extracting jointly one mineral deposit (e.g. working in different tunnels) and sometimes sharing processing facilities.¹</p>
Assessment	<p>The management process of checking records against regulatory and other standards, such as those of the GemFair Responsible Artisanal and Small-Scale Mining Assurance Programme. Assessments are undertaken by GemFair Staff or a Third-Party Auditor, as defined below.</p>
Bribery and facilitation payments	<p>The offering, promising, giving, accepting or soliciting of an advantage as an inducement for an action which is illegal, unethical or a breach of trust. Inducement can be in the form of gifts, loans, fees or other advantages, such as services.²</p>
Bringing the industry into disrepute	<p>Participation in any activity that results in a material criminal conviction; buying or trading rough diamonds from areas where this would encourage or support conflict and/or human suffering; committing practices which intentionally or recklessly endanger or harm the health and/or welfare of individuals; or participating in any conduct that seeks to deceive, cheat or delude GemFair, its associates and/or the wider industry.³</p>
Conflict-Affected and High-Risk Areas	<p>Conflict-affected areas are those where there is a 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 a conflict of international or non-international character, which may involve two or more states, or may consist of wars of liberation, insurgencies or civil wars. High-risk areas are those where there is a high risk of conflict or widespread or serious abuses as defined in paragraph 1 of Annex II of the OECD’s Due Diligence Guidance. Such areas are often characterised by political instability or repression, institutional weakness, insecurity, collapse of civil infrastructure, widespread violence and violations of national or international law.⁴</p>
Core Requirements	<p>The requirements stated in the GemFair Responsible Artisanal and Small-scale Mining Assurance Programme Requirements to be material requirements and to which the GemFair Member and all workers must adhere in order to obtain and maintain membership in the GemFair Programme.</p>

1 OECD, 2016, *OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas*, 3rd edition. Paris: OECD Press.

2 See: Articles (1)–(2) of the *UK Bribery Act of 2010*, Retrieved on 2 May, 2019 from: <https://www.legislation.gov.uk/ukpga/2010/23/pdfs/ukpga-20100023-en.pdf>.

3 See: GemFair, 2019, *ASM Standard Requirements*, p. 14.

4 OECD, *OECD Due Diligence Guidance*, p. 66.

Diamond	A natural mineral consisting essentially of pure carbon crystallised with a cubic structure in the isometric system. Its hardness in the Mohs scale is 10; its specific gravity is approximately 3.52; it has a refractive index of 2.42 and can be found in many colours.
Digger	A worker who supplies labour to mining operations for a wage and/or a share of the profits or diamond-bearing gravel, and who usually works in groups of four individuals.
Direct or indirect support of non-state armed groups	Making payments to or otherwise providing logistical assistance or equipment through the extraction, transport, trade, handling or export of minerals to non-state armed groups who: illegally control licences, transportation routes, points where minerals are traded and upstream actors in the supply chain; who illegally tax or extort money or minerals at points of access to mine sites, along transportation routes or at points where minerals are traded; as well as illegally tax or extort intermediaries, export companies or international traders. ⁵
Environmental and Safety Monitoring Plan	A tool used by the GemFair Member and the GemFair Programme to assess and monitor the environmental and safety risks and impacts of the Member's mine site in order to develop appropriate Risk Management Plans, as required.
Forced Labour	Forced labour is defined by the OECD as 'all work or service which is exacted from any person under the menace of any penalty and for which said person has not offered himself voluntarily. This means unfree recruitment, work and life under duress and the impossibility of leaving an employer through penalty or menace of penalty'. ⁶
Free Prior and Informed Consent	A specific right that pertains to indigenous people that allows them to them to give or withhold consent to a project that may affect them or their territories. ⁷
GemFair	The De Beers Group Company incorporating the name 'GemFair', which is registered in the relevant country in Africa.
GemFair Member in Good Standing	The status given to GemFair Members who demonstrate that there are no material issues that contravene the GemFair ASM Standard Requirements present in their mining operations or business practices.
GemFair Member	An Approved Supplier or Authorised Person of the GemFair Programme.
GemFair Office	GemFair's Diamond Buying Office in the relevant country in Africa.
GemFair Programme	A programme that intends to connect artisanal and small-scale miners to the global market using a digital solution that seeks to foster economic development for artisanal and small-scale miners by providing them with traceability, empowerment and fair value (see www.gemfair.com for more information).

5 OECD, *OECD Due Diligence Guidance*, p. 21.

6 See: ILO, 1930, C29 – *Forced Labour Convention, 1930 (No.29)*, Article 2, Retrieved on 2 May, 2019 from: https://www.ilo.org/dyn/normlex/en/f?p=normlexpub:12100:0::no::p12100_instrument_id:312314.

7 See: ILO, 1989, C169 – *Indigenous and tribal people's convention (No.169)*, Article 6, Retrieved on 9 April, 2019 from: https://www.ilo.org/dyn/normlex/en/f?p=normlexpub:12100:0::no::p12100_instrument_id:312314.

GemFair Responsible Artisanal and Small-Scale Mining Assurance Programme	<p>A programme designed to manage and mitigate the business, human rights, social and environmental risks of purchasing minerals from artisanal and small-scale mined sources. The GemFair Responsible ASM Programme is based on the requirements of national law in Sierra Leone and the United Kingdom and international best practice standards, including the OECD's Due Diligence Guidance for Responsible Mineral Supply Chains from Conflict-Affected and High-Risk Areas, De Beers Group's Best Practice Principles Assurance Programme, the Alliance for Responsible Mining and RESOLV's CRAFT Code, and the Diamond Development Initiative's Maendeleo Diamond Standards Programme, among others. All GemFair Members must use their best endeavours to adhere to the Legitimacy, Core and General Requirements of the GemFair ASM Standard Requirements and any corresponding Risk Management Plans, commit to the Fair and General Mining Policies set out by GemFair and participate in training and technical capacity building set out by GemFair. GemFair conducts regular site and desk-based risk assessments on the Member's business operations and mine site. Where GemFair identifies any risks to the Member's compliance with the Legitimacy, Core or General Requirements, GemFair may disengage, temporarily suspend and/or recommend a Risk Management Plan to the Member. The Member also consents to host regular audits by a Third-Party-Auditor.</p>
General Requirements	<p>The requirements in the GemFair ASM Standard Programme Requirements to be non-material requirements, with which GemFair urges the Member and his or her workers to comply. Unlike GemFair's Core Requirements, non-compliance with the General Requirements may not necessarily be cause for expulsion from the GemFair Programme.</p>
Gross human rights violations	<p>Any forms of torture, cruel, inhumane and degrading treatment exacted for the purposes of mineral transport or trade; any forms of forced or compulsory labour to mine, transport and sell minerals; the worst forms of child labour for the purposes of mineral transport or trade; war crimes or other violations of international humanitarian law; crimes against humanity or genocide for the purposes of mineral transport or trade.⁸</p>
Illegal involvement of public or private security forces	<p>Having unauthorized security forces at the mine site or along transport routes or illegally controlling, taxing or extorting money or diamonds.</p>
Impeding traceability	<p>Any attempt by the Member to diminish or devalue the means through which GemFair provides its customers chain-of-custody information about the stones GemFair purchases from the mine site in question.</p>
Independent verification	<p>Independent on-site verification carried out by a Third-Party Auditor of the validity of the information provided in the GemFair Assessment Survey against the GemFair ASM Standard Requirements and employing the following three assessment methods:</p> <ul style="list-style-type: none"> • Inspection • Enquiry • Observation <p>From time to time, there may also be a requirement to carry out a follow-up assessment to provide assurance with regard to specific issues.</p>
Kosovo Workers	<p>Casual workers who supply labour to artisanal and small-scale mining operations for a wage but not a share of the diamond profits. Kosovo usually work in groups and are not employed on a permanent basis.</p>

Legitimacy Requirements	Legitimacy is defined by the GemFair Programme as a Member holding a valid artisanal mining licence or a Member who can demonstrate that he or she has an application in process.
Licence holder	The individual who holds the legal right, issued by the government, to conduct mining (exploitation and production) in a specified area. Also referred to as a 'miner'.
Mine manager	The individual who manages daily activities at a mine site, including settling disputes between workers, receiving worker complaints, mediating the sale of diamonds between the workers and the Licence Holder and/or Supporter, amongst others.
Licence	A mine location in the relevant country in Africa where artisanal and small-scale miners conduct mining operations and which is licenced by the government.
Money laundering and Financing of Terrorism	<p>Money Laundering takes many forms, including:</p> <ul style="list-style-type: none"> • trying to turn money raised through criminal activity into 'clean' money (that is, classic money laundering); • handling the benefit of acquisitive crimes such as theft, fraud and tax evasion; • handling stolen goods; • being directly involved with any criminal or terrorist property, or entering into arrangements to facilitate the laundering of criminal or terrorist property; and • criminals investing the proceeds of their crimes in a whole range of financial products. <p>Terrorist Financing is the financing of terrorist acts, of terrorists and of terrorist organisations. Under the Terrorism Act 2000 (UK), for instance, an offence is committed when a person receives or provides money or other property knowing or having reasonable cause to suspect that it will or may be used for the purposes of terrorism. De Beers' operations in other jurisdictions should be aware of similar prohibitions in those jurisdictions (the principal AML/CFT regulations in key jurisdictions are set out in Appendix C).⁹</p>
Risk Management Plan	A mutually-agreed upon strategy between the GemFair Programme and the Member in the case of an identified risk at the Member's mine site or within his or her business practices. A Risk Management Plan sets out deadlines and milestones for completion and is monitored by the GemFair Programme on a regular basis.
Sale and Purchase Agreement	An agreement entered into between GemFair and the Member relating to the sale and purchase of diamonds in the relevant country in Africa
Sexual and gender-based violence	Sexual and gender-based violence is defined by the United Nations Refugee Agency as 'any act that is perpetrated against a person's will and is based on gender norms and unequal relationships. It encompasses threats of violence and coercion. It can be physical, emotional, psychological, or sexual in nature, and can take the form of denial of resources or access to services. [SGBV] inflicts harm on women, girls, men and boys.' ¹⁰

9 De Beers Group, 2019, *De Beers Group Best Practice Principles: The Assurance Programme Requirements 2019*, Retrieved on 11 November, 2019 from: https://www.debeersgroup.com/~/_media/Files/D/De-Beers-Group/documents/reports/library/2019/BPP-Requirements-2019.pdf.

10 UNHCR, 2018, *'Sexual and gender-based violence'*, 20 June, 2018, Retrieved on 2 May, 2019 from: <https://www.unhcr.org/uk/sexual-and-gender-based-violence.html>.

Supporter	An individual who finances an artisanal and small-scale mining operation on a temporary or long-term basis through cash or in-kind support. The miner often repays the loan by giving the Supporter the right of first refusal for any diamonds. The Supporter purchases the diamonds at a discount. Supporters are often financed by larger dealers or exporters.
Supported Workers	Diggers who are employed by a Member and are entitled to a daily wage (called support) as well as a fixed percentage of diamond profits.
Verification	The process of verifying, through Independent On-Site Assessment, the validity of information provided in Assessment Surveys against the Requirements. Verification will always include a visit to the Member's mine site that is the subject of the Assessment.
Work Agreement	A contract between the Member and his or her workers. A Work Agreement details the terms of work, such as the number of hours or days worked per week, entitlements (e.g. meals or medicine), wage, etc.
Worker	Any individual employed at a mine site. This includes diggers, gravel transporters, washers, group heads and the Mine Manager.
Worst forms of child labour	The worst forms of child labour are defined by the International Labour Organisation as: 'all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage, serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict. This also includes: using, procuring or offering a child for prostitution, for the production of pornography or for pornographic performances; using, procuring or offering a child for illicit activities, in particular for the production and trafficking of drugs as defined in the relevant international treaties; and involvement in work which by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.' ¹¹
YourVoice	An Anglo American Group incident reporting service. A whistle-blower can contact YourVoice via phone, website, email, post or fax. Incident reporting can be done anonymously. If the whistle-blower includes his or her contact information he or she will be provided with regular feedback on the status of the incident investigation. The identity of the whistle-blower will be protected.

¹¹ See: ILO, 1999, C182 - *Worst Forms of Child Labour Convention, 1999* (No. 182), Article 3.

