



CRAFT 2.0

Volume 3

Guiding Principles for CRAFT Schemes

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Official version: English¹

CRAFT 2.0 supersedes the CRAFT 1.0 (July 31, 2018)
after the second round of public consultation

The Code maintainer is the Alliance for Responsible Mining (ARM)
Contact: standards@responsiblemines.org

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¹ In the case of inconsistency between versions, reference defaults to the official language version: English, version number 2.0.

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01. INTRODUCTION

For a general introduction to CRAFT, please see Volume 1. For the CRAFT requirements that ASM mineral producers (AMPs) are expected to comply with, please see Volume 2 (2A and 2B).

Several of the requirements for AMPs have implications for CRAFT Schemes. **This Volume 3** intends to reflect these requirements from the viewpoint of CRAFT Schemes and provides clarifications regarding implications of the open-source characteristics as well as on CRAFT related communication.

Background information on each requirement, explanatory notes, examples, and suggested tools are contained in **Volume 4** (Guidance Book).

Why are Guiding Principles for CRAFT Schemes needed?

CRAFT, as a voluntary sustainability standard, is a progressive performance standard for ASM mineral producers (AMPs). Experience with CRAFT version 1.0 however showed that **AMPs, able to implement the CRAFT on their own, are the exception rather than the rule**. Version 2.0 maintains the approach to empower and encourage AMPs to implement the CRAFT on their own but recognizes that the role of CRAFT Schemes, supporting AMPs in their task to conform with the CRAFT, is pivotal. For greater consistency between CRAFT Schemes, version 2.0, therefore, introduces these Guiding Principles.

For clarifying the role of CRAFT Schemes, the following aspects are relevant:

- **The CRAFT expects to be a tool principally for AMPs**, to empower them in understanding and complying with market expectations, in order to provide them with better access to formal markets. The organizational scope of the CRAFT is the AMP, not the CRAFT Scheme.
- **The CRAFT also expects to be key for BUYERS**, de-risking their supply chain and improving sourcing opportunities from the ASM supply chain. While the purpose of CRAFT is not to substitute the BUYER's responsibility for carrying out due diligence and even less to shift this responsibility to the

AMPs, **CRAFT has a huge potential to simplify due diligence.** With AMPs preparing CRAFT Reports containing verifiable claims on presence, absence and mitigation progress of risks, due diligence is significantly reduced to verifying these verifiable claims, instead of conducting extensive risk assessments from scratch.

- **The CRAFT Code is open source** under the Creative Commons license CC-BY-SA. Due to the terms of this open-source license, 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.

- **Open source provides clear rules.** As defined in Volume 1, *“supply chain schemes that incorporate and use the CRAFT for sourcing from ASM or for supporting ASM development are referred to as **CRAFT Schemes**”*. This refers to **this** version of the CRAFT Code (also referred to as “Core version”), issued by the Code maintainer, which in this case must be incorporated or used without any modification such as adding, modifying or dropping requirements for AMPs.

- **Open source provides flexibility.** Where supply chain schemes wish to implement and use the CRAFT Code with added, modified, or dropped requirements for AMPs or beyond its scope, the CC-BY-SA license applies. For such cases, the CC-BY-SA license allows to developing an adapted (localized or branched)² version of CRAFT. Such an adapted version shall be published under the same open-source terms (Share-Alike term of the license) and an **adapted CRAFT Scheme** implementing the adapted version may be established, communicating explicitly that it is based on an adapted (localized or branched) version of the CRAFT Code (Attribution term of the license). For further details see chapter 3.

The present volume has the purpose to define **clear rules of engagement** of BUYERS with AMPs to provide AMPs with clarity on what to expect and to ensure a **consistent application of the CRAFT Code that creates confidence in the market** about CRAFT-related claims.

Version 2.0 of CRAFT, therefore, introduces *Guiding Principles*, to which CRAFT Schemes are expected to abide.

²See chapter 3 on these terms.

2. GUIDING PRINCIPLES FOR CRAFT SCHEMES

The Guiding Principles outlined in this chapter are considered good practice. CRAFT Schemes are expected to perform according to these Guiding Principles, **particularly if they make public claims related to the use or implementation of CRAFT.**

2.1 ENGAGEMENT WITH AMPs



AMPs usually engage with CRAFT Schemes with the **expectation to obtain support for improving mining practices and for engaging with formal markets.**

As outlined in Volume 1, the process of AMPs affiliating to a CRAFT Scheme is progressive, according to the stepwise approach of CRAFT, with two levels of adherence: Candidate and Affiliate.

