



**4TH ICGLR-OECD-UN GoE JOINT MEETING
ON IMPLEMENTATION OF DUE DILIGENCE FOR RESPONSIBLE SOURCING
IN THE 3T AND GOLD SUPPLY CHAINS**

28-29-30 November 2012

Venue: OECD Conference Centre, 2 rue André-Pascal, 75016 Paris, France.

Rooms: The plenary session will be held in conference centre room 12 (CC12). Break-out sessions will be held in both conference centre rooms 12 (CC12) and 15 (CC15).

Badges: On arrival you must register at the reception desk to obtain a visitor's badge. Please bring your passport or identity card with you. Please arrive well in advance of the start of the meeting to allow time for the registration formalities. *For security reasons, you must wear your visitor's badge at all times.* **In order to accommodate the widest possible participation, a listening room (CC15) for plenary sessions has been arranged. Participants with a white badge are requested to attend plenary sessions in CC15.**

Note: The meeting format for all three days (28-29-30 November) will avoid long presentations by panellists. Instead, interveners will be asked to provide some initial thoughts in five minutes maximum as a way of launching a high-value discussion which will fully engage the expertise in the room.

Chatham House Rule: The meeting will be held under the Chatham House Rule for all three days. *"When a meeting, or part thereof, is held under the Chatham House Rule, participants are free to use the information received, but neither the identity nor the affiliation of the speaker(s), nor that of any other participant, may be revealed."*

ANNOTATED AGENDA

Day 1: 28 November 2012 – Tin, Tantalum and Tungsten (3Ts) meeting (CC12)

The 3Ts meeting objectives are to share progress, challenges and lessons learnt regarding implementation of due diligence in the 3Ts sector, focusing on key implementation issues and agreement on next steps.

9:00 Objectives of the day and format of the meeting

Introduced by the Interim Governance Group (IGG) Co-facilitators -- Ms. Ruth Crowell, Deputy Chief Executive, London Bullion Market Association (LBMA), Mr. Adam Greene, Vice President, Labor Affairs and Corporate Responsibility US Council for International Business (USCIB), Ms. Mora Johnson, Senior Advisor, Democracy and Governance Division, Department of Foreign Affairs and International Trade, Canada -- and OECD Secretariat.

9:05 Keynote Address by the International Conference on the Great Lakes Region

Professor Alphonse-Daniel Ntumba Luaba Lumu, Executive Secretary of the International Conference on the Great Lakes Region (ICGLR)

9:20 – 10:30 Progress and challenges of due diligence implementation so far

This session will allow for a discussion of some of the impacts of implementation of the UN-OECD due diligence recommendations, particularly in the Great Lakes region. Participants will describe progress, remaining gaps and challenges for business, and affected stakeholders. Many of the themes raised will be dealt with in more detail later in the meeting.

Facilitator: Mr. Adam Greene, IGG Co-facilitator and Vice President, Labor Affairs and Corporate Responsibility US Council for International Business (USCIB)

Interveners:

- Mr. Ruben de Koning, Natural Resources Expert, UN Group of Experts on the DRC
- Mr. Paul Mabolia Yenga, PROMINES Coordinator, Kimberley Process Coordinator, DRC and Chair of the ICGLR Steering Committee
- Dr. Michael Biryabarema, Deputy Director General, Rwanda Natural Resources Authority
- Mr. Erik Kajemba, OGP Observatoire Gouvernance
- Mr. Cyprien Birhingingwa, Coordinator, Cenadep Kivu
- H.E. Patrick Amisi Lupia, Provincial Minister of Mines, Maniema, DRC & Princess Odette Maniema Krempin, Chairman of the Board, SOMIMA SPRL and Chief Representative of traders of Maniema, FEC

10:30 – 11:00 Summary of the key findings from the 3Ts implementation

- OECD Secretariat
- Ms. Evie Francq and Ms. Anna Bulzomi, Researchers, IPIS
- Ms. Sasha Radovich, Manager, BSR

Reference documents:

- 📄 Draft Downstream Final Report on 3T Pilot Implementation Phase (for discussion and comment)

11:00 – 11:15 Coffee break

11:15 – 12:45 BREAK-OUT SESSIONS: 3T Pilot Implementation Phase Thematic Issues and Lessons Learnt

The break-out sessions for the remainder of the day will explore cross-cutting upstream and downstream key thematic issues and lessons learnt that have emerged in due diligence implementation.

