

CRAFT

# CRAFT 2.0

Code Volume 1

## Introduction and General Characteristics

### Draft for 2<sup>nd</sup> public consultation round

CRAFT v1.0 published on July 31<sup>st</sup>, 2018

Official version: English<sup>1</sup>

### Period for stakeholders' comments and enquiries:

March 30<sup>th</sup> – May 30<sup>th</sup>, 2020

### Contact for comments:

[standards@responsiblemines.org](mailto:standards@responsiblemines.org)

This document was developed by the ARM Standards Team as part of the CAPAZ Project (funded by EPRM and implemented by ARM and RESOLVE) and the CRAFT Standard Committee convened by ARM, with support by the CRAFT Advisory Group convened by RESOLVE.



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**The Code maintainer is the Alliance for Responsible Mining (ARM)**

Contact: [standards@responsiblemines.org](mailto:standards@responsiblemines.org)

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<sup>1</sup> In the case of inconsistency between versions, reference defaults to the official language version: English, version number 2.0, which will be approved at the close of the consultation period.

## **Objective for 2<sup>nd</sup> round Consultation**

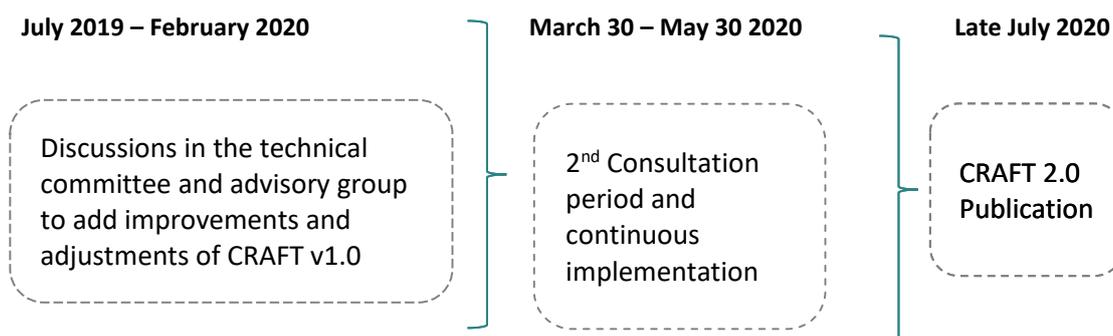
The launch of the CRAFT Code version 1.0 that was published on July 31<sup>st</sup>, 2018, after a [two-month consultation](#) period. Then, different stakeholders raise the need for the development of CRAFT Version 2.0, whose objectives are to 1) follow standards setting best practice in support of CRAFT's credibility and legitimacy as a tool, 2) expand the scope of CRAFT to maximize its utility to the artisanal minerals sector and its constituencies, and 3) enable progressive improvement and integrate lessons learned from implementing version 1.

The second round of consultation seeks to collect comments to the adjusted proposal of the CRAFT 1.0 in order to generate greater impacts to the sector and facilitate the connection with the industry.

## **Stakeholder participation**

All interested parties can become a part of building and refining the CRAFT, as it is an open and public process. Everyone from miners to BUYERS and points in between in the gold supply chain, as well as government officials, civil servants, civil society, standard-setting organizations, Artisanal and Small-Scale Mining support networks, and others may partake in the various forms of this consultation process.

We welcome your comments at any time during the consultation process from **March 30 to May 30, 2020**.



## **How to Comment on the CRAFT Code**

### **Step 1) Review Background and CRAFT v1.0**

- The code is available for review on [the project website](#).
- For further background, including [the objectives of the CRAFT code, the general structure and the CRAFT v1.0](#).

### **Step 2) Comment**

There are three possibilities to provide your inputs on the CRAFT:

1. Incorporate your comments and suggested revisions directly into one of the draft documents of the version 2.0 (please use track changes), and send it back to us at [standards@responsiblemines.org](mailto:standards@responsiblemines.org) along with the submission form below.

