



ICGLR-OECD-UN GoE JOINT MEETING

ON IMPLEMENTATION OF THE OECD-UN DUE DILIGENCE RECOMMENDATIONS FOR RESPONSIBLE MINERAL SUPPLY CHAINS

5 - 6 May 2011

Venue: OECD Conference Centre (Conference Room 10 - CC10), 2 rue André Pascal, 75016 Paris, France.

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 sufficient time for the registration formalities. *For security reasons, you must wear your visitor's badge at all times.*

DRAFT ANNOTATED AGENDA

Moderator: Dr. Wynet Smith, Coordinator/Natural Resources Expert, UN Panel of Experts on Liberia

DAY 1: 5 May 2011

9:00 - 9:30 **Registration**

9:30 – 10:00 **Welcome remarks by the Hosts: ICGLR, OECD, UN Group of Experts on the DRC**

10:00 – 13:00 **SESSION 1 – IMPLEMENTING THE OECD–UN DUE DILIGENCE RECOMMENDATIONS FOR RESPONSIBLE MINERAL SUPPLY CHAINS: TRACKING PERFORMANCE AND MEASURING IMPROVEMENT**

Stakeholders participating in the OECD's pilot implementation phase of the Supplement on Tin, Tungsten and Tantalum are invited to provide feedback and agree on a common framework to track due diligence performance and measure progressive improvement. Companies, industry due diligence schemes, auditors and any independent monitors would rely on the agreed-upon framework to report and evaluate due diligence performance throughout the supply chain.

10:00 – 10:15 **Presentation by the OECD Secretariat on the pilot implementation phase of the Supplement on Tin, Tungsten and Tantalum in the Great Lakes Region.**

10:15 – 11:15 **Exploring qualitative and quantitative methodology for tracking due diligence performance**

In this session, participants will discuss the proposed matrices for upstream and downstream companies to track due diligence performance during the OECD's pilot implementation phase of the Supplement on Tin, Tungsten and Tantalum.

Discussant:

- IPIS

Reference documents:

-  [OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas](#) .
-  Draft framework for the implementation of the OECD–UN due diligence recommendations.

Issues for discussion

- Would the proposed matrices for upstream and downstream companies provide a good basis for evaluating due diligence of companies participating in the OECD implementation phase? Can the same methodology be used by auditors and any other independent monitors to track performance, evaluate and monitor supply chain due diligence as defined in OECD-UN recommendations?
- How should confidential information be treated while also ensuring credibility of the findings?

11:15 – 11:30 *Coffee Break*

11:30 –13:00 **Performance indicators**

In this session, participants will discuss the performance indicators proposed in the draft framework.

Discussant:

- IPIS

Reference documents:

-  Draft framework for the implementation of the OECD–UN due diligence recommendations

Issues for discussion

- How accurate are each of the performance indicators for measuring progressive improvement, and how could they be further refined?
- What would constitute significant measurable improvement for the purposes of a performance indicator? Full conformance? One, two or three step increase in the 0-5 conformance scale?

13:00 – 14:30 *Lunch*

14:30 – 17:45 **SESSION 2 – PRACTICAL STEPS AND COORDINATED EFFORTS TO IMPLEMENT THE OECD–UN DUE DILIGENCE RECOMMENDATIONS UPSTREAM IN THE SUPPLY CHAIN OF TIN-TANTALUM-TUNGSTEN IN THE GREAT LAKES REGION**

14:30 – 15:45 **PROGRESS REPORT ON MAPPING AND ON-THE-GROUND RISK ASSESSMENT**

This session should focus on the harmonisation of criteria for assessing and certifying “red”, “yellow” and “green” mine sites, transportation routes and points where minerals are traded (based on the standards under Annex II of the OECD Guidance) and the concrete measures taken already at regional, country or industry level to assess and certify according to these harmonised criteria.

Discussants:

- Mr. Joseph Ikoli and Paul Mabolia Yenga (DRC)
- Mr John Kanyoni (President of Comptoirs of North Kivu, DRC)
- Mr. Nicolas Scherlen (MONUSCO) tbc
- Dr. Bali Barume (BGR) tbc
- iTSCI-PACT, iTSCI-CR
- Dr Markus Wagner(ICGLR)/Mr Shawn Blore (PAC)

15:45 – 16:30

PROGRESS REPORT ON CHAIN OF CUSTODY/TRACEABILITY

This session should focus on the harmonisation of criteria for chain of custody/traceability in all relevant schemes and the concrete measures already taken at regional, country or industry level to assess and certify according to these harmonised criteria.