In practice, the driving force often comes from the downstream. In most cases CRAFT Schemes reach out to AMPs, to incorporate them into their supply chain or programme.

CRAFT Schemes are expected to support AMPs with whom they engage, by guiding them in their process towards CRAFT conformance.

01

Candidate status of an AMP corresponds hereby to the **initial phase of engagement**, where CRAFT Schemes evaluate whether the AMP is legitimate (MODULE 2) and if “Annex II risks” are present that require immediate disengagement, i.e. that impede sourcing from the AMP (MODULE 3).

CRAFT Schemes are expected to support AMPs by starting to facilitate commercial engagement with formal markets as soon as all risks in MODULE 3 are found absent.

02

Affiliate status of an AMP corresponds to an **advanced stage of engagement**, where CRAFT Schemes have obtained reasonable certainty that all Annex II risks requiring disengagement after unsuccessful mitigation efforts (MODULE 4) are:

- a. controlled or
- b. measurable progress of risk mitigation can be demonstrated within 6 months from the commercial engagement of a BUYER with the AMP.

At affiliate level, AMPs are required to **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.

Risks covered by MODULE 3 and 4 are obligatory to address. Non-OECD risks covered by MODULE 5 however, provide room for guidance on prioritization by the CRAFT Scheme. Risks on which the CRAFT Scheme offers support are likely to become the risks and issues which the members of the AMP consider most important to address.

The use of the terms *Candidate* or *Affiliate* is not binding. CRAFT Schemes may use their own descriptors and may add further status levels as needed; e.g. the applicant status from version 1.0 or higher levels for AMPs that have advanced well into MODULE 5. Notwithstanding, **it is expected that CRAFT Schemes maintain the stepwise approach of CRAFT**, with a breakpoint at MODULE 3, where commercial engagement of AMPs with formal markets aligned with the OECD DDG becomes possible.

2.2 SUPPORT TO AMPs TO ACHIEVE RISK MITIGATION

2.2.1

Expected Support to AMPs to accomplish Module 1

If CRAFT Schemes reach out to AMPs to incorporate them into their supply chain or programme, the CRAFT Scheme shall evaluate if the AMP falls into the scope of CRAFT and if the organizational setup of the AMP is suitable for commercial engagement.

As applicable, CRAFT Schemes might **start supporting AMPs to establish and strengthen their organizational structure** in this very early stage of engagement.

2.2.2

Expected Support to AMPs to accomplish Module 2

Except in probably exceptional cases, where an AMP's **operation is legal, counting on all public or private documents that authorize its operation, determination of legitimacy** based on the four Country Case scenarios of MODULE 2 might be difficult for the AMP.

The initial phase of engagement of CRAFT Schemes with AMPs, evaluating whether the AMP is legitimate, is expected to provide the AMP with guidance to accomplish MODULE 2.

2.2.3

Expected Support to AMPs to accomplish Module 3

For some of the requirements in MODULE 3, it might be difficult for AMPs to obtain evidence to make verifiable claims. In some cases, where the Members of the AMP are victims of human rights abuses by non-state armed groups,

the attempt of assessment of these crimes may even put their physical integrity at life-threatening risk.

CRAFT Schemes may count on tools or contacts to access sensitive conflict-related information, which AMPs do not have. CRAFT Schemes are expected to **support AMPs to the extent possible with the collection of evidence** to accomplish MODULE 3.

2.2.4

Expected Support to AMPs to accomplish Module 4

For some of the requirements in MODULE 4, it might also be difficult for AMPs to obtain evidence to make verifiable claims. Where the Members of the AMP are victims of human rights abuses by state armed groups, the attempt of assessment of these crimes may even put their physical integrity at life-threatening risk. Particularly in their relation to public security forces, ASM miners are usually the victims of abuses and extortion and extremely vulnerable. Where risks are identified, risk management plans to mitigate the risks can hardly ever be implemented by AMPs on their own.

Assessments and particularly the implementation of risk management plans, which are requirements for AMPs in Volume 2A, are in practice a shared responsibility of AMPs and CRAFT Schemes. CRAFT Schemes are expected to support AMPs to the extent possible with the collection of evidence and the implementation of risk management plans, as required to accomplish MODULE 4.