The new proposed structure is:

**Volumes 1 to 3** constitute the CRAFT Code, containing all binding text.

- **Volume 1:** CRAFT Code - Introduction and General Characteristics
- **Volume 2:** CRAFT Code - Requirements for ASM Mineral Producers
  - Volume 2A: Commodity-independent Requirements
  - Volume 2B: Commodity-specific Requirements
- **Volume 3:** CRAFT Code - Guiding Principles for CRAFT Schemes

**Volume 4 is a Guidance Book**, which contains all guidance and explanatory notes, as well as further background information and suggested tools where available and applicable. All text in Volume 4 is non-binding.

2. A second option is to complete [the relevant online form outlining priority questions for feedback by type of actors or thematic interests](#).
3. Additionally, you are always welcome to offer further comments simply by email.

#### ***Comment Submission Form***

Please, fill out the following form before commenting on the draft document or sending comments by email:

<b>Name:</b>	
<b>Email address:</b>	
<b>Name of the Organization that you represent:</b>	
<b>Country:</b>	
<b>Please tick here if you would like your comments to be kept anonymous? <input type="checkbox"/></b>	
<b>Please tick here if you would like to receive information about the development of the CRAFT Code? <input type="checkbox"/></b>	

Additionally, if you need more information before commenting on this document do not hesitate to contact [standards@responsiblemines.org](mailto:standards@responsiblemines.org)

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The CRAFT Code is committed to gender equality and especially to the protection of women where typically exposed to gender discrimination. Throughout all volumes of the CRAFT Code, for language economy, masculine language will be used as generic. Inclusive language will be used in those points where it is most necessary to visualize the role of women.

# 1 Introduction

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The years since 2008 have seen the emergence of a strong body of frameworks initially applicable to 3T metals (tin, tungsten, tantalum) and gold originating from Conflict-Affected and High-Risk Areas. The OECD Due Diligence Guidance (OECD DDG), the US Dodd-Frank Act, the EU Conflict Minerals Regulation and related instruments encourage or require downstream actors to further understand and “de-risk” their supply chains. This normative framework will also enhance them to develop compliance processes and protocols for implementing risk-based due diligence and chain of custody or traceability systems.

Supply chains sourcing from Artisanal and Small-scale Mining (ASM) are often quite complex, particularly if they lack clear “choke points”<sup>2</sup> determined by technology, as in the case of gold. Complex supply chains require complex due diligence processes that are costly. The situation is exacerbated by legal and reputational risks of sourcing from legitimate but still predominantly informal ASM mines. Consequently, many downstream supply chain actors have become reluctant to source minerals or metals from ASM or otherwise accept them in their supply chain. However, the rational response of many companies to avoid sourcing from ASM altogether further marginalizes the ASM sector and makes it easy prey for informal or criminal supply chain actors from buyers to armed groups.

In response to this critical challenge, the Alliance for Responsible Mining (ARM) and RESOLVE, with initial funding support from the European Partnership for Responsible Minerals (EPRM), decided in 2016 to develop a market entry standard under open-source terms, enabling OECD-conformant ASM producers to deliver into legal supply chains.

The resulting **Code of Risk-mitigation for ASM engaging in Formal Trade – CRAFT**<sup>3</sup> is intended to serve as an instrument for ASM and the downstream industry to validate its eligibility to sell and source minerals and metals originating from ASM in conformance with the OECD DDG and legislations derived from it, like the EU regulation on conflict minerals entering in force in 2021. In response to demand from various supply chain actors and initiatives, the initial product scope on gold of Version 1.0 has been broadened in Version 2.0, opening the CRAFT for other commodities produced by ASM. The CRAFT is further intended to be responsive to reputational challenges of responsible supply chains by way of becoming a progressive improvement system of assurance for ASM products.

The CRAFT aims at facilitating engagement of the downstream supply chain actors with upstream ASM producers at the point where the risks listed in the OECD DDG (commonly referred to as “Annex II risks”) are mitigable. The CRAFT is expected to support the efforts of legitimate producers from the ASM sector to sell their product to formal supply chains and, vice versa, help downstream supply chain actors to engage with legitimate ASM producers.

The **overall intent of the Code** is to promote sustainable social, environmental, and economic development of the ASM sector, by leveraging demonstrable conformance with due diligence requirements as an instrument for generating a positive development impact for ASM producers. The CRAFT expects to be a tool principally for the miners, to empower them in understanding and complying with market expectations and due diligence needs. The CRAFT is also expected to be key for downstream actors to enable trade with the ASM supply-chain.