1. INTRODUCTION

GemFair is a pilot programme of De Beers Group to create a secure and transparent route to market for ethically-sourced artisanal and small-scale mined (ASM) diamonds. GemFair uses dedicated technology to record ASM production at mine sites that meet demonstrable ethical standards, with the aim of purchasing rough diamonds from approved locations, while helping improve working conditions and livelihoods for those working in the sector.

The core principles of GemFair are:

- **Traceability:** Creating a digital record of diamonds as they are recovered;
- **Empowerment:** Miners are trained by GemFair and can access tutorials prepared by leading diamond experts; and
- **Fair value:** Miners receive a fair value for their labour.

The GemFair Responsible Artisanal and Small-Scale Mining Assurance Programme provides assurance that critical risks, as defined in Annex II of the OECD's Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas (OECD Guidance) are identified and managed appropriately. Furthermore, GemFair's digital solution ensures traceability of diamonds from the mine site at which they were recovered until the diamonds reach the international market. In this way, GemFair fulfils the aspirations of the Kimberley Process Washington and Moscow Declarations (2012 and 2005, respectively) to improve the development potential of the artisanal and small-scale diamond mining sector.

1.1 ABOUT THIS MANUAL

This Manual is primarily intended to support GemFair Members, Applicants and Staff in adhering to, complying with and implementing GemFair's Responsible Artisanal and Small-Scale Mining Assurance Programme in Sierra Leone. When the programme is expanded to other geographies or minerals, the modules of this Manual and the GemFair ASM Standard Requirements as a whole will be adapted.

GemFair will determine the Member's compliance with each Requirement based on:

- GemFair's Assessment Surveys, which include an Onboarding Survey, Baseline Assessment Survey and follow-up Spot Check Assessments;
- Onsite verification through:
 - regular monitoring missions, stone logging visits and extraordinary Third-Party Audit Assessments (if required). Each Member's mine site receives a minimum of two monitoring visits per year, depending on its level of risk;
 - a Third-Party Assessment of a sample of participating mine sites;
- Member engagement with the GemFair Buyers;
- Reports made, either anonymously or not, by participants in the GemFair Programme and other stakeholders; and
- The GemFair Member's adoption of the Fair Mining and General Mining Policies (see Appendices A and B).

GemFair maintains the integrity of the GemFair Responsible ASM Assurance Programme through the following mechanisms:

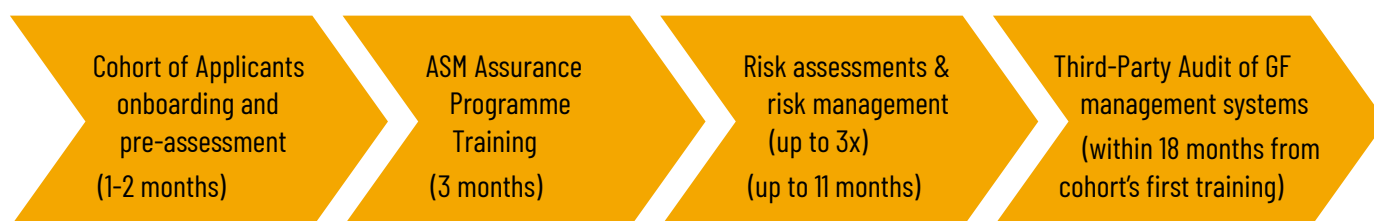
- Investigating any reported breach of GemFair's Legitimacy, Core or General Requirements or other relevant policies and procedures;
- Providing regular refresher training to Members on the GemFair ASM Standard Requirements and other aspects of the GemFair Responsible ASM Assurance Programme;
- Completing all Member Assessment Surveys prior to a Third-Party Audit;
- Ongoing monitoring of all mine site activities through announced and unannounced Spot Check Assessments and regular engagement with the Member;
- Requiring the Member to use Best Endeavours to ensure that he or she adheres to the GemFair Responsible ASM Assurance Programme; and
- Updating elements of GemFair Responsible ASM Assurance Programme documentation to reflect evolving best practice, new regulation and to promote continuous improvement.

1.1.1 Member Adoption of Policies

GemFair has developed two fundamental policies—the Fair Mining Policy and the General Mining Policy—that align with the GemFair ASM Standard’s Legitimacy, Core and General Requirements. The Fair and General Mining Policies provide a succinct overview of the GemFair ASM Standard Requirements and a roadmap for the Member to fulfil the Requirements at his or her mine site and in his or her business practices. GemFair will provide Members with training on the policies and how they should be implemented. GemFair Members must commit and adhere to these policies at all times. Likewise, it is important that the Member has the policy available upon request for the third-party auditor or GemFair Staff to review during an assessment visit.

1.1.2 Timeline of the GemFair ASM Assurance Programme

The GemFair Assurance Programme operates on an 18-month cycle, beginning from the Member’s onboarding into the GemFair Programme, to the first round of GemFair Responsible ASM Assurance Programme Training, and concluding with GemFair’s Third-Party Audit. At a high level, the phases for each Member participating in the Assurance Programme are detailed in the figure below.



- 1. Onboarding and Membership Pre-Assessment:** During this phase, a GemFair Applicant expresses interest in joining the GemFair Programme. GemFair then assesses whether the Applicant meets GemFair’s Legitimacy and Core Requirements by carrying out a mine site visit and other due diligence, including screening the Applicant on the Refinitiv WorldCheck One platform. If the GemFair Programme determines that the Applicant meets all gated requirements, the Applicant will be invited to join the GemFair Programme and given a diamond scale. The Applicant now becomes a GemFair Member. This phase continues until GemFair has compiled a cohort of 20–25 Members.
- 2. GemFair ASM Standard Training:** The GemFair Programme will invite cohorts of new Members to participate in a two-day training workshop on the GemFair ASM Standard, which will be followed by further training on mine site first-aid and other ways to formalise the Member’s procedures on mine site safety, employment and environmental management, as applicable. During this training, GemFair Members make a formal commitment to the Fair Mining and General Mining Policies.
- 3. Risk Assessment and Monitoring:** After giving the Member suitable time to implement the topics in the introductory training sessions, GemFair staff will visit each Member’s mine site and assess any risks with respect to alignment with the GemFair ASM Standard Requirements. A common survey is used for the first and all subsequent site- and desk-based assessments, sections of which can be applied based on the nature of the assessment visit. The Assessment Survey enables GemFair to monitor the Member’s improvement over time. GemFair Staff also use assessment visits to provide ad-hoc training to the Member on any risks observed while visiting the mine site.
- 4. Develop and Implement Risk Management Plans:** GemFair will identify any risks and develop a Risk Management Plan with the Member. This Risk Management Plan will be agreed between both parties before implementation takes place. The Risk Management Plan is accompanied by a timeline and key milestones, including, in most cases, remedial training delivered by GemFair or a service provider.
- 5. The Risk Assessment and Risk Management Plan phases can be repeated up to three times, depending on the scale and nature of the risks identified.**
- 6. Third-Party Audit:** Once GemFair is confident that all Members of the cohort have sufficiently managed all risks of non-alignment with the GemFair ASM Standard, GemFair will commission a Third-Party Auditor to visit a sample of 10–20% of GemFair’s Members and audit GemFair’s due diligence management systems as a whole.

1.1.3 Compliance Ratings

GemFair Members are assessed on a Red, Yellow and Green scale, depending on the section of the GemFair ASM Standard Requirements.

- **Red Risk:** A material breach of the GemFair Responsible ASM Assurance Programme. May be cause for expulsion from the GemFair Programme at the GemFair Programme's reasonable discretion. **Note: A Member can commit a Red Risk in a General Requirement area and still be subject to expulsion from the GemFair Programme. Re-entry into the GemFair Programme is determined on a case-by-case basis.**
- **Yellow Risk:** A non-material breach of the GemFair Responsible ASM Assurance Programme. Yellow risks trigger a Risk Management Plan with bespoke milestones and timelines for the Member to demonstrate measurable improvement and/or elimination of the risk. Depending on the nature of the Yellow Risk, GemFair may suspend the Member until the Risk Management Plan has been implemented to GemFair's satisfaction. If there is no measurable improvement within the agreed timeframe, GemFair reserves the right to expel the Member.
- **Green:** The Member demonstrates that his or her mining operations and business practices align with the GemFair ASM Standard Requirements.

The GemFair Programme may terminate its relationship with the Member if:

- There is a Red Risk associated with GemFair's Legitimacy, Core or General Requirements present at the Member's mine site or within his or her business practices;
- The Member acts in a manner materially inconsistent with the GemFair Responsible ASM Assurance Programme;
- The Member violates any national laws;
- The Member acts in a manner inconsistent (but not materially so) with the GemFair Responsible ASM Assurance Programme and fails to demonstrate measurable improvement or elimination of the risk in the timeline specified in the Risk Management Plan; or
- At the GemFair Programme's reasonable discretion.

1.1.4 How to Carry Out an Assessment

GemFair Staff or the Third-Party Auditor¹² will typically use Inspection, Enquiry and Observation during mine site and desk-based assessments. This will be the means to collect and corroborate data, in order to assess the Member's level of compliance with the GemFair Responsible ASM Assurance Programme.

Inspection: Inspection involves the examination of the Member's records, policies and procedures and, where relevant, national or international laws. The Member is expected to have a sound knowledge of relevant national law and be able to provide relevant legal or licencing documentation upon request. During the inspection, GemFair staff or the Third-Party Auditor will review all relevant documentation on the Member's social and environmental procedures, including single documents, such as accident logs, copies of the Fair and General Mining Policies and Work Agreements.

Enquiry: Enquiry involves GemFair Staff or the Third-Party Auditor seeking information from persons inside or outside the participating mine site. Enquiry typically involves face-to-face interviews and conversations. The subjects of the interviews are likely to include the Member and Mine Manager, in addition to randomly-selected workers.

Assessment activities could include, but are not limited to:

- Interviews with workers;
- Meetings with local non-governmental organisations (NGOs);
- Meetings with local law enforcement or government officials; and
- Interviews with other stakeholders as appropriate.

Observation: Observation involves looking at processes being performed by workers in their day-to-day environment. Observation visits by GemFair Staff or the Third-Party Auditor are both announced and unannounced.

¹² See Appendix C, GemFair's Third-Party Audit Protocol.

2. LEGITIMACY REQUIREMENTS

Legitimacy is defined by the GemFair Programme as a Member holding a valid artisanal mining licence or a Member who can demonstrate that he or she has a licence application in process. GemFair is committed to the formalisation of the ASM sector. In Sierra Leone, GemFair supports the formalisation of ASM miners in several ways:

- GemFair provides training to Members on what their licensing requirements entail;
- Before enrolling a GemFair Applicant into the GemFair Programme, GemFair Staff will visit the Applicant's mine site and record the GPS coordinates of the four corners of the licence boundary;
- If GemFair discovers a discrepancy between the location noted by the National Minerals Authority (NMA) and GemFair's records, GemFair will contact the Applicant or Member and the NMA in an effort to resolve it;
- GemFair Assurance Programme training places an emphasis on teaching Members how to formalise their record-keeping (e.g. on wages, accidents and even visitors to the mine site) and other procedures;
- GemFair issues receipts for every diamond transaction; and
- Members can review production history on the GemFair App, supporting their understanding of the value of their production.

The Member's ability to evidence the legitimacy of his or her operations is an enrolment requirement of the GemFair Programme, and it is also an essential measure a Member takes to demonstrate his or her property rights. Demonstrating clear property rights is an important way to prevent land use conflicts and is a key tenant of the Kimberley Process Washington Declaration. Therefore, GemFair allows the GemFair Applicant or Member to demonstrate their progress to becoming a full-selling Member. GemFair's Legitimacy Requirements are evaluated according to a Red, Yellow, Green scale. In short:

- If the GemFair Applicant meets all the Green Requirements, the Member is eligible to join and sell to the GemFair Programme.
- If the GemFair Applicant commits a Yellow Risk, he or she is still eligible to join GemFair, but may not be eligible to sell stones to GemFair until he or she meets the Green Requirements.
- If the GemFair Applicant commits any of the Red Risks, he or she cannot join before providing at least the documentation listed in the Yellow column. GemFair Staff follow up with the Applicant three months later to see if his or her status has changed.