Discussants:

- Mr Paul Mabolia Yenga (DRC)
- Dr. Michael Biryabarema (Rwanda)
- iTSCI-ITRI, iTSCI-PACT
- Dr Markus Wagner(ICGLR)/Mr Shawn Blore (PAC)

16:30 - 16:45

Coffee Break

16:45 – 17:45

PROGRESS REPORT ON AUDIT AND ICGLR MINERAL CERTIFICATION SCHEME

This session should re-cap the measures taken by the ICGLR to integrate standards and processes of the OECD Guidance into its certification scheme, and should clarify the ICGLR auditing standards and procedures, which, if consistent, would correspond to the “on the ground risk assessment” recommended in Step 2 of the OECD-UN due diligence recommendations.

Discussants:

- Mr Paul Mabolia Yenga (Chair of the ICGLR Steering Committee)
- Dr Markus Wagner(ICGLR)
- Mr Shawn Blore (PAC)

Reference Documents for Session 2:

- 📄 ICGLR Mineral Certification Scheme.
- 📄 Manuel des Procédures de Traçabilité des Produits Miniers, de l'Extraction à l'Exportation, Ministère des Mines et Ministère des Finances, RD Congo.

Issues for discussion in Session 2 :

- What concrete steps have individual companies taken to adopt and communicate the model supply chain policy, introduce a chain of custody and/or traceability system and collect on-the-ground information to identify, prevent or mitigate risks in the supply chain?
- What progress have mapping, traceability and certification initiatives made towards creating responsible, conflict-free mineral supply chains, and what challenges have they encountered?
- How have the various initiatives integrated or relied on the OECD– UN due diligence recommendations when appropriate? In particular, on: **(i)** the definition of “contributing to conflict” (e.g. Annex II of the OECD Guidance) for certifying mine sites, transportation routes and points where minerals are traded; **(ii)** the types of chain of custody and/or traceability systems and information necessary (e.g. Step 1 (C)); **(iii)** the methodology and criteria for on-the-ground assessments of conditions upstream (e.g. Step 2, Part I and Appendix of the OECD Guidance)?
- What concrete steps should be taken to enable the performance of due diligence upstream, such as by strengthening or supporting current mapping or information-sharing efforts?

DAY 2 – 6 May

9:00 – 11:15 SESSION 3 - IMPLEMENTING OECD–UN DUE DILIGENCE RECOMMENDATIONS DOWNSTREAM IN THE SUPPLY CHAIN

9:00 – 9:45 What concrete measures have individual downstream companies already taken to implement due diligence? What challenges have they faced, and what lessons have they learnt?

9:45 – 11:15 PROGRESS REPORT ON INDUSTRY SCHEMES AND TOOLS TO IMPLEMENT DUE DILIGENCE

Discussants:

- Mr. Michael Loch (EICC-GeSI)
- Ms. Fiona Donaldson (E-Tasc Questionnaire) tbc

Reference Documents:

- 📄 EICC-GeSI Conflict-Free Smelter Program, Flow chart and Tantalum and Tin Protocol
- 📄 Section 1502 of Dodd-Frank Wall Street Reform and Consumer protection Act

Issues for discussion

- Is the approach adopted in the EICC-GeSI Conflict-Free Smelter Program compatible with the OECD–UN due diligence recommendations? How could this be improved to ensure maximum harmonisation?
- How can downstream companies rely on OECD–UN due diligence recommendations to meet reporting requirements under Section 1502 of Dodd-Frank and determine whether their products are “DRC Conflict Free”?

11:15 – 11:30 *Coffee Break*

11:30 – 12:30 SESSION 4 – PROPOSED NEXT STEPS

In this session, participants should agree on a concrete action plan to (i) implement the OECD-UN due diligence recommendations, (ii) harmonise existing efforts and (iii) create the enabling conditions for effective successful due diligence both upstream and downstream in the supply chain.

12:30 – 13:00 ***Closing remarks by the Hosts: ICGLR, OECD, UN Group of Experts on the DRC.***