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<sup>2</sup> Clearly defined key points of transformation in the supply chain that generally include relatively few actors that process a majority of the commodity, such as smelters in the case of 3T metals

<sup>3</sup> The preferred usage of the acronym for “Code of Risk-mitigation ...” in written form is “CRAFT”. Where necessary for improved clarity, the pleonasm “CRAFT Code” may be used.

Supply chain schemes that incorporate and use the CRAFT for sourcing from ASM or for supporting ASM development are referred to as **CRAFT Schemes**. In order to accommodate the vast variety of upstream producer setups, governing legal frameworks, and possible usage scenarios, the CRAFT is developed from the outset under Creative Commons (CC) **Open Source** license terms.<sup>4</sup> As an open-source standard, the CRAFT may be freely used by any ASM producer, as well as by a wide variety of sourcing models, ASM development programs, supply chain initiatives or supply chain actors sourcing from ASM, i.e. by any supply chain scheme, as long as the CC license terms are respected.

According to the CC Open Source license terms of the CRAFT Code, ARM as the Code maintainer has very limited control over who uses the Code, for which purpose, and under which conditions. However, to ensure consistency in the application of the CRAFT, Version 2.0 introduces a new chapter (Volume 3) on guiding principles for CRAFT Schemes, on how Schemes are expected to interact with ASM producers and what claims may be made related to the usage of CRAFT. Volume 3 also strengthens the intent of the Code that CRAFT Schemes are expected to support ASM producers in their efforts to comply with the requirements of the CRAFT and improve their operations.

Open source also implies that the prescription of an exclusive certification scheme is impossible. CRAFT on its own is not a certification scheme! Many non-exclusive ways to determine conformance with the CRAFT, such as already existing assurance schemes of supply chain initiatives or due diligence procedures of supply chain operators, can co-exist. Notwithstanding, CRAFT may be incorporated into existing certification schemes and/or certification schemes may be built on top of CRAFT. This flexibility provided by the Open Source license eliminates from the outset the risk that the CRAFT creates additional “audit burden”.

## 2 Characteristics and Scope of the CRAFT Code

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### 2.1 Type of Standard

CRAFT is a voluntary sustainability standard.

CRAFT is a progressive performance standard for ASM mineral producers.

CRAFT is a process standard. This means it is not a product standard.

### 2.2 Organizational Scope

CRAFT is a standard for mining at artisanal and small scale and uses the OECD definition of ASM: *“Artisanal and Small-scale Mining (ASM): Formal or informal mining operations with predominantly simplified forms of exploration, extraction, processing, and transportation. 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 or even thousands of miners. ....”* (OECD 2016b)

The organizational scope of the CRAFT is the **ASM Mineral Producer (AMP)**<sup>5</sup>, which may comprise any de facto or formally established organizational structure of producers (*production-based groups*