2.1 ASSESSMENT GUIDANCE FOR LEGITIMACY REQUIREMENTS

Risk level	Description	Evidence checklist	GemFair procedures
Green	<ul style="list-style-type: none"> Member provides a valid mining licence issued by the relevant authority 	<ul style="list-style-type: none"> ✓ Copy of mining licence ✓ Licence up to date ✓ Scan of licence uploaded in relevant folder in the GemFair Member database ✓ Information on licence (name of licence holder, date of expiration, licence coordinates) input into GemFair Member database ✓ Licence data on GemFair Member database signed off by Country Manager 	<ul style="list-style-type: none"> ✓ Note if licence is due to expire in the next six months ✓ Remind the licence holder three months before licence expires ✓ Remind licence holder one month before licence expires ✓ When licence expires, Member has a three-month grace period to acquire a new licence ✓ Inform Member that they may not be able to sell to GemFair during the grace period
Yellow	<ul style="list-style-type: none"> GemFair Applicant provides evidence of making 'good faith' effort to acquire mining licence The GemFair Applicant produces receipt for licence application or licence fees Licence application less than three months old Application includes proposed coordinates of licence area No observable mining activities taking place at site Or an existing GemFair Member provides evidence of delayed licence renewal application that has been in processing for more than three months 	<ul style="list-style-type: none"> ✓ Copy of valid licence that is expiring in next three months; or ✓ Copy of licence application receipt issued by National Minerals Authority ✓ Scan of application receipt updated in relevant folder of GemFair Member database ✓ Information on licence receipt (name of licence holder, coordinates of licence area) input into GemFair Member database ✓ Licence data on GemFair database signed off by Country Manager 	<ul style="list-style-type: none"> ✓ Remind the licence holder of three-month grace period ✓ GemFair Applicant cannot sell to GemFair during grace period ✓ GemFair Member facing licence renewal delays may be able to sell to GemFair if there is sufficient evidence that the delay is not due to the Member's actions
Red	<ul style="list-style-type: none"> GemFair Applicant does not provide evidence of licence. GemFair Applicant does not provide evidence of licence application 	No evidence provided	<ul style="list-style-type: none"> ✓ Note GemFair Applicant's reason for not providing licence or licence application ✓ Follow up with the GemFair Applicant in three months' time to see if he or she can provide copy of licence application ✓ Follow up with the GemFair Applicant in three months' time to see if he or she can provide a copy of licence

3. CORE REQUIREMENTS

GemFair's Core Requirements are the 'red lines,' or material breaches, that GemFair will not tolerate from the artisanal and small-scale miners from whom we purchase. Therefore, GemFair Applicants and GemFair Members (and all other individuals involved in the GemFair Programme, including Supporters and workers) cannot commit a breach of any of these Core Requirements at the designated mine site or within the Member's business practices.

GemFair's Core Requirements include:

- Gross human rights violations;
- Worst forms of child labour;
- Forced labour and human trafficking;
- Direct or indirect support of non-state armed groups;
- Violence at operations, including discrimination and sexual and gender-based violence;
- Conflict or high-risk of contributing to conflict through mining activities;
- Money laundering and the financing of terrorism;
- Impeding traceability; and
- Otherwise bringing the industry into disrepute.

The above-list of requirements is based on the OECD's Due Diligence Guidance Annex II Risks for which the OECD recommends immediate disengagement.

In addition, GemFair draws several other requirements, such as money laundering and the financing of terrorism, from De Beers Group's Best Practice Principles Assurance Programme. By following these principles, GemFair sets its intention to do no harm in the communities in which it operates, whilst also laying out its basic expectations of potential and existing GemFair Members.

The evaluation process for GemFair's Core Requirements is a Green or Red (pass or fail) rating.

- If the GemFair Applicant or Member meets all the Green Criteria, the individual is eligible to join and sell to GemFair.
- If the GemFair Applicant commits any of the Red Risks, he or she cannot join the GemFair Programme. If, during a Member's membership period, it comes evident that there is a Red Risk present, the Member may be disqualified immediately from the GemFair Programme. Re-admission into the GemFair Programme is determined on a case-by-case basis.

GemFair will deem a Member to have committed a material breach if we receive verified reports that the Member impeded a worker or any other individual from speaking to GemFair about any potential violations of the Core Criteria at the Member's mine site or business operations.

3.1 GROSS HUMAN RIGHTS VIOLATIONS

Gross human rights violations include: *'any forms of torture, cruel, inhuman and degrading treatment exacted for the purposes of mineral transport or trade; any forms of forced or compulsory labour to mine, transport and sell minerals; the worst forms of child labour for the purposes of mineral transport or trade; war crimes or other violations of international humanitarian law; and crimes against humanity or genocide for the purposes of mineral transport or trade.'*¹³

3.1.1 Assessment Guidance for Gross Human Rights Violations

Risk level	Description	Evidence checklist	GemFair procedures
Green	<ul style="list-style-type: none"> No credible reports that gross human rights violations have occurred or are occurring at mine site or transport routes 	<ul style="list-style-type: none"> ✓ Mine Site Assessment visits ✓ Interviews with Member and workers ✓ Relevant YourVoice or other incident reports 	<ul style="list-style-type: none"> ✓ Alert relevant authorities of verified abusive practices at mine site ✓ Review GemFair procedure for incident reporting and whistleblowing
Red	<ul style="list-style-type: none"> Credible reports that gross human rights violations, such as torture, war crimes and widespread sexual violence are occurring at mine site or on transport routes 	<ul style="list-style-type: none"> ✓ Interviews, consultation with local authorities, community leaders, NGOs and Civil society organisations (CSOs) ✓ GemFair Responsible ASM Assurance Programme Training attendance 	<ul style="list-style-type: none"> ✓ Review Economic Intelligence Unit (EIU) reports for Sierra Leonean human rights indicators ✓ Review local and international news reports and other substantiating reports about human rights situation in Sierra Leone

3.2 WORST FORMS OF CHILD LABOUR

Child labour is a prevalent issue in the ASM sector. However, there are different types of child labour—from a child accompanying his or her parent to the site to sell food, to a child being forced to tunnel underground. The consequences of the latter on the health and well-being of the child is graver. GemFair adopts the International Labour Organisation’s definition of the Worst Forms of Child Labour.

ILO Convention No. 182, The Worst Forms of Child Labour Convention defines the worst forms of child labour as:

*'All forms of slavery or practices similar to slavery, such as: the sale and trafficking of children, debt bondage, serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict; the use, procuring or offering of a child for prostitution, for the production of pornography or for pornographic performances; 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; work which, by its nature or the circumstances in which it is carried out, is likely to harm the health, safety or morals of children.'*¹⁴

The above verified activities are a breach of GemFair’s Core Requirements and subject to the Member’s immediate expulsion from the GemFair Programme.

¹³ OECD, *OECD Due Diligence Guidance*.

¹⁴ ILO, C182 - *Worst Forms of Child Labour Convention* (No. 182).

3.2.1 Assessment Guidance for Worst Forms of Child Labour

Risk level	Description	Evidence checklist	GemFair procedures
Green	<ul style="list-style-type: none"> In a country where the minimum age of work is under 18 years of age, Member provides list of age of workers under 18 and details types of activities in which they engaged prior to joining GemFair In a country where minimum age for work is less than 18 years of age, workers under 18 only involved in age-appropriate activities In a country where the minimum age of work is under 18 years of age, no credible reports of anyone under 18 years of age involved in dangerous labour, operating machinery or handling hazardous chemicals, sex work or drug trafficking During site visits, GemFair Staff observe no one under the age of 15 working. 	<ul style="list-style-type: none"> ✓ No observable or reported evidence of anyone under the age of 18 engaged in harmful activities onsite. 	<p>As these are very serious issues, it is important to gather credible evidence during site visits and engagement with the Member, workers and other stakeholders. Credible evidence could include:</p> <ul style="list-style-type: none"> A report to GemFair or YourVoice, that has been investigated and triangulated; Observation by GemFair Staff onsite; Discussion results in multi-stakeholder committee meetings (Note: this committee has not yet been formed).
Red	<ul style="list-style-type: none"> Credible evidence that individuals under 18 years of age working onsite against their will In a country where minimum age of work is 18 years of age, credible reports that individuals under 18 years of age are present onsite Credible reports or staff observation of children involved in heavy labour, tunnelling, diving, handling machinery or chemicals, sex work or drug trafficking 	<ul style="list-style-type: none"> ✓ Member interview ✓ Workers interviews ✓ List of all workers, including age ✓ YourVoice reports and/or reports to GemFair Staff ✓ Interviews with local authorities, community leaders, local NGOs and CSOs 	

3.3 FORCED LABOUR AND HUMAN TRAFFICKING

Forced labour is defined by the International Labour Organisation as: *'all work or service which is exacted from any person under the menace of any penalty and for which said person has not offered himself voluntarily.'*¹⁵ The Alliance for Responsible Mining (ARM) and Solidaridad state that there are three primary characteristics of forced labour in the ASM sector: unfree recruitment, work and life under duress and the impossibility of leaving an employer through penalty or menace of penalty.¹⁶

It is important for GemFair staff and GemFair Members to remain vigilant to the signs of forced labour at Member mine sites.

3.3.1 Assessment Guidance for Forced Labour and Human Trafficking

Risk level	Description	Evidence checklist	GemFair procedures
Green	<ul style="list-style-type: none"> Member has forced labour and human trafficking procedure Zero verified reports that workers are working involuntarily or under duress 	<ul style="list-style-type: none"> ✓ Interview workers and mine site observation ✓ YourVoice reports and/or reports to GemFair Staff ✓ Work Agreements 	<p>As these are very serious issues, it is important to gather credible evidence. Credible evidence could include:</p> <ul style="list-style-type: none"> ✓ A report to GemFair or YourVoice, that has been investigated and triangulated ✓ Observation by GemFair Staff at the mine site ✓ Discussion results in stakeholder committee meetings ✓ Interviews with local authorities, community leaders, local NGOs and CSOs.
Red	<ul style="list-style-type: none"> Member has no forced labour and debt bondage procedure Credible evidence that worker identity documents are held by Member Credible evidence that a worker's wages are being deducted unlawfully Credible evidence that workers unfree to leave the mine site after an agreed notice period Credible evidence that workers are deprived of food or sleep or confined to mine site or living quarters Credible evidence that workers are working under threat of violence 		

¹⁵ International Labour Organisation, C29 – *Forced Labour Convention, 1930* (No.29).

¹⁶ Alliance for Responsible Mining and Solidaridad, 2014, *Addressing forced labor in artisanal and small-scale mining (ASM): A practitioner's toolkit*, Version 1.1, Retrieved on 25 July 2019 from: <https://www.solidaridadnetwork.org/sites/solidaridadnetwork.org/files/publications/ForcedLaborToolkit%20-%20Solidaridad%20ARM.pdf>.

3.4 DIRECT OR INDIRECT SUPPORT OF NON-STATE ARMED GROUPS

Direct or indirect support of non-state armed groups¹⁷ means armed groups who: *illegally control Licences or otherwise control transportation routes, points where minerals are traded and upstream actors in the supply chain; illegally tax or extort money or minerals at points of access to mine sites, along transportation routes or at points where minerals are traded; and/or; illegally tax or extort intermediaries, export companies or international traders.*¹⁸

3.4.1 Assessment Guidance for Direct or Indirect Support of Non-State Armed Groups

Risk level	Description	Evidence checklist	GemFair procedures
Green	<ul style="list-style-type: none"> No credible reports or GemFair Staff observation that site or transport routes illegally controlled by non-state armed groups 	<ul style="list-style-type: none"> ✓ Interviews with local authorities, community leaders, local NGOs and CSOs ✓ YourVoice reports and/or reports to GemFair Staff 	n/a
Red	<ul style="list-style-type: none"> Credible reports that Member makes payments of cash, minerals or gifts to non-state armed groups or their affiliates GemFair Staff observe non-state armed groups at Member's site 	<ul style="list-style-type: none"> ✓ Observation onsite and transport routes 	

3.5 VIOLENCE-FREE OPERATIONS AND NON-DISCRIMINATION

Violence can take numerous forms, including physical or armed violence and psychological violence such as bullying or discrimination on the basis of gender, ethnicity, ability or others. GemFair takes a zero-tolerance policy to all forms of violence at the Member's mine site.