**Break-out session 1
Conference Room CC15**

11:15 – 12:45 ICGLR, OECD and industry standards: mutual recognition and operational coordination

Participants will discuss the following issues: How is mutual recognition managed? Who, specifically, can provide assurances of mutual recognition? How is actual coordination proceeding?

Facilitator: Eng. Edwin A. Ngonyani, Member of the IGG, Chief Inspector of Mines and Assistant Commissioner for Mines Inspectorate, Ministry of Energy and Minerals, United Republic of Tanzania and ICGLR Steering Committee

Interveners:

- Ambassador Vicente Muanda, Deputy Executive Secretary & Senior Programme Officer, and Mr. Eddy Mbona, Regional Expert in Natural Resources, Executive Secretariat, ICGLR
- Ms. Joanne Lebert, Director, Great Lakes Programme, Partnership Africa Canada (PAC) and member of the IGG; PPA sponsored alignment – upstream
- Mr. Mike Loch, Extractives Co-Chair (GeSI), Director EHS Strategic Initiatives (Motorola Solutions) and member of the IGG; PPA sponsored alignment – market acceptance
- Dr. Bali Barume, Senior Engineer, Mineral Certification, Federal Institute for Geosciences and Natural Resources (BGR)

Break-out session 2
Conference Room CC12

11:15 – 12:45 Market Opportunities for Responsibly Sourced Metals and Minerals

This session will allow participants to explore the various business models in development, and evolution on responsible sourcing, including open markets, closed pipelines and vertical integration. Key issues will be discussed, including incentives, costs, scalability and creating value.

Facilitator: H.R.H. Prince Jaime de Bourbon Parme, Special Envoy Natural Resources, Ministry of Foreign Affairs, the Netherlands

Interveners:

- Dr. Daniel Persico, Vice-President, Special Projects, KEMET – Partnership for Social and Economic Sustainability and President, Tantalum-Niobium International Study Center (T.I.C)
- Mr. William Millman, Technical and Quality Director, AVX Ltd. – Solutions for Hope
- Mr. Frederic Delforge, Traxys – Conflict-Free Tin Initiative
- Mr. Mussadiq Hamid Merican, Manager Business Development, Malaysian Smelting Corporation Berhad – Conflict-Free Tin Initiative
- Mr. David Suraski, Executive Vice President, Assembly Materials Division, AIM - Conflict-Free Tin Initiative
- Ms. Boukje Theeuwes, Supplier Sustainability Manager, Royal Philips Electronics- Conflict-Free Tin Initiative
- Ms. Kay Nimmo, Manager of Sustainability and Regulatory Affairs, ITRI and member of the IGG – iTSCI Programme

12:45 – 14:00 Lunch

14:00 –15:30 BREAK-OUT SESSIONS: 3T Pilot Implementation Phase Thematic Issues and Lessons Learnt

Break-out session 1
Conference Room CC12

14:00 – 15:30 Developing a Common Understanding on Step 3 Risk Mitigation for 3Ts

This discussion will work towards developing a common understanding of acceptable risk mitigation strategies upstream and downstream *using hypothetical examples*. For example, what if contamination at or near the mine site is detected? What if a smelter/refiner determines that a supplier has provided fraudulent documentation about the provenance of its metals? How should seized stocks be disposed of? What risk mitigation measures will reasonably satisfy the OECD Guidance?

Facilitator: Mr. Adam Greene, IGG Co-facilitator and Vice President, Labor Affairs and Corporate Responsibility US Council for International Business (USCIB)

Interveners:

- Ms. Karen Hayes, Director, Mines to Markets Program, Pact Inc.
- Mr. Jean-Paul Meutcheho, Director of Corporate Responsibility – Conflict Minerals, Global Advanced Metals and member of the IGG
- Ms. Annie Dunnebacke, Campaign Leader, Conflict Resources, Global Witness and member of the IGG
- Mr. John Plyler, Supply Chain Social Responsibility Program Manager, Research in Motion Limited and IGG alternate

Break-out session 2
Conference Room CC15

14:00 – 15:30

Disclosure vs. Confidentiality

Participants will discuss challenges and emerging practices on reconciling confidentiality needs with the Guidance expectations as well as host governments' requirements for disclosure, publicly and downstream, using specific examples. Key topics include disclosure of risk assessments and incident reports. When, to whom and how should newly discovered risks (verified or not) be disclosed?