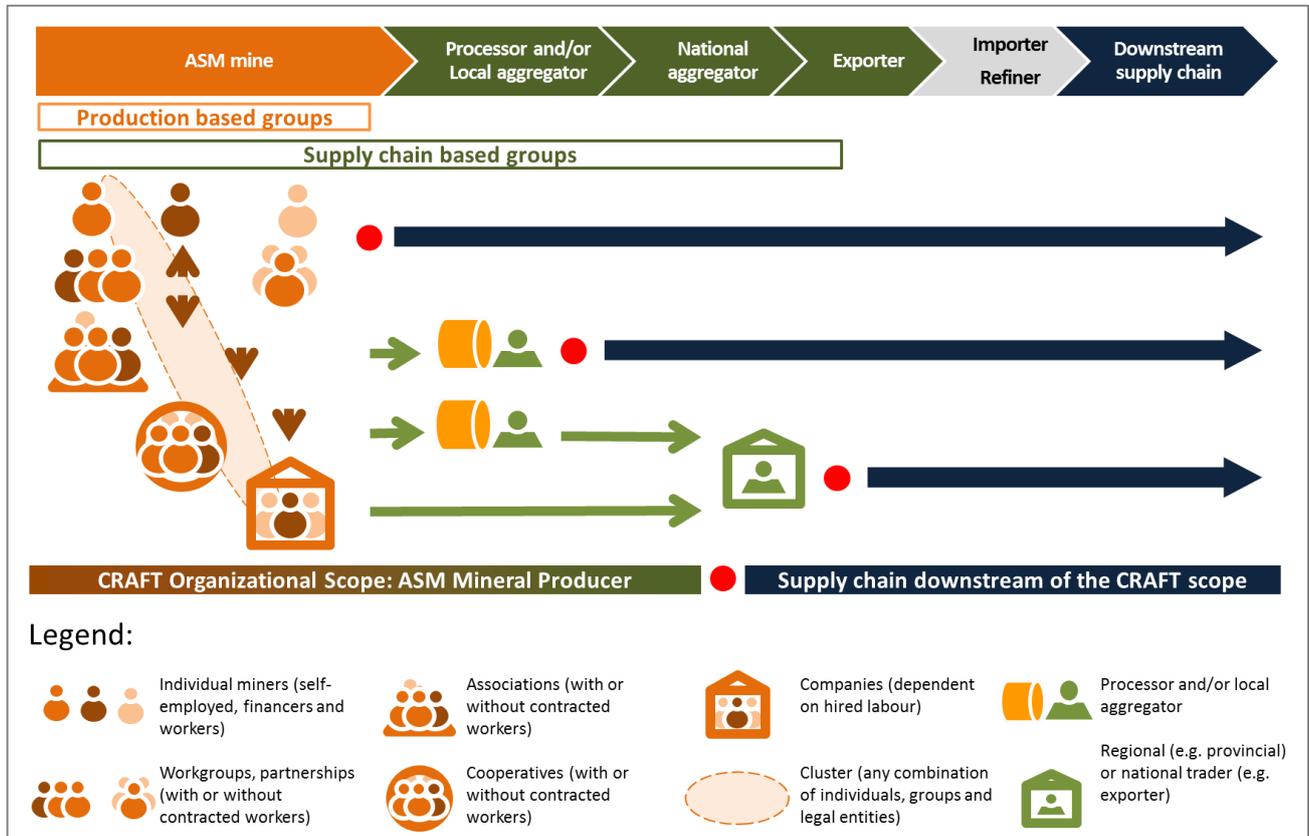
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<sup>4</sup> The widely used *Creative Commons Attribution Share-Alike 4.0* license (CC-BY-SA): <https://creativecommons.org/licenses/by-sa/4.0/>

<sup>5</sup> The term “ASMO” (ASM Organization) is a widely accepted and understood term for all kinds of organizational ASM setups. However, this term is used in other standards and refers mainly to formally established organized groups. This could lead to confusion, as the organizational scope of the CRAFT is broader. Therefore, the CRAFT intentionally uses a different term.

of ASM miners as individuals or entities) and may optionally include processors as well as local and national aggregators if these, jointly with the miners, constitute a *supply-chain based group*.

The CRAFT is not prescriptive with regards to demanding any specific formally established organizational structure. Membership to the AMP is functional and not administrative.



**Figure 1: The organizational scope of CRAFT covers miners and optionally processors and/or aggregators at the upstream end of the supply chain, down to the point (i.e. red dot, point of assurance) where the mined and eventually processed product enters the supply chain downstream of the CRAFT scope.**

**Members** of the AMP are all persons and entities working within the organizational scope.

The **main organizational scope** comprises production-based groups of *Members of an AMP*, engaged in the AMP’s ASM operation. These members are also referred to as “**Miners**”, and include all men and women involved in mineral extraction, selection, processing or transportation of minerals from primary or secondary deposits, dumps and tailings.

For simplicity, three organizational types can be distinguished:

- Individuals
- Groups (family groups, partnerships, associations, cooperatives, companies, etc.)<sup>6</sup>
- Clusters (any combination of individuals and/or groups)

In the case of supply-chain based groups, the **extended organizational scope** may additionally include **Processors** and/or **Aggregators** as *Members of an AMP*. The term AMP then refers to Miners and linked Processors and/or Aggregators.