3.5.1 Assessment Guidance for Violence-Free Operations and Non-Discrimination

Risk level	Description	Evidence checklist	GemFair procedures
Green	<ul style="list-style-type: none"> Workers demonstrate awareness of and aversion to violence, discrimination, bullying and harassment No reports or evidence of violence onsite 	<ul style="list-style-type: none"> ✓ YourVoice reports and/or reports to GemFair Staff ✓ Interviews and meetings with local authorities, community leaders, local NGOs and CSOs ✓ Interviews with workers, mine site visitors and the Member 	n/a
Red	<ul style="list-style-type: none"> Observable evidence of violence onsite Observation or verified reports that workers or anyone present at the mine site is or has been subject to discrimination or bullying on the basis of age, race, ethnicity, gender, religion, etc. 	<ul style="list-style-type: none"> ✓ GemFair Staff observation at the Member's mine site. 	

¹⁷ Such as militias, rebels or armed security agents.

¹⁸ OECD, *OECD Due Diligence Guidance*, p. 66.

3.6 SEXUAL AND GENDER-BASED VIOLENCE

Sexual and gender-based violence (SGBV) is defined by the United Nations High Commissioner for Refugees as *‘any act that is perpetrated against a person’s will and is based on gender norms and unequal relationships. It encompasses threats of violence and coercion. It can be physical, emotional, psychological or sexual in nature, and can take the form of denial of resources or access to services. [SGBV] inflicts harm on women, girls, men and boys.’*¹⁹ The Member should take a proactive and preventative approach to sexual and gender-based violence in the workplace. GemFair will work with each Member to develop strategies to increase worker awareness on what constitutes SGBV.

3.6.1 Assessment Guidance for Sexual and Gender-Based Violence

Risk level	Description	Evidence checklist	GemFair procedures
Green	<ul style="list-style-type: none"> Workers demonstrate awareness of and aversion for any actions that constitute SGBV No reports or evidence of SGBV onsite 	<ul style="list-style-type: none"> ✓ YourVoice reports and/or reports to GemFair Staff ✓ Interviews/meetings with local authorities, community leaders, local NGOs and CSOs 	n/a
Red	<ul style="list-style-type: none"> Observable evidence of SGBV onsite Verified reports that sexual harassment or other violence takes place onsite Verified reports that perpetrators of SGBV not reported to relevant authorities 	<ul style="list-style-type: none"> ✓ Interviews with local support organisations ✓ Interviews with workers and Member ✓ GemFair Staff observation onsite 	

3.7 CONFLICT-AFFECTED AND HIGH-RISK AREAS (CAHRA)

The OECD defines ‘conflict-affected areas’ as areas with: *‘the presence of armed groups, conflict, widespread violence or other risks of conflict to people.’* ‘High-risk areas’ are defined as: *‘areas of political instability or repression, institutional weakness, insecurity, collapse of civil infrastructure, widespread violence and widespread human rights abuses and violations of international law.’*

GemFair will undertake research annually to determine whether risks in Sierra Leone, and especially the Kono District, have elevated. GemFair expects the Member to contribute to the report, where relevant. GemFair assesses each Member to ensure that his or her site or business practices do not connect either materially or financially to conflict.

3.7.1 Assessment Guidance for Conflict-Affected and High-Risk Areas

Risk level	Description	Evidence checklist	GemFair procedures
Green	<ul style="list-style-type: none"> Member signs annual Self-Declaration Member contributes to documentary evidence annually about whether his or her operations are located in a CAHRA, and if so, what measures are being taken to ensure that the Member is not materially or financially contributing to conflict 	<ul style="list-style-type: none"> ✓ Interviews with local authorities, community leaders, local NGOs and CSOs ✓ Interview with Member ✓ Member CAHRA Self-Declaration ✓ YourVoice reports 	<ul style="list-style-type: none"> ✓ EIU and UN reports reviewed annually to assess whether Koidu is considered a CAHRA ✓ Government engagement
Red	<ul style="list-style-type: none"> Member fails to sign annual Self-Declaration on whether he or she contributes to conflict Member contributing to conflict through business or mining activities 		<ul style="list-style-type: none"> ✓ Member signs a CAHRA Self-Declaration every year

19 UNHCR, ‘Sexual and gender-based violence’.

3.8 MONEY LAUNDERING AND THE FINANCING OF TERRORISM

Money laundering is defined by the Government of the United Kingdom as: ‘the process by which criminal proceeds are sanitised to disguise their illicit origins. Acquisitive criminals will attempt to distance themselves from their crimes by finding safe havens for their profits where they can avoid confiscation orders, and where those proceeds can be made to appear legitimate.’²⁰ The UK Criminal Finances Bill defines terrorist financing as: ‘us[ing], possess[ing], or rais[ing] funds for the purposes of terrorism, or enter[ing] into arrangements to provide funds or property for that purpose.’²¹

In an effort to align with the OECD’s Due Diligence Guidance recommendations, GemFair has taken the following actions on money laundering and the financing of terrorism:

- GemFair has developed red flags for suspicious Member behaviour, particularly with respect to diamond transactions, both through the GemFair digital solution and the GemFair Buyers’ vigilance;
- GemFair carries out initial and ongoing due diligence on each Member by collecting and monitoring the Member’s Know Your Counterparty (KYC) information to determine whether the individual is a match for a sanctioned individual, politically-exposed-person or has been convicted of material crimes. Material crimes include, but are not limited to, crimes of a violent-, corruption- or drug-related nature; and
- Where suspicious behaviour of criminal activity takes place, GemFair informs the relevant authorities.

GemFair will carry out regular monitoring of the Member’s mine site and business practices for any observable or reported evidence of money laundering or financing of terrorist activities. The Member and others in the Member’s leadership receive periodic training on anti-money laundering, countering the financing of terrorism and how it affects them.

3.8.1 Assessment Guidance for Money Laundering and the Financing of Terrorism

Risk level	Description	Evidence checklist	GemFair procedures
Green	<ul style="list-style-type: none"> • Member complies with all AML-CFT laws and regulations • Member understands and follows GemFair’s AML-CFT procedures 	<ul style="list-style-type: none"> ✓ GemFair Sale and Purchase Agreement ✓ GemFair Staff mine site assessments ✓ World Check One results ✓ KYC form 	<ul style="list-style-type: none"> ✓ Train Member on money laundering definitions and appropriate procedures
Red	<ul style="list-style-type: none"> • Evidence of violations of national Anti-Money Laundering and Countering the Financing of Terrorism (AML-CFT) legislation • Confirmed reports of illegal taxation of workers, traders or other individuals associated with site or business practices • Confirmed reports that Member has logged diamonds that do not originate from his or her site 	<ul style="list-style-type: none"> ✓ Self-Declaration form ✓ GemFair Buyer memos on any suspicious transactions ✓ YourVoice reports and/or reports to GemFair Staff. 	<ul style="list-style-type: none"> ✓ Annual desk-based review of reports from NGOs working on AML and illicit financial flows

20 Government of the United Kingdom, 2018, *Proceeds of Crime Act 2002 Part 7 – Money Laundering Offences*, Retrieved on 29 October, 2019 from: <https://www.cps.gov.uk/legal-guidance/proceeds-crime-act-2002-part-7-money-laundering-offences>.

21 Government of the United Kingdom, n.d. Criminal Finances Bill Factsheet. Retrieved on 29 October, 2019 from: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/564477/CF_Bill_-_Factsheet_8_-_Terrorist_Finance.pdf.

3.9 IMPEDING TRACEABILITY

Traceability is one of the key value propositions of the GemFair Programme. It is therefore of the utmost importance that the diamonds purchased by GemFair are produced in a safe and rights-abiding environment. Any attempts by a Member or his or her affiliates to deceive GemFair as to the conditions under which a diamond was produced or its source of origin will not be tolerated.

3.9.1 Assessment Guidance for Impeding Traceability

Risk level	Description	Evidence checklist	GemFair procedures
Green	<ul style="list-style-type: none"> • Member maintains records of payments made to workers • Member has verbal work agreements in place with workers, or • Member working with GemFair to develop written Work Agreements with workers • GemFair Buyers report no irregularities in transactions at Member's site • Mine licence location is correct • No evidence or reports that Member attempted to log ineligible stones 	<ul style="list-style-type: none"> ✓ Transaction records ✓ Written Work Agreements ✓ GemFair Staff mine site assessments ✓ YourVoice reports and/or reports to GemFair Staff ✓ GemFair procedure on irregular behaviour to watch for whilst he or she logs diamonds ✓ GemFair App records on mine licence location and expiration ✓ GemFair App data on irregularities on logging diamonds 	<ul style="list-style-type: none"> ✓ Ineligible stones include: synthetics, part manufactured, simulants or lab-grown diamonds; stones smuggled from other mine sites or from another country ✓ Encourage Members to track their production and to log all diamonds in the GemFair App to maintain confidence that logging and selling patterns are plausible
Red	<ul style="list-style-type: none"> • No records of mine licence location, names and ages of workers exist • No verbal Work Agreement between Member and workers • Verified report that Member knowingly attempted to sell GemFair an ineligible stone • Confirmed reports that Member logged diamonds when the site could not have plausibly recovered said stones 		

3.10 OTHERWISE BRINGING THE INDUSTRY INTO DISREPUTE

GemFair upholds high business values and expects its Members to do the same. GemFair will not engage with a Member who could damage the reputation of GemFair, De Beers Group or the diamond industry as a whole. Therefore, GemFair requires that its Members do not:

- Participate in any activity that results in a material criminal conviction, including, but not limited to, a serious financial crime, violent crime or serious drug-related crime;
- Buy or trade rough diamonds from areas where this would encourage or support conflict and/or human suffering;
- Commit practices which intentionally or recklessly endanger or harm the health and/or welfare of individuals;
- Participate in any conduct that seeks to deceive, cheat or delude GemFair, including presenting any undeclared or misrepresented trade in treated diamonds, whole or partial synthetic diamonds or diamond stimulants for sale or any trade misrepresenting the colour, clarity, caratage, cut and provenance of the diamond;
- Give false evidence or false reports to the media or other stakeholders that result in unfair and unjustified reputational or commercial damage to GemFair; or
- Wilfully damage the GemFair toolkit and equipment.

It is important that the Member notes that GemFair follows due process: The Member will receive a fair investigation, conducted by a third-party, if appropriate. Pending an investigation, if GemFair finds the Member engaged in any of these activities, GemFair will expel the Member and, if appropriate, refer the individual to the relevant authorities.

3.10.1 Assessment Guidance for Otherwise Bringing the Industry into Disrepute

Risk level	Description	Evidence checklist	GemFair procedures
Green	<ul style="list-style-type: none"> • No evidence or reports that Member has attempted to cheat or deceive GemFair 	<ul style="list-style-type: none"> ✓ WorldCheck One results and additional investigations, where required 	GemFair will refer the individual to relevant authorities for activities relating to material crimes, including but not limited to: <ul style="list-style-type: none"> • violent and/or financial crimes; • actions that support human suffering and conflict; • reckless endangerment of individuals.
Red	<ul style="list-style-type: none"> • Reports on conduct that attempts to cheat or deceive GemFair Programme • Confirmed reports that Member logged diamonds that do not originate from his or her site 	<ul style="list-style-type: none"> ✓ GemFair Buyer memo on incidents of Member attempt to sell ineligible stones ✓ GemFair data on irregularities on logging stones ✓ Exceptional Third-Party Audit Report 	

4. MANUAL FOR GENERAL REQUIREMENTS

In the spirit of supporting each Member's journey of continuous improvement, GemFair does not expect the Member to align fully with each General Requirement right out the gate. It should be noted, however, that if the Member commits a Red Risk, he or she may be subject to suspension or expulsion from the GemFair Programme, depending on the severity of the risk. In the former case, the suspension will last until the Member has demonstrated to GemFair's satisfaction that the risk has been eliminated. In all cases, GemFair will make every effort to investigate and corroborate every report or GemFair Staff observation, including, in some cases, commissioning a Third-Party Verification of a Red Risk before taking the decision to expel the Member.

If the Member commits a Yellow Risk, he or she must agree to a Risk Management Plan with timelines and milestones, which may include participation in remedial training.

GemFair's General Requirements include compliance with our policies on:

- Involvement of public and/or private security forces;
- Bribery, corruption and facilitation payments;
- Wilful misuse of GemFair equipment;
- Fair wage for Kosovo and supported workers;
- Occupational health and safety;
- Managing environmental impacts; and
- Community rights and consent.