2.2.5

Expected Support to AMPs to accomplish Module 5

MODULE 5 is progressive and aspirational and not addressing any of the issues is not an impediment to access formal markets that require conformity of supply chains with the OECD DDG. Notwithstanding, by not addressing these risks and not improving work practices, AMPs miss out on their own develop-

ment opportunities. CRAFT is intentionally not prescriptive on sequencing and prioritizing improvements of risks in MODULE 5. CRAFT is also not prescriptive on the number of improvements to be pursued simultaneously.

MODULE 5 is an **opportunity for CRAFT Schemes to proactively contribute to responsible ASM mining practices, responsible supply chains and sustainable development (e.g. the indicators of Sustainable Development Goals)**. CRAFT Schemes are encouraged to contribute to their development agenda (economic, environmental and social issues which they intend to be addressed as a priority in their supply chain) but expected to simultaneously respect the development priorities of the AMPs they work with.

2.3 THE CRAFT REPORT AND DUE DILIGENCE

2.3.1

Expected Support to AMPs to prepare their CRAFT Report

For assurance of conformity, CRAFT only relies on first and second party verification. First-party verification (by Miners) and/or second-party verification (by Processors or Aggregators) is formally the responsibility of the AMP, which is required to document the findings and commitments in its CRAFT Report, as described in Volume 1, chapter 4.1.

As indicated in chapter 2.1, in practice and most cases, CRAFT Schemes reach out to AMPs, to incorporate them into their supply chain or programme. Alongside with providing the expected support, as outlined in chapter 2.2, CRAFT Schemes (mainly those that provide due diligence as an added value service beyond the scope of the CRAFT) may be tempted to “shortcut” the CRAFT Report and produce a third-party due diligence report instead.³

³Observation from CRAFT 1.0 implementation.

While this approach is fit for the purpose of facilitating access to formal markets for AMPs, and therefore aligned with the “market entry” focus of CRAFT, it is not entirely aligned with the overall **intent of CRAFT to empower AMPs in understanding and complying with market expectations and due diligence needs.**

Additionally, by shortcutting the CRAFT Report, the CRAFT Scheme misses the opportunity to train the AMP in the application of the Five-Step Framework⁴, particularly in risk assessment (step 2), risk mitigation (step 3), verification (step 4) and reporting (step 5). As due diligence is not a one-time effort but *“an on-going, proactive and reactive process”*, the main benefit of CRAFT for CRAFT Schemes, which is reducing due diligence efforts to mainly *verifying the claims made in the CRAFT reports*, will never be achieved.

Consequently, CRAFT Schemes should provide advice on **how to prepare the report** by **providing templates, tools and additional guidance.**

As much as possible of the CRAFT Report should be contributed by the AMP. Even in case of grassroots AMPs that are not able to carry out a self-assessment (e.g. in areas with high illiteracy), the CRAFT Report should reflect a **self-declaration of the AMP**, i.e. the CRAFT Report (if produced by external advisors) should be validated by the AMP and “owned” by the AMP in the sense that it reflects what they say about themselves.

2.3.2

Use of the CRAFT Report for Due Diligence

As indicated in Volume 1, **CRAFT Schemes have no obligation to carry out due diligence or verification of the content of CRAFT Reports.** Their responsibility is to monitor the affiliation status of AMPs based on completeness of the CRAFT Reports presented by the AMP. As per the **OECD DDG**,

⁴OECD Due Diligence Guidance for Minerals – 5-Step Framework for Upstream and Downstream Supply Chain: 1. Strong company management systems 2. Identify & Assess risks in supply chain 3. Manage risks 4. Audit of smelter/refiner due diligence practices 5. Publicity report on Due Diligence

risk-based independent third-party verification (audit) is the responsibility of the supply chain actors that source or wish to source from ASM (i.e. BUYERS), not the responsibility of the ASM sector or CRAFT Schemes unless the Scheme owner is a BUYER.

However, CRAFT Schemes may carry out due diligence or third-party verification as seen **appropriate**.

Due diligence based on CRAFT is expected to consist mainly of the verification of the verifiable claims or findings and commitments in the CRAFT Report; applying additional instruments and means of verification beyond CRAFT as needed.

03. ASPECTS RELATED TO THE OPEN SOURCE CHARACTERISTICS OF CRAFT

3.1 IMPLICATIONS OF THE CREATIVE COMMONS LICENSE CC-BY-SA 4.0

The CRAFT is published under the Creative Commons License CC-BY-SA 4.0. This license is widely used by open-source projects such as Wikipedia. The legal text of the license is published at <https://creativecommons.org/licenses/by-sa/4.0/legalcode>. Creative Commons provides the following “human-readable summary”⁵:

⁵<https://creativecommons.org/licenses/by-sa/4.0/>

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In even more simple terms, Creative Commons explains: “This license lets others remix, tweak, and build upon your work even for commercial purposes, as long as they credit you and license their new creations under the identical terms.”