<sup>6</sup> This encompasses all types of “ASM Enterprises”, per the definition of this term in the OECD DDG .

The difference between main scope and extended scope is:

- an organizational structure of Miners without Processors and/or Aggregators (i.e. a production-based group or cluster) qualifies as an AMP;
- an organizational structure comprised of Miners and Processors and/or Aggregators, with stable internal commercial relations (i.e. a supply-chain based group) qualifies as an AMP;
- an organizational structure comprised of Processors and/or Aggregators without stable commercial relations with Miners (e.g. buying from random miners) does not qualify as an AMP.

Supply chain actors outside the organizational scope of the CRAFT (i.e. “downstream” in the logic of the CRAFT<sup>7</sup>), which source or have the intention to source minerals or metals from an AMP, are - for the sake of brevity - referred to with the catch-all term **BUYERS**.

## 2.3 Geographic Scope

CRAFT has a global scope, without any excluded areas.

The AMP must be operating in one single country. In transboundary ASM areas, all Members of the AMP must operate under the same jurisdiction. The internal supply chain of the AMP must not include cross-border transactions.

Valid scenarios of supply-chain based groups also exist, where international Large Scale Mining (LSM) mines aggregate the product of ASM miners operating on their concession, or where agents of international BUYERS aggregate directly from ASM miners. In such cases, the limitation of the geographic scope to one single country implies that the organizational scope is limited to the nationally operating agents of such entities (i.e. only the nationally operating aggregating agent may be Member of the AMP, not the internationally operating entity).

## 2.4 Commodity Scope

Version 1.0 of CRAFT was initially developed for ASM gold mining. Inspired by the broader commodity scope of the OECD DDG and demand from ASM supply chains actors of other minerals, Version 2.0 covers AMPs producing the following commodities in any tradable form:

- **Gold and associated precious metals.** Typically sold by AMPs as ore, concentrate or doré.
- **Tin, tantalum and tungsten (3T).** Typically sold by AMPs as ore or concentrate.
- **Cobalt.** Typically sold by AMPs as ore or concentrate.
- **Coloured gemstones.** Typically sold by AMPs as rough (including mineral specimen) or cut and polished stones.

If an AMP producing any of the above commodities is conformant to the CRAFT (i.e. at least candidate status; see Volume 2A), the AMP can promote the sale of all its mineral products as “originating from a CRAFT-conformant AMP”. For more details on claims, see **volume 3**.

For the above commodities, CRAFT has been validated through piloting, public consultation, deliberation in the Standard Committee and enactment by the Code Maintainer (ARM).

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<sup>7</sup> In CRAFT, the terms “upstream” and “downstream” are used in relation to the point where minerals and metals produced by AMPs are sold to supply chain actors outside the organizational scope of the CRAFT (i.e. the red dot in Figure 1).

Notwithstanding, this does not preclude the possibility to evaluate and test the applicability of the CRAFT for other commodities produced by ASM. Based on feedback to the code maintainer from piloting CRAFT for other commodities, the Commodity Scope of future versions of CRAFT may be broadened.

## 3 Overview of the CRAFT Code

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### 3.1 New Structure of the CRAFT version 2.0

For improved readability, CRAFT 2.0 was rewritten and restructured into three much shorter but more topic- and audience-centred Code Volumes and one more comprehensive Guidance Book.

Volumes 1 to 3 constitute the CRAFT Code, containing all binding text.

Volume 4 is the Guidance Book, which contains all guidance and explanatory notes, as well as further background information and suggested tools where available and applicable. All text in Volume 4 is non-binding.

**Volume 1: CRAFT Code - Introduction and General Characteristics**

**Volume 2: CRAFT Code - Requirements for ASM Mineral Producers**

Volume 2A: Commodity-independent Requirements

Volume 2B: Commodity-specific Requirements

**Volume 3: CRAFT Code - Guiding Principles for CRAFT Schemes**

**Volume 4: CRAFT Guidance Book**

For conformance with CRAFT, AMPs must always fulfill the commodity-independent requirements of Volume 2A **and** the applicable commodity-specific requirements of Volume 2B.

### 3.2 Structure of Requirements for ASM Mineral Producers

CRAFT 2.0 maintains the modular structure of requirements for AMPs from version 1.0.