The above-list of requirements is based on but goes beyond the OECD's Due Diligence Guidance Annex II Risks for which the OECD recommends suspension until rectified or to exert leverage over a supplier to promote the management of the risk within a reasonable timeframe. In short:

- If the GemFair Applicant meets all the Green Criteria, the Member is eligible to join and sell to the GemFair.
- If the GemFair Member commits a Yellow Risk, the Member is still eligible to join GemFair, but the Member must agree to and implement a Risk Management Plan.
- If the GemFair Member commits a Red Risk, he or she may be subject to suspension or expulsion from the GemFair Programme, depending on the severity of the risk.

4.1 INVOLVEMENT OF PUBLIC AND/OR PRIVATE SECURITY FORCES

The involvement of public and/or private security forces—for example, the police, army or licenced security providers—without cause and a clear Work Agreement is a breach GemFair’s General Requirements. Assessment Guidance for the Involvement of Public and/or Private Security Forces.

Risk level	Description	Evidence checklist	GemFair procedures
Green	<ul style="list-style-type: none"> No presence of security forces onsite or along transport routes or illegally controlling, taxing or extorting cash or diamonds Member aware of actions to take if security forces were to illegally control, tax or extort the site or transport routes 	<ul style="list-style-type: none"> ✓ Interview workers and Member ✓ YourVoice reports ✓ If applicable: analyse Work Agreement between mine security and Member. ✓ Where the Member contracts private or public security, the Member must provide copy of the contract to GemFair 	<ul style="list-style-type: none"> ✓ Implement Voluntary Principles on Security and Human Rights training for Members who employ security forces
Yellow	<ul style="list-style-type: none"> Security forces observed onsite or along transport routes, but no evidence of illegally controlling, taxing or extorting cash or diamonds Security forces used for the site’s security, but no Work Agreement. 		
Red	<ul style="list-style-type: none"> Security forces observed onsite or along transport routes, illegally controlling, taxing or extorting cash, diamonds or gifts. 		

4.2 BRIBERY, CORRUPTION AND FACILITATION PAYMENTS

GemFair recognises that bribery, especially involving small sums of money, is commonplace in the ASM sector. GemFair targets training to ASM Members on the common scenarios where bribery or facilitation payments may take place. Confirmed cases of bribery or facilitation payments could be subject for expulsion from the GemFair Programme.

4.2.1 Assessment Guidance for Bribery and Facilitation Payments

Risk level	Description	Evidence checklist	GemFair procedures
Green	<ul style="list-style-type: none"> • Policies and procedures against bribery and corruption in place and understood 	<ul style="list-style-type: none"> ✓ Sale and Purchase Agreement with Member ✓ YourVoice reports and/or reports to GemFair Staff 	<ul style="list-style-type: none"> ✓ Provide business integrity training to Members ✓ Review OECD Anti-Bribery Country Review for Sierra Leone, United Nations Convention against Corruption (UNCAC) and United Nations Office on Drugs and Crime (UNODC) materials
Yellow	<ul style="list-style-type: none"> • No procedure for individuals associated with the Member's site to report bribes • Workers unaware of the Sierra Leonean corruption reporting line • Unconfirmed suspicions or reports of Member bribing or paying facilitation payment to a public official to avoid regulations, controls or to speed up a service 	<ul style="list-style-type: none"> ✓ Interviews with workers and Member to gauge understanding of bribery and facilitation payment issues ✓ Member and workers aware of corruption reporting line 	<ul style="list-style-type: none"> ✓ Review Transparency International Corruption Index ✓ Continually encourage Members to communicate with GemFair if they feel compelled to pay a bribe or facilitation payment
Red	<ul style="list-style-type: none"> • Evidence of Member seeking or offering bribes during the assessment • Evidence Member paid facilitation payment to a public official to obtain permits or preferential treatment • Evidence of Member bribing public officials to avoid regulations or controls 		

4.3 NON-PAYMENT OF TAXES, ROYALTIES OR FEES

GemFair requires its Members to pay all required taxes, royalties or fees, which include all fees associated with acquiring an artisanal mining licence and any relevant income tax for diamonds sold to GemFair. GemFair Buyers will remind the Member of the potential income tax obligations on the part of the Member when completing a high-value diamond purchase.

4.3.1 Assessment Guidance for Non-Payment of Taxes, Royalties or Fees

Risk level	Description	Evidence checklist	GemFair procedures
Green	<ul style="list-style-type: none"> Member provides documented evidence of lawfully required taxes, royalties, fees and tributes in the form of: (1) Licence; (2) Surface rent receipts (where possible); (3) Developmental fees receipts; and licence application receipt 	<ul style="list-style-type: none"> ✓ Valid mining licence ✓ Receipts from diamonds sold to GemFair ✓ Evidence of ASM licence application 	<ul style="list-style-type: none"> ✓ Buyers to remind Member of potential personal income tax obligations from the sale of a high-value diamond
Yellow	<ul style="list-style-type: none"> Member unable to provide documented evidence of lawfully required taxes, royalties, fees and tributes related to extraction, trade and transport of minerals within two months of GemFair's request 		
Red	<ul style="list-style-type: none"> Member does not pay the lawfully required taxes, royalties, fees and tributes related for extraction, trade and transport of diamonds 		

4.4 WILFUL MISUSE OF GEMFAIR EQUIPMENT

Any attempts to by-pass the GemFair system will be flagged and investigated. GemFair recognises that the initial rollout of the GemFair toolkit to Members will involve an adjustment period. During the initial period following toolkit rollout and, upon investigation, if it is deemed to be a genuine error, it will be treated as a training opportunity.

Risk level	Description	Evidence checklist	GemFair procedures
Green	<ul style="list-style-type: none"> GemFair equipment used exclusively for purpose intended Broken, stolen or missing equipment reported Broken equipment is of the same status as was reported 	<ul style="list-style-type: none"> ✓ Regular inspection of GemFair equipment during mine site visits ✓ Equipment log 	<ul style="list-style-type: none"> ✓ Disseminate rules for GemFair Toolkit use
Yellow	<ul style="list-style-type: none"> Member does not report stolen, broken or missing GemFair equipment GemFair equipment used for purposes not intended Member allows unauthorised individuals to use the GemFair App 		
Red	<ul style="list-style-type: none"> Member or Authorised Person sells or loans GemFair equipment to unauthorised individuals Exchanging GemFair equipment for money or other forms of payment 		

4.5 FAIR WAGE FOR SUPPORTED WORKERS

GemFair requires workers to receive, on average for the course of the year, at least the national minimum wage of Le 20,000 per day (approximately USD 2.10). The GemFair Programme will work with the Member to set corrective benchmarks and agree a timeline for the incremental increase in worker wages so that workers receive a living wage for the Kono District.²² GemFair recognises that the Member may lack the capital to increase the wages of workers. A gradual timeline for increasing worker wages will factor in ways to improve the efficiency of the mining operation and improve recovery of stones.

GemFair supports the development of artisanal miners into cooperative organisations that foster collective bargaining and details this support in training activities with Members. Whereas in the formal sector, collective bargaining would involve forming trade unions, in the informal ASM sector, cooperatives or associations are a more appropriate medium. By forming a cooperative or association, workers can lobby the miner as a collective for higher wages and improved working conditions.²³

GemFair will monitor worker wages in several ways: (1) the GemFair digital solution; (2) Work Agreements between the Member and each worker; (3) Payment receipts; and (4) mine site and desk-based assessments of the Member's operations and business practices.

4.5.1 Assessment Guidance for Fair Wages for Supported Workers

Risk level	Description	Evidence checklist	GemFair procedures
Green	<ul style="list-style-type: none"> A written Work Agreement between the Member and all supported workers is in place Workers aware of Work Agreement Workers permitted to form units of collective bargaining Member has a plan for increasing worker wages to living wage Member reports on total supported worker income 	<ul style="list-style-type: none"> ✓ Cross-check winnings and wage amounts with workers through interviews/ conversations ✓ Review YourVoice reports and/or reports to GemFair staff ✓ Two reports for supported workers' income submitted to GemFair (once in the rainy and once in the dry season) 	<ul style="list-style-type: none"> ✓ Introduce the template for supported workers' income report to the Member
Yellow	<ul style="list-style-type: none"> Workers are paid regularly but no agreed amount Workers do not earn at least minimum wage Only a verbal Work Agreement No timeline for workers to earn living wage Member does not submit a report on supported Worker income 	<ul style="list-style-type: none"> ✓ Work Agreements contain equal pay for women and men for same role 	
Red	<ul style="list-style-type: none"> Workers do not have a Work Agreement consisting of the requisite elements Workers not being paid regularly or at all Confirmed reports that workers forbidden from collective bargaining 	<ul style="list-style-type: none"> ✓ Work Agreements provide wages commiserate to individual's role onsite 	

²² A living wage allows workers to meet their basic needs like food, lodging, medical treatment, education and a buffer for unforeseen events. The amount that constitutes a living wage in Kono will be determined in due course through independent research.

²³ It is important to note that not all artisanal mining sectors are conducive to a cooperative structure. Some ASM sector participants are accustomed to working individually, while others, such as in some Latin American countries, will have more experience with this structure. As such, a collective bargaining arrangement may need to take on another form, as appropriate to the sector.

4.6 FAIR WAGE FOR KOSOVO WORKERS

Casual labourers called 'Kosovo' in Sierra Leone, earn a daily wage of between Le 20,000 and as much as Le 100,000 (USD 2.10-10.00) for the days that they work. Kosovo arrive at the mine site and may be selected to work, depending on supply and demand. These casual labourers earn more than twice the daily wage of other workers, but they are not entitled to a share of diamond profits.

4.6.1 Assessment Guidance for Fair Wages (Kosovo Workers)

Risk level	Description	Evidence checklist	GemFair procedures
Green	<ul style="list-style-type: none"> Workers paid at the end of the agreed period of work Kosovo daily rate is the same for the same role Member can state what Kosovo workers are paid Member submits two reports on total Kosovo income 	<ul style="list-style-type: none"> ✓ Review YourVoice reports and/or reports to GemFair Staff ✓ Interviews with Mine Manager and workers ✓ Report on Kosovo income 	<ul style="list-style-type: none"> ✓ Instruct Member on how to follow a template for Kosovo total income report
Yellow	<ul style="list-style-type: none"> Workers in the same role do not receive the same wage Kosovo workers work more hours than supported workers Member does not submit a report on total Kosovo wages 		
Red	<ul style="list-style-type: none"> No agreed daily wage rate between workers and Member Workers not compensated for day's work Workers do not receive minimum wage 		

4.7 OCCUPATIONAL HEALTH AND SAFETY

GemFair wants to ensure that the Member's mine site is operated in the safest way possible. Training focuses as a first priority on eliminating the most serious hazards, and then subsequent monitoring by GemFair Trainers will provide on-the-spot tutelage on how to correct hazardous behaviours and working practices. As GemFair carries out mine site monitoring visits, GemFair and the Member will agree on any further corrective training needed.

Risk level	Description	Evidence checklist	GemFair procedures
Green	<ul style="list-style-type: none"> • Member periodically monitors his or her site's safety risks, incidents and near-misses • Clear signage indicating unsafe areas • Dangerous walkways marked or blocked off • Workers aware of operations-specific personal protective equipment (PPE) • Proper use of available, required and provided PPE • Equipment placed safely and regularly inspected • People on site demonstrate awareness of where to walk, rest, work, wash and use the latrine • Workers trained on how to use First-Aid Kit provided by GemFair • First-Aid Kit stocked and available onsite • Member pays for emergency treatment in an accident • Terracing is observably under 1.5 m • Machine refill with petrol or diesel takes place when switched off, using a funnel • Digging tools used at least 3 m from another user • Visitors remain in safe areas • Heavy loads carried by a minimum of two people • Used engine oil is not touched with bare hands 	<ul style="list-style-type: none"> ✓ GemFair Staff observation onsite ✓ YourVoice reports and/or reports to GemFair Staff ✓ Remedial training plans ✓ GemFair Responsible ASM Assurance Programme training attendance ✓ First-aid training certificates ✓ First-Aid Kit available onsite ✓ Emergency plan (verbal or written) provided by Member ✓ Relevant photographic evidence ✓ Injury/accident records (verbal or written) provided by Member 	<ul style="list-style-type: none"> ✓ Distribute First-Aid Kits to each mine site and check supply levels during site visit ✓ When Members are able to upgrade to small-scale licences, the impacts may be more severe and thus the sanctions and/or Risk Management Plan and remedial training may need to be modified to reflect these changes ✓ Specify with Members what kind of signage is required and provide signage materials
Yellow	<ul style="list-style-type: none"> • Workers do not demonstrate knowledge of what to do in an emergency or accident • Unsafe areas not clearly marked • Workers not using any operations-relevant personal protective equipment (PPE) • No First-Aid Kit available onsite, or First-Aid Kit out of stock • Individuals use mining pit as a latrine • No clear boundaries for pit • No trained first-aid workers onsite • Equipment placed unsafely and/or not regularly inspected • Workers unaware of unsafe areas • No procedures on drug and alcohol use • Only part of the costs for emergency treatment covered 		
Red	<ul style="list-style-type: none"> • Observable pit and slope instability • Workers not permitted regular rest breaks • Workers observed to be under the influence of alcohol and drugs • Workers not provided with drinking water • Serious accidents or fatalities occurred in last 12 months, which, on investigation, evidences gross negligence • Workers not allowed to receive medical attention or had to pay for it out-of-pocket 		

4.8 ENVIRONMENTAL IMPACT MANAGEMENT

In a similar manner to the Occupational Health and Safety Requirements, GemFair takes a harm reduction approach to environmental impact management. This means that GemFair will first focus on ensuring that the Member's mine site does not engage in any of the most environmentally damaging activities (such as mining in a protected area) and then engaging with the Member on remedial training for other impacts like tailings, waste, site closure and rehabilitation considerations.