Facilitator: Ms. Sasha Radovich, Manager, BSR

Interveners:

- Ms. Kay Nimmo, Manager of Sustainability and Regulatory Affairs, ITRI and member of the IGG
- Ms. Fern Abrams Director of Government Relations and Environmental Policy, IPC and IGG alternate
- Mr. Jay Celorie, Global Program Manager, Conflict Minerals, Hewlett-Packard
- Ambassador Vicente Muanda, Deputy Executive Secretary & Senior Programme Officer, and Mr. Eddy Mbona, Regional Expert in Natural Resources, Executive Secretariat, ICGLR

15:30 - 16:00

Coffee break

16:00 – 17:00

Summary of Progress and Challenges

Facilitators of the break-out sessions will report back on discussions, summarising the progress and challenges identified. Participants from the floor will have an opportunity to update the group on progress in implementing due diligence that have not been raised throughout the day.

Facilitator: Mr. Adam Greene, IGG Co-facilitator and Vice President, Labor Affairs and Corporate Responsibility US Council for International Business (USCIB)

17:00 – 18:00

Discussion of 3Ts Next Steps

This session will allow participants to discuss next steps or further actions related to findings from the one year implementation period.

Facilitator: Ms. Mora Johnson, IGG Co-facilitator and Senior Advisor, Democracy and Governance Division, Department of Foreign Affairs and International Trade, Canada

Day 2: 29 November 2012 – Joint Gold and 3Ts Meeting (CC12)

The joint gold and 3Ts meeting objectives are to deal with issues of importance to both the 3Ts and Gold, particularly the long-term governance of the OECD-hosted process on due diligence implementation, the implications of the Dodd-Frank final rule on Section 1502, outreach to non-OECD economies, government coordination, as well as sharing lessons learnt in enabling the artisanal mining sector to formalise and adopt responsible practices.

9:00 **Objectives of the day and format of the meeting**

Interim Governance Group (IGG) Co-facilitators and the OECD Secretariat

9:05 – 10:00 **Introduction to Long-Term Governance issues**

This session will introduce the proposal for a long-term governance structure for the OECD-hosted process on due diligence implementation. The proposal will be discussed and initial questions will be answered, with an opportunity to discuss later in the day in more detail.

Facilitator: Ms. Megumi Kito, Permanent Delegation to the OECD, Japan and member of the IGG

Presenters:

- IGG Co-facilitators
- OECD Secretariat

Reference documents:

 Long-Term Governance Proposal (for discussion)

10:00 – 11:30 **SEC Final Rule on Dodd-Frank Act Section 1502 and use of the OECD Guidance – Analysis and Implications**

This session will consider the implications of Dodd-Frank, and seek to reconcile the OECD risk-based approach with the Dodd-Frank “conflict-free” determinations. How can companies develop risk mitigation strategies that will satisfy both the OECD Guidance and lead to a “conflict-free” determination under Dodd-Frank? Given the costs of implementing Dodd-Frank and the OECD Guidance, can value be created for companies which wish to source from conflict and high-risk areas? Will buyers accept a premium charge for responsible Great Lakes metals and minerals? How can we promote harmony with other potential concurrent regimes?

Facilitator: H.R.H. Prince Jaime de Bourbon Parme, Special Envoy Natural Resources, Ministry of Foreign Affairs, the Netherlands

Interveners:

- Mr. Benedict Cohen, Chief Counsel for Government Operations, The Boeing Company and member of the IGG
- Ms. Annie Dunnebacke, Campaign Leader, Conflict Resources, Global Witness and member of the IGG
- Dr. Daniel Persico, Vice-President, Special Projects, KEMET and President, Tantalum-Niobium International Study Center (T.I.C)
- Mr. Cyprien Birhingwa, Coordinateur, Cenadep Kivu, DRC
- Mr. Ruben de Koning, Natural Resources Expert, UN Group of Experts on the DRC

11:30 – 11:45 **Coffee break**

11:45 – 13:00 BREAK-OUT SESSIONS: Thematic Issues

The break-out sessions for the remainder of the day will explore cross-cutting thematic issues for stakeholders in both the 3T and Gold mineral supply chains.

Break-out session 1 Conference Room CC12

11:45 – 13:00 Development and management of tools and outreach to non-OECD economies

Participants will discuss diplomatic as well as private sector efforts, ongoing and future, to increase outreach to key non OECD economies (such as China, India, Indonesia and the Middle East), regarding the need to utilize the OECD Guidance and including examples of leading industry schemes. How can participants coordinate outreach efforts? How can participants coordinate on development and maintenance of tools, such as a common smelter/refiner list?