The sequence of Modules in Volume 2 reflects the sequence that AMPs are expected to follow in order to conform to the requirements.

The sequence of requirements within Modules follows the Consolidated Framework of Sustainability Issues for Mining (Kickler&Franken 2017), explained in the Guidance Book.

- **MODULE 1:** Adopting a Management System
- **MODULE 2:** Legitimacy of the AMP
- **MODULE 3:** “Annex II Risks” Requiring Immediate Disengagement. (MODULE 3 has pass/fail criteria)
- **MODULE 4:** “Annex II Risks” Requiring Disengagement after Unsuccessful Mitigation. (MODULE 4 has pass/fail and progress criteria)
- **MODULE 5:** “Non-Annex II” High Risks Requiring Improvement. (MODULE 5 has only pass or progress criteria, of risks being controlled or mitigation in progress)

Depending on demand, additional MODULES on Medium- and Low Risks may be developed in future versions of the CRAFT.

## 4 Instruments of the CRAFT Code

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### 4.1 CRAFT Reports

The CRAFT applies and adapts the logic of the OECD Due Diligence Guidance five-step framework (see OECD 2016b) to the ASM context. The decision of an AMP to adopt the CRAFT Code corresponds to Step 1 of the Framework, establishing a management system. CRAFT implementation consists then of the corresponding subsequent steps of risk assessment (step 2), risk mitigation (step 3), verification (step 4) and reporting (step 5).

Regarding step 4 (verification), third-party audits are costly and beyond the financial capacity of the vast majority of AMPs. As per the OECD DDG, risk-based independent **third-party verification** is the due diligence responsibility of the supply chain actors that source or wish to source from ASM (i.e. BUYERS), not the responsibility of the ASM sector. Consequently, the CRAFT does not require AMPs to contract audits or any other type of third-party verification, as this would duplicate third-party verification requirements.

Verification requirements for AMPs are based on **first-party verification** in the case of production-based groups, or first- and **second-party verification** in the case of supply-chain based groups.

The findings of this first- and/or second-party verification exercise shall be documented in the **CRAFT Report**, matching the reporting requirement (step 5) of the OECD DDG five-step framework. AMPs shall periodically (at least annually) issue CRAFT Reports, documenting the fulfilment of the CRAFT Requirements (see CRAFT Volume 2) in form of *verifiable claims*.<sup>8</sup> These types of claims are affordable for AMPs because they do not require contracting a service provider for independent third-party verification.

For BUYERS (supply chain actors that source or wish to source from ASM) it is expected that CRAFT Reports simplify due diligence to mainly *verifying verifiable claims*.<sup>9</sup>

For AMPs, these CRAFT Reports represent their “*passport to formal markets*”. In their CRAFT Reports, AMPs are also expected to document the risk mitigation measures and improvements planned for the next reporting period.

Characteristics of CRAFT Reports are:

- Full-text CRAFT Reports
  - CRAFT Reports shall contain and indicate:
    - Description of the AMP and detailed information and supporting evidence (where applicable) about the risk assessment results,

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<sup>8</sup> To illustrate verifiable first- and second-party claims:

- Example for **first-party claim**: We, the Miners, have assessed the risk X, found that ... and affirm that we are taking the risk mitigation measure Y. Evidence for progress on risk mitigation is Z.
- Example for **first- and second-party claim**: I, the Aggregator, have assessed the risk X in my operation and in the operations of the Miners who are my suppliers, found that ... and affirm that I and my suppliers are taking the risk mitigation measure Y. Evidence for progress on risk mitigation is Z.

Note: wording does not have to follow these examples.

<sup>9</sup> Independent CRAFT Schemes may provide such verification as a service.

- Detailed information about the number and type of mitigation or improvement achievements in the past reporting period, and
  - Detailed information about the number and type of mitigation or improvement commitments for the next reporting period.
- CRAFT Reports may contain confidential data. In this case, disclosure may be subject to confidentiality agreements.
- AMPs may disclose their own CRAFT Reports to any party at any moment as they see appropriate.
- For independent third-party verification, for the purpose of verifying the first- and second-party claims made in CRAFT Reports, the full-text CRAFT Report must always be disclosed to the independent verification body.
- Public summary CRAFT Reports
  - Every CRAFT Report shall include a non-confidential, public summary.
  - The summary CRAFT Report shall contain for each requirement at least one status qualifier (e.g. legal, legitimate, mitigated, satisfactory progress, improved, ongoing improvement, etc.) in the CRAFT Requirements (Volume 2).
  - The summary CRAFT Report may contain further detailed non-confidential information as considered appropriate by the AMP.