4.8.1 Assessment Guidance for Environmental Impact Management

Risk level	Description	Evidence checklist	GemFair procedures
Green	<ul style="list-style-type: none"> • Environmental impact assessment conducted to GemFair's satisfaction • Member monitors environmental impacts of his or her mine site regularly • Steps taken to manage waste and emissions • No evidence that waterbodies surrounding the mine site are heavily polluted • Member instructs workers to backfill pits as they go, starting with used gravel and closing off the pit with topsoil • Member can describe a site closure plan 	<ul style="list-style-type: none"> ✓ Environmental Impact Assessment/Monitoring Plan ✓ Interview Member on environmental monitoring activities since the previous GemFair Staff site visit 	<ul style="list-style-type: none"> ✓ Cross-check location of mine site with the database of protected areas (www.protectedplanet.com) ✓ If artisanal licence holders are permitted by law to begin to use mechanised equipment, the impacts may be more severe, and the EIA may need to be modified to reflect this
Yellow	<ul style="list-style-type: none"> • No observable tailings containment • No waste management practices • Fuel is dumped into waterbodies • No rehabilitation of mine sites after mining has ceased • No site closure plan in place • No awareness of adverse impacts, laws and management practices 		
Red	<ul style="list-style-type: none"> • Environmental Impact Assessment (EIA) template from Environmental Protection Agency and GemFair not adopted • Dredging without permit granted by NMA or Minister • Mining in environmentally sensitive or protected areas • Widespread tailings in waterways 		

4.9 COMMUNITY RIGHTS AND CONSENT

GemFair underlines the importance of Free, Prior and Informed Consent. This means that communities that are impacted by a mining operation must give their consent for the mining activities to take place. This consent needs to be sought on a regular (e.g. annual) basis. Likewise, it is crucial for GemFair Members to instruct their workers to behave in a respectful manner when visiting neighbouring villages and to take complaints about the mining operations seriously.

4.9.1 Assessment Guidance for Community Rights and Consent

Risk level	Description	Evidence checklist	GemFair procedures
Green	<ul style="list-style-type: none"> Member has sought consent from the appropriate stakeholders Written agreement in place between relevant chieftom authority, landowner and Member No complaints from community members about Member or workers' operations Member can produce development fee and surface rent receipts 	<ul style="list-style-type: none"> ✓ Development fees and surface rent receipts produced ✓ Neighbouring villages are aware of YourVoice and other available means of reporting grievances (e.g. visiting or phoning GemFair) 	n/a
Yellow	<ul style="list-style-type: none"> Member aware of stakeholders from whom consent should be sought, but has not engaged in regular dialogue with stakeholders Verbal engagement with communities has taken place 	<ul style="list-style-type: none"> ✓ YourVoice and/or incident reports to GemFair Staff 	
Red	<ul style="list-style-type: none"> Member has visible disputes with neighbouring communities due to no engagement, consent or improper conduct of the Member or his or her workers Reported and severe complaints about Member's operations 		

BIBLIOGRAPHY

- Alliance for Responsible Mining and Solidaridad, 2014. *Addressing forced labor in artisanal and small-scale mining (ASM): A practitioner's toolkit. Version 1.1*. Retrieved 25 July, 2019 from: <https://www.solidaridadnetwork.org/sites/solidaridadnetwork.org/files/publications/ForcedLaborToolkit%20-%20Solidaridad%20ARM.pdf>.
- GemFair, 2019. *Artisanal and Small-Scale Mining Standard: Requirements 2019*. Retrieved 23 October, 2019 from: www.gemfair.com/standards.
- Government of the United Kingdom, n.d. *Criminal Finances Bill Factsheet*. Retrieved 29 October, 2019 from: https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/564477/CF_Bill_-_Factsheet_8_-_Terrorist_Finance.pdf.
- Government of the United Kingdom, 2010. *United Kingdom Bribery Act of 2010*. Retrieved 2 May, 2019 from: https://www.legislation.gov.uk/ukpga/2010/23/pdfs/ukpga_20100023_en.pdf.
- Government of the United Kingdom, 2018. *Proceeds of Crime Act 2002 Part 7 – Money Laundering Offences*. Retrieved 29 October, 2019 from: <https://www.cps.gov.uk/legal-guidance/proceeds-crime-act-2002-part-7-money-laundering-offences>.
- International Labour Organisation, 1930. C29 – *Forced Labour Convention, 1930* (No.29), Article 2. Retrieved 2 May, 2019 from: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_INSTRUMENT_ID:312174.
- International Labour Organisation, 1989. C169 – *Indigenous and tribal people's convention*. (No.169), Article 6. Retrieved 9 April, 2019 from: https://www.ilo.org/dyn/normlex/en/f?p=normlexpub:12100:0::no::p12100_instrument_id:312314.
- International Labour Organisation, 1999. C182 – *Worst Forms of Child Labour Convention, 1999* (No. 182), Article 3. Retrieved 28 June, 2018 from: https://www.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0: NO:P12100_ILO_CODE:C182.
- Organisation for Economic Cooperation and Development, 2016. *OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas*, 3rd edition. Paris: OECD Press.
- United Nations High Commission for Refugees, 2018. '*Sexual and gender-based violence*'. Retrieved 2 May, 2019 from: <https://www.unhcr.org/uk/sexual-and-gender-based-violence.html>.

APPENDIX A: FAIR MINING POLICY

Objective

The objective of this policy is to provide a list of requirements for GemFair Members and workers to assist with implementation of the GemFair Artisanal and Small-Scale Mining Standard's Core Requirements.

Scope

The scope of the GemFair Fair Mining Policy applies to GemFair's Core Requirements. Each segment in this policy must be managed as an integral part of the GemFair Member's business and planning of his or her mine site operations.

Application

This policy applies to all persons or businesses who wish to do business with the GemFair Programme. This includes GemFair Members and their workers.

Management system

The GemFair Member will ensure that he or she has procedures in place to monitor for and detect potential risks to compliance with the GemFair Core Requirements and make appropriate decisions based on the identified risks. The Member will evaluate the effectiveness of this policy and communicate any challenges to the GemFair Programme to support continuous improvement.

Awareness-building

The Member and all workers at the Member's mine site will participate in regular training and awareness-building, either hosted by the Member and/or the GemFair Programme, on the issues covered in this policy, fostering an awareness of shared responsibility and accountability. New workers must receive instruction on this policy. The Member will make this policy available to any workers at any time, as well as GemFair Staff and the Third-Party Auditor for assessment purposes.

Commitment

The Member commits to the following:

1. Adhere to all national laws

- Acquire and maintain an artisanal mining licence
- Do not support non-state armed groups with payments in cash, diamonds or gifts
- Do not engage in money laundering activities or finance terrorist groups
- Do not commit crimes

2. Treat workers and communities with care and respect

- No human rights abuses of workers or members of the public
- No child labour or allowing individuals of the working age (15+) to engage in harmful activities like handling dangerous machinery, diving or descending into tunnels
- No forced labour, subjecting workers to food or sleep deprivation, withholding wages, forcing overtime or holding the identification of workers
- No sexual or gender-based violence of either men or women
- Do not endanger the health or welfare of workers.

3. Maintain diamond traceability

- No smuggling of diamonds from other countries or mine sites
- No synthetic, simulant or lab-grown diamonds offered for sale to the GemFair Programme.

Conclusion

This Fair Mining Policy sets out the minimum requirements that GemFair Members commit to uphold. The commitments may be updated from time to time, based on their relevance to this context and emerging risks in the sector.

APPENDIX B: GENERAL MINING POLICY

Scope

The scope of the GemFair General Mining Policy applies to the GemFair Artisanal and Small-Scale Mining Standard's General Requirements. Each segment of this policy will be managed as an integral part of the GemFair Member's business and planning of his or her mine site operations.

Management system

The GemFair Member will ensure that he or she has procedures in place to monitor for and detect potential risks to compliance with the GemFair General Requirements and make appropriate decisions based on the identified risks. The Member will evaluate the effectiveness of this policy and communicate any challenges to the GemFair Programme to support continuous improvement.

Awareness-building

All workers at the Member's mine site will participate in regular training and awareness-building, either hosted by the Member and/or the GemFair Programme, on the issues covered in this policy, fostering an awareness of shared responsibility and accountability. New workers should receive instruction on this policy. The Member will make this policy available to any workers at any time, as well as GemFair Staff or the Third-Party Auditor for assessment purposes.

Commitment

The Member commits to the following:

1. Conduct business with integrity

- Not to offer, accept or allow workers to offer or accept bribes, facilitation payments or gifts
- Not to make any payments to a government official, if that payment is requested at the mine site

2. Provide workers with fair wages

- Pay Kosovo workers an agreed-upon wage at agreed intervals
- Pay supported workers an agreed-upon daily wage and the agreed percentage of diamond winnings
- Establish a Work Agreement with each worker that includes the amount of wages, hours per week, extra benefits (e.g. medicine, food, transport)
- Pay all workers at least the national minimum wage of Le 20,000 per day and eventually a living wage (to be agreed with GemFair)

3. Prioritise safety, health and the environment

- Take all necessary measures to safeguard workers and surrounding communities from injury or disease associated with mining operations
- Develop appropriate environmental procedures to assess environmental impacts of mining operations
- Develop appropriate environmental procedures to mitigate or manage environmental impacts associated with mining operations

Conclusion

This Fair Mining Policy sets out the General Requirements that GemFair Members commit to either upholding or implementing within a reasonable and agreed-upon timeframe with GemFair. The commitments may be updated from time to time, based on their relevance to this context and emerging risks in the sector.

APPENDIX C:

GEMFAIR THIRD-PARTY AUDIT PROTOCOL

1. Introduction

This appendix forms the basis of an agreed set of principles and procedures to conduct independent audits and investigations in accordance with the GemFair ASM Standard Requirements, participation manual, and assessment surveys and underlying international guidance and standards (e.g. OECD's Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas, De Beers' Best Practice Principles Assurance Programme, Alliance for Responsible Mining and RESOLVE's CRAFT Code and Maendeleo Diamond Standards).

- **Purpose**

The audits and conduct thereof provide an independent, impartial and objective assessment, with a defined scope of the auditee's performance in relation to audit compliance objectives. The procedures contained in this document have been developed to provide assurances that an appropriate framework is in place for conducting high-quality audits and compiling the subsequent Third-Party Audit Reports.

- **Applicability**

This document is applicable to the management of all onsite audits of GemFair Members.

2. Principles for the conduct of audits

2.1 Independence, impartiality, objectivity and confidentiality

GemFair Third-Party Auditors (hereafter referred to as the Auditor) are expected to act with independence, impartiality and objectivity. Auditors must make a conscious effort not to allow non-factual opinions affect the results of the audit, and to raise an issue with the GemFair Programme Manager if they feel they are unable to be impartial during the audit. Auditors must also act with care and take measures to ensure companies' information is not accessible to outside parties at any time.

- **Correct and Legal Use of Information and Resources**

It is the Auditor's responsibility to know the laws, regulations and requirements in the area of activity in which the audit takes place. The Auditor must also ensure that these requirements are observed and to request legal assistance if this is required. No programme standard or requirements should be recommended or imposed that can only be achieved by compromising these laws, regulations or mandatory requirements.