Facilitator: Mr. Bob Leet, Extractives Co-Chair (EICC) and Supplier Code of Conduct Program Manager (Intel Corp.)

Interveners:

- Mr. Hassan Nasser, Director Compliance and Inspection, Dubai Multi Commodities Center (DMCC) and member of the IGG
- Mr. Pankaj Parekh, Vice Chairman, Gems and Jewellery Export Promotion Council (GJEPC)
- Ms. Hong Guo, Vice General Manager, Ningxia Orient Tantalum Industry Co. Ltd. (OTIC)
- Mr. Philip Olden, Advisor, Signet Jewelers Limited
- Ambassador Vicente Muanda, Deputy Executive Secretary & Senior Programme Officer, and Mr. Eddy Mbona, Regional Expert in Natural Resources, Executive Secretariat, ICGLR

Break-out session 2 Conference Room CC15

11:45 – 13:00 Role of host and donor governments in enabling effective due diligence

While the OECD Guidance is geared towards companies, host governments and donors have a central role to play to create the enabling conditions for effective due diligence. This session will feature updates on on-going reform efforts undertaken by host governments in the Great Lakes region to improve transparency in the supply chains of minerals. It will also provide the opportunity to share donors' good practice in supporting host governments' and companies' efforts, both within the mining sector and beyond (e.g. governance; security sector reform; strengthening tax administrations; customs control).

Facilitator: Ambassador Koen Vervaeke, Director Horn of Africa, East & Southern Africa, Indian Ocean, Senior Coordinator for the Great Lakes region, European External Action Service (EEAS)

Interveners:

- Canada – Mr. Andrew Dawe, Team Leader, Governance and Sustainable Economic Growth, Canadian International Development Agency (CIDA)
- DRC - Mr. Paul Mabolia Yenga, PROMINES Coordinator and Chair of the ICGLR Steering Committee
- France – Mr. Louis Marechal, Chargé de mission pour les ressources minérales, Ministry of Foreign Affairs
- Germany – Mr. Angone Mabolia, Regional Expert on Natural Resources, Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ)
- Netherlands – H.R.H. Prince Jaime de Bourbon Parme, Special Envoy Natural Resources, Ministry of Foreign Affairs
- Rwanda – Dr. Michael Biryabarema, Deputy Director General, Rwanda Natural Resources Authority
- Switzerland – Dr. Olivier Bovet, Programme Manager Trade Promotion, Federal Department of Economic Affairs FDEA, State Secretariat for Economic Affairs SECO, Economic Cooperation and Development; and member of the IGG
- United States – Dr. Richard Robinson, Extractive Industries Technical Advisor, U.S. Agency for International Development (USAID)

13:00 – 14:00 Lunch

14:00 – 15:30 Artisanal mining: Lessons learnt in formalisation and building responsible practices

The Appendix of the Gold Supplement provides governments and other stakeholders with suggestions on how they can help create secure, verifiable and transparent corridors from mine to smelter/refiner of responsibly mined commodities. Panellists will describe lessons learnt from their experiences in bringing artisanal mined minerals into legitimate supply chains.

- **Facilitator:** Dr. Olivier Bovet, Programme Manager Trade Promotion, Federal Department of Economic Affairs FDEA, State Secretariat for Economic Affairs SECO, Economic Cooperation and Development; and member of the IGG

Interveners:

- Mr. Richard Burt, Supply Chain Officer, Tantalum-Niobium International Study Center (T.I.C) and member of the IGG
- Mr. Patrick Schein, Board Member, Alliance for Responsible Mining and member of the IGG
- Ms. Genevieve Ennis Hume, Principal – Fair Trade Officer, Hume Atelier
- Mr. Ian Smillie, Board Chair, Diamond Development Initiative (DDI)
- Mr. Sébastien Pennes, Associate, Property Rights and Extractive Industries, Tetrattech – USAID PRADD project

15:30 – 16:00 Coffee break

16:00 – 18:00 Discussion on Long-Term Governance Issues

Facilitator: Ambassador Barrie Walkley, Special Advisor to Secretary of State for the Great Lakes and the Democratic Republic of the Congo, United States

- Consideration of the Long term Governance proposal, with **approval sought** by the 3Ts and Gold Joint Forum.
- Discussion of next steps.