## 4.2 CRAFT Schemes

A supply chain scheme, in general, is any set of rules for engagement between upstream and downstream<sup>10</sup> supply chain actors established by BUYERS, governments, civil society organizations, private sector service providers, projects or programmes. A **CRAFT Scheme** is a supply chain scheme that follows, uses, incorporates, or builds upon the rules of the CRAFT Code.

Experience with CRAFT version 1.0 showed that AMPs, able to implement the CRAFT on their own, are the exception rather than the rule. The role of CRAFT Schemes is therefore pivotal.<sup>11</sup> CRAFT Scheme owners usually engage with AMPs for the purpose of implementing the CRAFT in their supply chain or programme. AMPs usually engage with CRAFT Schemes for the purpose of obtaining support for improving responsible mining practices and for engaging with formal markets. This engagement is referred to as **affiliation of an AMP to a CRAFT Scheme**.

- Affiliation of AMPs to CRAFT Schemes is voluntary and optional. In regions where no CRAFT Scheme operates, or if an AMP does not wish to join a CRAFT Scheme operating in its region, AMPs may implement the CRAFT on their own. For this purpose, they need to follow the CRAFT requirements (Volume 2) and may use their CRAFT Report as “*passport to formal markets*” to engage with BUYERS.
- In the prevalent scenario of AMPs affiliated to CRAFT Schemes, implementation of the CRAFT is a shared responsibility of AMPs and CRAFT Schemes. While the AMP is always the main entity responsible for making verifiable claims and mitigating risks, it is the responsibility of CRAFT Schemes to support AMPs in their tasks to the extent possible (see Volume 3). CRAFT

<sup>10</sup> See footnote 7 on the usage of the terms “upstream” and “downstream” in CRAFT, which is different from the usage in the OECD DDG.

<sup>11</sup> CRAFT version 2.0 therefore introduces a new section, expanding on guiding principles for CRAFT Schemes (Volume 3).

Schemes are expected to help AMPs assessing and mitigating risks by providing advice and guidance. In the case of BUYERS as CRAFT Scheme owners they do so to de-risk their supply chain and source from the AMP, and in other cases CRAFT Schemes facilitate engagement of AMPs with BUYERS.

The process of AMPs affiliating to a CRAFT Scheme is progressive, according to the stepwise approach of CRAFT. There are two levels of adherence: Candidate and Affiliate.

- 1. Candidate:** AMPs that fit into the scope of the CRAFT may apply to affiliate to a CRAFT Scheme, providing all information required (MODULE 1). At candidate level, AMPs must provide credible evidence of their legitimacy (MODULE 2) and make verifiable claims that none of the Annex II risks covered in MODULE 3 are present.

At candidate level, AMPs shall be supported by CRAFT Schemes guiding them in their process towards CRAFT conformance and facilitating engagement with formal markets. BUYERS that wish to source from ASM in conformance with the OECD DDG may already engage conditionally with the AMP.

- 2. Affiliate:** Candidate AMPs that, within 6 months from commercial engagement with a BUYER, can make a verifiable claim that all Annex II risks covered in MODULE 4 are controlled or can demonstrate measurable progress of their mitigation shall be granted Affiliate Status.

At affiliate level, AMPs shall receive continued support of CRAFT Schemes to engage with BUYERS, or vice versa, BUYERS that wish to source from ASM in conformance with the OECD DDG may engage definitely with the AMP.

At affiliate level, AMPs shall periodically re-assess their Annex II risks. As long as the criteria of MODULEs 1 to 4 are met, AMPs can maintain their affiliate status.

Additionally, AMPs shall periodically assess the non-Annex II risks covered in MODULE 5, prioritize those risks and issues which the members of the AMP consider most important to address, and commit to measurable progress in their mitigation during the upcoming reporting period.