- **Objectivity**

Objectivity includes the Auditor making their own judgement based on the information available at the time and the Auditor's experience and independence of mind being free from any personal feelings, presumptions, prejudices or perceptions based on inference alone. Objectivity is also partly dependent on ensuring there is no conflict of interest.

- **Professional Behaviour & Confidentiality**

The Auditor will apply their professional judgement and experience in planning and performing audits and in reporting the results.

The Auditor will show respect to all individuals and give consideration to the approach taken when interviewing personnel and any resulting actions from the interview. Key personnel may be required to remain nameless to prevent any form of discrimination or disciplinary action by the auditee. The Auditor will apply their professional judgement and experience in collating audit evidence from interviews. The Auditor will neither discriminate nor form presumptions of the auditee based on any ethnic, tribal, age, sex or religious basis, or political and other beliefs.

All original financial, transactional, supplier and customer information including legal reports, research reports, in addition to any documents submitted to the government or authorities, will be not be removed from the auditee's possession. Copies may be taken for the purpose of the audit and these shall remain confidential and must not be disclosed to other parties by the Auditor other than to the GemFair Programme Manager.

- **Integrity**

The Auditor is prohibited from achieving personal gain via any activity associated from the programme audits and must discharge their responsibilities with integrity and not be subject to pressures or personal objectives.

The Auditor shall categorically reject any form of bribery and prohibit the acceptance of any inducement (financial or other reward) that results in a personal gain, or advantage to the Auditor, or any person associated with the Auditor. All anti-bribery laws in the country in which the audit takes place, in addition to the GemFair Programme and Auditor's country, will be complied with.

- **Impartiality**

The Auditor should avoid situations in which their impartiality or independence can be compromised. Auditors must be entirely independent from the auditing entity; this precludes conducting previous work under another scope of works within their employment. Threats to independence are circumstances that could impair the necessary independence, such as:

- Bias threat;
- Familiarity threat;
- Undue influence threat;
- Peer or associate audit participation threat; or
- Potential preferential treatment of some Members by GemFair.

The work will be conducted in an honest, transparent and impartial manner with no deviation from the intended general auditing and reporting methods as defined by GemFair. The Auditor must not bow to pressure or influence. The Audit Report must accurately state the actual findings and professional opinion of the Auditor at the time of the audit. Compromising situations or pressure from the auditee, or any organisation associated with the audit, must not influence the findings and opinion of the Auditor.

The Auditor must avoid any conflict of interest where the Auditor is in a situation in which he or she, who is in a position of trust, has a competing personal or professional interest. A conflict of interest may still exist if no unethical or improper act results.

The Auditor must avoid such situations that may influence their judgement. Any conflict of interest should be declared to GemFair and shall be managed by GemFair to prevent an appearance of impropriety that can undermine confidence in the audit.

2.2 Audit evidence

Audit evidence must be collected via appropriate sampling. This evidence must be recorded on the workbook related audit criteria or separately as information associated with specific points of the audit criteria. The evidence gathered must be appropriate to the criteria.

The degree of uncertainty of the audit evidence must be reduced to an acceptable level by the Auditor. If a conclusion cannot be reached by the Auditor, then the information sampled must be increased. It is understood that there is a degree of uncertainty with auditing, as not all evidence can be sampled. If the auditee or company being audited cannot provide any information to objectively evaluate and reach a conclusion, this shall be recorded in the assessment survey.

Should a situation arise where the information contained within the assessment survey does not correspond with the audit findings then the Auditor may need to assess and audit all aspects of supply chain risk to a greater level of detail. It may not be possible to complete this at the time of the audit and may require subsequent auditing and investigation and this should be recorded in the Audit Report.

2.3 Audit cancellation

If a GemFair Member fails to make resources and documents available during the audit that do not enable the audit items to be evaluated, then the audit may be terminated, or a re-audit to complete the audit may be required. The Auditors must notify the GemFair Programme that the audit objectives cannot be obtained and request that the audit is terminated.

In a situation of threat, the Auditor must make the decision to terminate the audit. The Auditor has the ability to terminate the audit if the auditee is deemed to be obstructive, applying undue pressure or the Auditor is in a situation of significant risk, or the audit objectives are unattainable. The Auditor must communicate this prior to terminating the audit to the most senior representative of the auditee's organisation available on-site and report this immediately to the GemFair Programme.

3. Approach for the conduct of on-site audit

Proposed management system auditing approach is closely aligned with the ISO 19011 Guidelines for auditing management systems (2011-11-15 version). This section outlines in detail the standard approach to conducting audits and provides an indication of what a client might expect.

3.1 Determining goals and feasibility

- **Establishing initial contact with the auditee**

Once an Auditor has been contracted, he or she will schedule a call with the auditee's representatives to:

- establish communications;
- gain additional information on objectives and scope;
- arrange access to relevant documents and records;
- determine applicable requirements;
- confirm treatment of confidential information;
- confirm dates and logistics;
- confirm any location-specific requirements for access, security, health and safety;
- agree on attendance of observers and the need for guides for the audit team;
- discuss any other needs.

- **Determining the feasibility of the audit**

The Auditor will then use this information to make a reasonable determination as to whether the objectives of the audit can be achieved. The Auditor will consider factors like adequacy of time and resources allotted for the audit, cooperation of the auditee, as well as extent of access to sufficient and appropriate information for planning and conducting the audit. Where the audit is deemed not feasible, the Auditor will raise this with the auditee representatives in order to resolve any issues or propose alternative plans.

4. Preparation

- **Performing document review in preparation for the audit**

The Auditor will ask that the auditee provide all relevant management system documentation, including management system documents and records, as well as any previous Audit Reports.

- **Preparing the audit plan**

The Auditor will then prepare an audit plan that is tailored to the auditee's operational context, needs, objectives, scope and the management system information that has been provided. The audit plan provides details on all agreed terms of the audit, including objectives, scope, audit criteria and any reference documents, locations, dates, duration, use of methods such as sampling and the roles and responsibilities of audit team members. Other topics may be included as deemed appropriate. The Auditor will then send the audit plan to the auditee for review and agreement.

- **Preparing work documents**

The Auditor will prepare documents to be used during the audit for recording audit evidence, usually in the form of check-lists and forms. Other documents may be prepared, such as a sampling plan.

5. Conducting the audit

- **Opening meeting**

The Auditor will convene the opening meeting, during which the audit plan will be reviewed, audit team (if applicable) will be introduced, any questions will be answered, and it will be ensured that all planned audit activities can go ahead as planned. A detailed opening meeting agenda will be provided in the audit plan.

- **Communicating during the audit**

During the audit, the Auditor will periodically communicate the progress of the audit and any concerns to the auditee. Any need for changes to the audit plan which may become apparent as auditing activities progress will be brought up to the auditee for review and approval.

- **Assigning roles and responsibilities of guides and observers**

It is important that any guides and observers do not influence or interfere with the conduct of the audit. If it becomes apparent that this is not possible, the auditor reserves the right to ask these individuals to abstain from taking part in certain parts of the audit process.

- **Collecting and verifying information**

During the audit, information relevant to the audit objectives, scope and criteria, including information relating to interfaces between functions, activities and processes, will be collected by means of appropriate sampling and will be verified. Only information that is verifiable will be accepted as audit evidence. Audit evidence leading to audit findings will be recorded.

Methods of collection include interviews (with key staff, and, depending on scope, stakeholders), observations and review of documents (including records).

A key principle for the conduct of interviews as an audit method is the use of open questions, and the triangulation of all responses provided by the interviewee with interviews conducted with other stakeholders.

- **Generating audit findings**

Audit evidence will be evaluated against the audit criteria in order to determine audit findings. Audit findings can indicate compliance or non-compliance with audit criteria.

Non-compliances and their supporting audit evidence will be recorded and will be reviewed with the auditee in order to obtain acknowledgment that the audit evidence is accurate and that the non-compliance is understood. Every attempt will be made to resolve any diverging opinions concerning the audit evidence or findings, and unresolved points will be recorded.

Audit findings should be summarised in a manner that can be understood by a second party. Findings are reported under compliance ratings, as below:

- **Yellow Risk**

A Yellow Risk is any compliance issue that can be rectified within a reasonable period and that, if managed responsibly, is not deemed by the auditor to result in significant adverse impact. A Yellow Risk could be, for instance, failing to inform workers about the national corruption reporting line. Yellow Risks require a Risk Management Plan with timelines, per GemFair procedures. Risk Management Plans are developed between GemFair Staff and the Member and are based on: 1) the severity of the infringement; 2) a realistic timeline to achieve measurable improvement; and 3) the actual capacity of the Member to implement the Action Plan.

- **Red Risk**

A Red Risk is any serious non-compliance issue that contravenes the GemFair Programme. An example of a Red Risk could be a child under the age of 15 working at a mine site.

A verified commission of a Red Risk may be cause for immediate expulsion from the GemFair Programme. Reinstatement is at the sole discretion of GemFair and determined on a case-by-case basis.

Compliance ratings and recommendations, if applicable, shall be contained in the audit checklist and subsequent report in addition to reporting any improvement plans with regards to those ratings and recommendations.

The Auditor must explain unsatisfactory compliance ratings to the auditee at the time they arise during the audit as well as at the closing meeting. Where possible, the Third-Party Auditor should provide the auditee examples of suitable scenarios that may resolve the compliance ratings but without acting in a manner that compromises the Auditor's independence or means the Third-Party Auditor is acting in a consultative manner.

It is crucially important that the auditee understands the findings of the Auditor where evidence has not been found that the Auditee has not yet met the GemFair ASM Standard Requirements.

Audit checklists should be completed prior to leaving the site to the fullest extent possible; this can be in note form initially. The compliance ratings must be completed prior to leaving the site and used as a 'record' when presenting the findings during the closing meeting.

- **Preparing audit conclusions**

Prior to the closing meeting the audit team will review audit findings, and any other appropriate information collected during the audit against the audit objectives, agree on the audit conclusions and prepare recommendations.

6. Closing meeting

The closing meeting will be facilitated by the Auditor and will focus on presenting audit findings and conclusions. The Auditor shall request that the management of the auditee, and where appropriate, those responsible for the functions or processes which have been audited, are present at the meeting. Closing meetings are essential for sharing audit findings and drive change in relation to audit objectives.

The use of documented procedures typically represents less than 10% of the body of techniques used by managers to drive performance. Due diligence and traceability outcomes are often a product of management and operator behaviours, and the Auditor shall therefore also focus his or her energy, activity and resources on changing management and operator behaviours in addition to management systems and documented procedures, including taking note of the following:

- Understand what sub-optimal outcomes are arising (poor risk control, incidents, etc.);
- Assess their seriousness and why they are arising (in behavioural terms);
- Help management understand how circumstances in the workplace are, so they want to change; they need to see how serious it is and understand what it might mean for the business and them personally (use photos, quotes and thought-provoking interviews);
- Establish if management behaviours and the programmes they have established are and will continue to deliver;
- Acceptable performance outcomes (risk control, acceptable and declining ongoing impacts); and
- Communicate status in a manner which will induce change, if this is necessary.

7. Preparing and distributing the Audit Report

The Auditor will provide to GemFair, within an agreed timeframe, an Audit Report. The Audit Report will contain the following information, subject to objectives, scope and other potential auditee needs:

- Audit objectives;
- Audit scope;
- Identification of the auditee;
- Identification of the audit team;
- Dates and locations of the audit;
- Audit criteria;
- Audit findings and related evidence;
- Corrective actions to be considered;
- Audit conclusions
- A statement on the degree to which the audit criteria have been fulfilled.

Additional information can be included, as needed.

APPENDIX D:

GEMFAIR ASM STANDARD ASSESSMENT SURVEYS

GemFair Members are expected to comply with our policies enshrined in the Responsible ASM Assurance Programme. One way that we assess a Member's compliance is by carrying out **mine site** and **desk-based assessments**.

The surveys below detail the steps we take to assess Member compliance and remedy any potential risks to compliance. The Assessment Surveys include a **site-** and **desk-based** component, depending on the compliance criteria for that specific section of the Standard. For instance, when we are determining whether the Member meets our Legitimacy Requirement, during the Desk Assessment survey, we would verify that we have a valid mine licence on our database. If we are determining whether the Member meets our minimum environmental requirements, on the other hand, we would carry out a Mine Site Assessment survey. The Assessment Surveys provide a key building block for any Risk Management Plan we set out with a Member and are used by both GemFair Staff and a Third-Party Auditor.