Reference documents:

-  Long-Term Governance Proposal (for discussion and possible approval)

Day 3: 30 November 2012 – Gold Meeting (CC12)

The Gold meeting objectives are to discuss and agree on gold implementation activities, share experiences in implementing due diligence so far, and discuss possible ways of implementing due diligence in the most challenging areas: the artisanal mining sector and Great Lakes, and other high-risk areas.

9:00 Objectives of the day and format of the meeting

Interim Governance Group (IGG) Co-facilitators and the OECD Secretariat

9:05 – 9:20 Update from the UN Group of Experts on the DRC

Mr. Ruben de Koning, Natural Resources Expert, UN Group of Experts on the DRC

9:20 – 10:00 Introduction to proposed Gold Implementation Activities

Ms. Ruth Crowell, IGG Co-facilitator and Deputy Chief Executive, London Bullion Market Association (LBMA)

Reference document:

 Proposed Gold Implementation Activities

10:00 – 11:15 BREAK-OUT SESSIONS: Implementing Due Diligence in Gold Supply Chains

**Break-out session 1
Conference Room CC12**

10:00 – 11:15 Jewellery Sector

Jewellery manufacturers and retailers will provide examples of their efforts to implement due diligence in the sourcing of responsible gold.

Facilitator: Dr. Fiona Solomon, Director, Standards Development, Responsible Jewellery Council (RJC) and member of the IGG

Interveners:

- Mr. Philip Olden, Independent Advisor, Signet Jewelers Limited
- Ms. Iris Van der Veken, Manager Corporate Affairs Global, Rosy Blue
- Mr. Ryan Taylor, Designer Goldsmith and Founder, The Fair Trade Jewellery Co.
- Ms. Jennifer Horning, Gold Programme Coordinator, Solidaridad

**Break-out session 2
Conference Room CC15**

10:00 – 11:15 Large-Scale Mining Sector

Large scale mining companies will discuss efforts to implement due diligence

Facilitator: Mr. Terry Heymann, Director Responsible Gold, World Gold Council (WGC) and member of the IGG

Interveners:

- Eng. Edwin A. Ngonyani, Member of the IGG, Chief Inspector of Mines and Assistant Commissioner for Mines Inspectorate, Ministry of Energy and Minerals, United Republic of Tanzania
- Mr. J.J. Messner, Director, Sustainable Development, Sustainable Security, The Fund for Peace
- Dr. Richard Robinson, Extractive Industries Technical Advisor, U.S. Agency for International Development (USAID)

11:15 -11:30 *Coffee break*

11:30 – 12:45 Sourcing gold responsibly: new initiatives and current practices

Facilitator: Dr. Richard Robinson, Extractive Industries Technical Advisor, U.S. Agency for International Development (USAID)

Interveners:

- Mr. Hassan Nasser, Director Compliance and Inspection, Dubai Multi Commodities Center (DMCC) and member of the IGG
- Mr. Pankaj Parekh, Vice Chairman, Gems and Jewellery Export Promotion Council (GJEPC)
- Mr. Neil Harby, Head of Evaluation, Rand Refinery
- Mr. Sasha Leshnev, Senior Policy Analyst, Enough Project and member of the IGG

12:45 – 14:00 *Lunch*

14:00 – 15:30 Artisanal mining: Proposals for implementing the Appendix

This session will focus on reviewing and discussing concrete proposals for creating secure, verifiable and transparent corridors from mine to smelter/refiner of responsibly mined gold by artisanal miners. Participants are welcome to make suggestions and provide any relevant lessons learnt to presenters.

Facilitator: Eng. Edwin A. Ngonyani, Member of the IGG, Chief Inspector of Mines and Assistant Commissioner for Mines Inspectorate, Ministry of Energy and Minerals, United Republic of Tanzania and ICGLR Steering Committee

Interveners:

- Ms. Joanne Lebert, Director Great Lakes Programme and member of IGG, and Mr. Shawn Blore, Research Associate, Partnership Africa Canada (PAC)
- Ms. Laura Barreto, Chair, Alliance for Responsible Mining
- Dr. Kevin Telmer, Executive Director, Artisanal Gold Council

15:35 – 15:45 *Coffee break*

15:45 – 17:30 Discussion and confirmation of proposed gold implementation activities

Facilitator: Ms. Mora Johnson, IGG Co-facilitator and Senior Advisor, Democracy and Governance Division, Department of Foreign Affairs and International Trade, Canada

Reference document:

 Proposed Gold Implementation Activities

17:30 Meeting closed