**Role of CRAFT Schemes with regards to due diligence.** One of the purposes of CRAFT is to reduce barriers to formal markets for AMPs, by making due diligence easier for BUYERS. It is not the purpose of CRAFT to substitute the BUYER's responsibility for carrying out due diligence. Unless the CRAFT Scheme owner is a BUYER, CRAFT Schemes have no obligation to carry out any due diligence or verification of the content of CRAFT Reports.<sup>12</sup> Their responsibility is to monitor the affiliation status of AMPs. This shall be based on the verification of how complete is the CRAFT Reports presented by the AMP.

However, CRAFT Schemes may carry out due diligence or third-party verification as seen appropriate. Where this is the case, the CRAFT Scheme will review and verify the information provided by the AMP in the CRAFT Reports (i.e. verify the verifiable claims) and carry out all complementary assessments as necessary. Carrying out due diligence is an added value service beyond the scope of the CRAFT, and is always the responsibility of the BUYER. Therefore, the cost of such services shall not be charged to the AMP.

**Relation between the open source CRAFT Code and proprietary CRAFT Schemes.** The CRAFT Code is open source under a Creative Commons license. CRAFT Schemes in contrast are proprietary. The

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<sup>12</sup> If that were the case, AMPs from regions where no CRAFT Scheme is present on the ground would face barriers to finding a CRAFT Scheme that accepts their application.

open source CRAFT Code can be implemented in proprietary CRAFT Schemes. The table below indicates how the key characteristics of the CRAFT Code and of CRAFT Schemes relate.

CRAFT Code	CRAFT Scheme
<p>The CRAFT Code is open source under the Creative Commons license CC BY-SA 4.0.</p> <p>The Code is based on the OECD DDG, in particular the MODULES 2 to 4 of the Code, addressing Annex II risks of the DDG.</p>	<p>CRAFT Schemes, established by a Scheme owner, may be proprietary.</p> <p>CRAFT Schemes are implementations of the CRAFT Code by supply chain schemes for conformance with the OECD DDG and engagement with ASM mineral producers.</p>
<p>Due to the terms of the open source license, ARM, as the code maintainer of the CRAFT Code, has very limited control over who uses the code, for which purpose, and under which conditions, as long as the open source licensing terms of CC BY-SA 4.0 are respected.</p>	<p>CRAFT Schemes may be established by BUYERS (e.g. by incorporating the CRAFT into their due diligence protocols), by independent third parties, by projects or programs, or similar.</p> <p>CRAFT Scheme owners have full control over their scheme.</p>
<p>The CRAFT Code is a generic document that establishes requirements, common guiding principles and provides guidance.</p>	<p>Each CRAFT Scheme shall respect the Volumes 1 and 2 criteria and defines the tools, templates and processes as seen necessary for supporting AMPs in their tasks of implementing the CRAFT.</p>
<p>The CRAFT Code is not prescriptive on how the supply chain risks covered by the requirements have to be assessed or mitigated, or how a CRAFT Report has to be prepared.</p> <p><u>However:</u> Volume 2C provides guidance and examples.</p>	<p>CRAFT Schemes are expected to support affiliated AMPs in their tasks of risk assessment, risk mitigation and preparing CRAFT Reports; drawing on their own experience and expertise, and taking into account the local context of the AMP.</p>
<p>The CRAFT Code is a progressive performance standard for ASM mineral producers, providing assurance through first- and second-party verification by the AMP.</p> <p>CRAFT is a process standard and not a product standard nor a certification scheme.</p>	<p>CRAFT Schemes have no obligation to carry out due diligence or verification of the content of CRAFT Reports unless they are buyer.</p> <p><u>However:</u> CRAFT Schemes <u>may</u> carry out due diligence or third-party verification as seen appropriate, and/or incorporate the CRAFT into certification schemes if applicable.</p>
<p>Volume 3 of the CRAFT Code defines guiding principles for CRAFT Schemes, to ensure compatibility and interoperability.</p>	<p>CRAFT Schemes are required to respect the Creative Commons license terms and are expected to abide by the guiding principles.</p>

## 5 REFERENCES

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