GEMFAIR BASELINE SURVEY - MINE SITE

A. Basic information

Mine site ID/Name

Licence holder name

Licence holder phone number

Does the Member have an active licence?

Date of licence expiration

Mine manager name

Mine manager phone number

Does the Member and all participants provide consent for interviews and photos? (scan Member consent form)

B. Core requirements

1. Human rights abuses

1a. Have there been any reported or have you observed human rights abuses like torture, forced labour, or sexual violence at this mine site?

2. Child labour

2a. Have there been any reported or have you observed incidents of children under 15 years of age working at the mine site?

2b. Have there been any reports or have you observed any individuals under the age of 18 working at the mine site against their will?

2c. Is anyone under the age of 18 working at the mine site? If yes, list the activities they perform.

3. Forced labour and human trafficking

- 3a. Have any workers indicated that they are not working at this mine site of their own free will?
- 3b. Have there been any reports of workers having their wages deducted for no reason? If yes, describe the situation.
- 3c. Have any workers indicated that they are being compelled to work here under threat to a family member or loved one?
- 3d. Have there been any reports of workers having their identification held by the Member?
- 3e. Are workers free to leave the mine site at the end of the day?
- 3f. Are workers able to quit working at this mine site after an agreed-upon notice period?

4. Direct or indirect support of non-state armed groups

- 4a. Are there any reports or your own observation of rebels charging taxes (of money or diamonds) at the mine site or at checkpoints on the road? If yes, please provide details.

5. Violence, discrimination and sexual and gender-based violence

- 5a. Are there any reports of or have you observed any violence at the mine site?
- 5b. Have you observed or heard reports of individuals being discriminated on the basis of sex, race, ethnicity, or others?
- 5c. Have you observed or have there been reports of sexual or gender-based violence?
- 5d. Does the Member instruct all people onsite not to engage in any violence, including sexual or gender-based violence?

6. Impeding traceability

- 6a. Has the Member reported diamonds being sold from the site that none of the gangs onsite discovered?

7. Otherwise bringing the industry into disrepute

- 7a. Have you observed or heard reports of wilful neglect, such as workers complaining of hunger or thirst, severe injuries or illnesses going untreated or chronic or serious health conditions? If yes, please provide details.
- 7b. Are there any complaints from workers about low wages (either daily wage for Kosovo, daily support for supported diggers, or being cheated of winnings)? If yes, provide as many details as possible, including amount of wage.

C. General Requirements

1. Public or private security forces

- 1a. Have you observed or had reported to you any incidents of public or private security forces illegally controlling this mine site or transport routes, such as by demanding bribes or payments in diamonds? If yes, please describe.
- 1b. Are there public or private security forces acting as security service providers at this mine site?
- 1c. If yes, does the Member have a work agreement with the security provider?

2. Bribery, corruption and facilitation payments

- 2a. Are there any reported or have you observed incidents of bribery or facilitation payments at the mine site or on the road to and from the mine site?
- 2b. Does the Member ever require workers or anyone present at this site to pay a fee in order to work at this mine site?
- 2c. Do individuals at this mine site know about the government-run corruption reporting line?

3. Wilful misuse of GemFair equipment

3a. Does the Member have a procedure in place to ensure the GemFair Toolkit or diamond scale is not stolen or damaged?

4. Fair wage

4a. Are Kosovo workers compensated on a regular and agreed-upon basis?

4b. Do Kosovo workers earn at least the minimum wage of Le 20,000 per day?

4c. Do supported workers have a work agreement with the license holder? If yes, please detail what the agreement provides to the worker.

4d. Do supported workers receive a percentage of diamond winnings? If yes, what is the percentage? If no, how do supported workers get compensated for diamonds found by their gang?

4e. How much has each gang member earned in winnings this season?

4f. Do supported workers report being paid on a regular and agreed-upon basis?

4g. If there are female workers working at this mine site, are they earning the same wage if they are working the same role as males?

5. Site safety

5a. Does the mine site meet our minimum safety requirements?

5b. Do all workers know what to do if there is an emergency?

5c. Have workers been trained on safe use of equipment? By whom?

5d. Do workers appear to know how to use equipment safely?

5e. Is equipment regularly inspected for safety?

5f. Are unsafe areas of the mine site marked in any way?

5g. Are there any particular areas of the mine site that pose a risk for stumbling or slipping? Please describe.

5h. Do all individuals onsite exhibit awareness of where it is safe to walk/work/rest/use the latrine?

5i. If workers are injured, does the Member provide and pay for medical assistance?

5j. Is any first-aid equipment being used onsite? If yes, please list.

5k. Is anyone working with open wounds or minor cuts, such as on their feet, hands or forearms? If yes, please describe how many you see and the nature of the injuries.

5l. Have you observed or had reported to you anyone working whilst intoxicated?

5m. Does the Member have a means for keeping track of health and safety related incidents, even if it is not written down?

5n. Have there been any major safety incidents, such as a mudslide, severe injury or death, at the mine site?

5o. Are workers allowed rest breaks?

5p. Is there drinking water available onsite?

5q. Does anyone at the mine site have first-aid training?

5r. Is there a first-aid kit onsite?

5s. Is there a latrine onsite?

6. Environmental impact management

- 6a. Is the Member meeting our minimum environmental requirements?
- 6b. Does the Member monitor and manage his or her environmental impacts? Please explain.
- 6c. Can you observe any areas of slope instability? If yes, please take photographs.
- 6d. Are workers back-filling pits as they go? If yes, please describe the technique used.
- 6e. Are workers separating topsoil from gravel when backfilling? If yes, please describe the technique used.
- 6f. Is the mine site diverting any water courses, such as a river or stream? If yes, please provide photographs.
- 6g. Is wastewater being dumped into any neighbouring water bodies? If yes, please provide photographs.
- 6h. Are there any drainage issues in the pit? If yes, please describe and photograph.
- 6i. Are there any observable measures being taken to manage waste rock and water?

7. Community engagement and consent

- 7a. Have you observed or received reports of disputes with villages neighbouring this mine site? For example, has anyone complained that this mine site uses all available water or otherwise impedes other people's livelihoods? If yes, describe what the Member is doing to address it.
- 7b. Does the Member engage in regular dialogue with village leadership neighbouring this mine site? If yes, what types of measures does the Member take to maintain good relations with the neighbouring village?

8. Miscellaneous

- 8a. Does the Member keep records of workers onsite, including their ages and roles?
- 8b. Do workers have a way to pass on complaints to a trusted individual? If yes, how effective does this system appear to be?
- 8c. Can the Member produce the General Mining Policy and the Fair Mining Policy when requested?
- 8d. Can the Member produce the site safety and environmental management checklists?
- 8e. Has any individual at the Member's mine site told you that they have been blocked from complaining to GemFair about any concerns related to the GemFair ASM Assurance Programme (such as violations of the Core Requirements)?

GEMFAIR BASELINE SURVEY - DESK VERSION

A. Basic information

Mine site name

Licence holder name

Licence holder phone number

Mine manager name

B. Legitimacy requirements

1. Do we have the Member's most recent and valid mine license on file on the GemFair App? Or do we have a development fee receipt or other evidence of an application in process on file? If not, note the Member's reason for the lack of evidence.
2. Do the licence coordinates and our observed GPS coordinates match?

C. Core requirements

1. Human rights abuses

- 1a. Have we received any reports of human rights abuses? If yes, please provide details.

2. Child labour

- 2a. Have we received any reports of child labour? If yes, please provide details.

3. Forced labour and human trafficking

- 3a. Have we received any reports of forced labour or human trafficking? If yes, please provide details

4. Direct or indirect support of non-state armed groups

- 4a. Have we received any reports of direct or indirect support of non-state armed groups involved with the Member's mining operations? If yes, please provide details.

5. Violence, discrimination and sexual and gender-based violence

- 5a. Have we received any reports of violence, discrimination or sexual and gender-based violence at this Member's mine site? If yes, please provide details.

6. Conflict-affected and high-risk areas

- 6a. Have we received any reports of this Member directly contributing to conflict? If yes, please provide details.
- 6b. Has the Member signed a Conflict-Affected and High-Risk Areas (CAHRA) Self-Declaration in the past 12 months?
- 6c. Have we conducted a CAHRA Risk Assessment for the Kono District in the past 12 months?

7. Impeding traceability

- 7a. Have we received any reports of this Member or any of his or her affiliates impeding traceability in any in way, such as by logging stones from other mine sites? If yes, please provide details.
- 7b. Is there any evidence or reports that the Member has logged stones from a different mine site than this license?
- 7c. Have the GemFair Buyers reported any irregularities or concerns with regard to the characteristics of stones presented by the Member for sale?

8. Otherwise bringing the industry into disrepute

- 8a. Has the Member attempted to present any diamonds that are treated, whole or partial synthetic diamonds or diamond simulants?
- 8b. Has the Member misrepresented the colour, caratage, cut or provenance of any diamonds to GemFair's Buyers?
- 8c. Has the Member given false evidence or false reports to the media, NGOs or others that could damage GemFair's reputation or commercial prospects?
- 8d. Have we received any reports of this Member or any of his or her affiliates bringing the industry into disrepute, such as by neglecting workers, being charged with or convicted of a crime, etc.? If yes, please provide details.

D. General requirements

1. Involvement of public or private security forces

- 1a. Have we received any reports of this Member or any of his or her affiliates allowing public or private security forces on this mine site? If yes, describe the circumstances.

2. Bribery, corruption and facilitation payments

- 2a. Have we received any reports of this Member paying or receiving bribes or facilitation payments? If yes, please provide details.

3. Non-payment of taxes, royalties or fees

- 3a. Have we received any reports of this Member avoiding lawful payments of taxes, royalties or fees? If yes, please provide details.
- 3b. Has the Member paid all the required fees to obtain his or her most recent licence?

4. Wilful misuse of GemFair equipment

- 4a. Is there any evidence to indicate that the Member or any Authorized Individual has willfully misused GemFair equipment, such as logging stones from other mine sites?
- 4b. Has the Member kept the GemFair Toolkit in good working order and reported any damage, theft, replacement requirements to GemFair staff?
- 4c. Is the GemFair Equipment Log regularly updated as and when there are incidents involving GemFair Equipment?
- 4d. Have we received any reports of this Member willfully misusing GemFair's equipment? If yes, please provide details.

5. Fair wage

- 5a. Are kosovo workers compensated on a regular and agreed-upon basis?
- 5b. Do supported workers have a work agreement (verbal or written) with the license holder or manager? If yes, please detail what the agreement provides to the worker.
- 5c. Do kosovo workers earn at least the minimum wage of Le 20,000 per day?
- 5d. Do supported workers receive a percentage of diamond winnings? If yes, what is the percentage? If no, how do supported workers get compensated for diamonds found by their gang?
- 5e. Has the Member submitted two wage reports in the past year, or one report in the last six months, for both supported and kosovo workers?
- 5f. Have we received any reports of disputes over wages between the Member and a kosovo or supporter worker? If yes, please provide details.

6. Mine site safety

- 6a. Have we received any reports of safety-related incidents occurring at the mine site? If yes, please provide details.
- 6b. Do we have first-aid certificates on file for at least two individuals at the Member's mine site?

7. Environmental impact management

- 7a. Have we received any reports of environmental incidents occurring at the mine site? If yes, please provide details.
- 7b. Is the Member's mine site located in a protected area?

8. Community engagement and consent

- 8a. Have we received any reports of the Member or workers associated with the mine site, causing any harm or disruption to neighbouring communities? If yes, please provide details.
- 8b. Have you received reports of disputes with villages neighbouring this mine site? If yes, describe what the Member is doing to address it.

E. Other requirements

- 1. Have there been any reports, by YourVoice, by GemFair staff, or by other means that the Member has breached any aspect of GemFair's ASM Standard Requirements?
- 2. Has the Member consented to all proposed Risk Management Plans?
- 3. Has the Member implemented all Risk Management Plans to GemFair's satisfaction?
- 4. Has the Member attended all required Responsible ASM Assurance Programme training sessions (Level 1, Level 2, First-aid and any required remedial training)?
- 5. Has the Member agreed to and signed the most recent version of the Sale and Purchase Agreement?
- 6. Has the mine site received a Spot Check Assessment or other type of assessment visit in the last six months?



GemFair
158 Kainkordu Road
Koidu
Kono
Sierra Leone