In practice this means:

- **Anyone is free to use or redistribute the CRAFT Code**, even for commercial purposes (e.g. provision of services or CRAFT Schemes by BUYERS) and without need to request permission.
- **Anyone** (e.g. ASM Programmes or CRAFT Schemes) **may adapt the CRAFT Code** to fit their specific needs (i.e. create a *branch*).
- **Whoever uses or adapts** (branches) **the CRAFT Code, must reference the original document** (the 3 volumes of this “official” version, published by the Code maintainer) and disclose any eventual modification (i.e. indicate that it is not the “official” version).
- **Whoever adapts** (branches) **the CRAFT Code, must release the branched code under the same license**, i.e. may not apply any restriction.

In particular, the freedom to *Adapt* and the requirement of *Share-Alike* have implications on localising or branching CRAFT or for incorporating it into other Standards.

3.2 LOCALISING CRAFT

The geographic scope of CRAFT is **global** and consequently, all requirements for AMPs (Volume 2) are designed and worded to be as globally applicable as possible.

Notwithstanding, for specific national contexts, some requirements of this CRAFT criteria might be too generic, particularly in countries where a detailed legal and regulatory framework for ASM is in place and fully operational. Particularly in such cases, **national legislation prevails**.

For this purpose, the freedom to *Adapt* the CRAFT Code provides CRAFT Schemes with a convenient way of working with a legally valid localised version.

A localised version is usually characterized by:

- modification of one or more requirements for AMPs (in Volume 2A or 2B) to align it with national legislation as required to access formal markets, while maintaining the rest of the Code unmodified,
- indication of its geographic scope,
- copyright notice compliant with the *Attribution* and *Share Alike* terms of the CC-BY-SA 4.0 license
- contact information of the entity that adapted the CRAFT and assumes the responsibility to act as maintainer of the localised version.

Request to CRAFT Schemes:

The maintainer of the CRAFT Code (Alliance for Responsible Mining– ARM) **solicits submission of a copy of any localized version, to be published on the CRAFT website**, in order to avoid duplication by various CRAFT Schemes creating various localised versions for the same country.

Publication of the localised version on the CRAFT website **does not automatically imply endorsement by the standard maintainer** (ARM). However, localised versions may be endorsed by the standard maintainer (ARM), following its standard-setting procedures.



3.3 ADAPTING CRAFT FOR SPECIFIC PURPOSES (BRANCHING)

As indicated in Volume 1: *“the **overall intent of the Code** is to promote the 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.”*

Supply chain initiatives for ASM commodities might have the need or might wish to adapt CRAFT for their specific purposes or for commodities not covered in the Core Version. Such “branching” is easily possible, as the CC-BY-SA license allows to *Adapt* the Code, but has certain implications:

- The Share-Alike term of CC-BY-SA requires the branched version to be published under the same CC-BY-SA license, i.e. the branched version must remain open source.
- The Attribution term of CC-BY-SA requires to always communicate explicitly that the branched version is a modified⁶ version of the CRAFT Code published by the licensor, i.e. the Code maintainer ARM.
- The Attribution term also indicates, *“... but not in any way that suggests the licensor endorses you or your use”*, in this case, ARM as the Code maintainer. This implies that supply chain schemes that use the branched version shall not use the term “CRAFT Scheme” without an attribute that indicates the modification.⁷

⁶The terms “remixed, transformed or built upon” of CC-BY-SA 4.0 cover all kinds of modification such as adding, modifying or dropping requirements, the scope of the Code or other features of the CRAFT Code.

⁷Such attributes could be the name of the institution responsible for the branched version, the specific focus of the branched version, or any denominator that distinguishes the “Branched CRAFT Scheme” from “CRAFT Schemes” using this version published by the Code maintainer. “Branched CRAFT Scheme” is an example for doing so, whereby the word [Branched] is a placeholder for such attribute.

These clear rules provided by the CC-BY-SA 4.0 license aim to ensure transparency among branched versions, avoiding to “call different things with the same name”. This will ultimately strengthen the credibility of CRAFT and its user community of AMPs, supply chain schemes and ASM programmes.

Before branching the CRAFT Code, initiatives are advised to consider the following aspects:

- **The Core Version was developed through an inclusive and participatory multi-stakeholder process**, as aligned with ISEAL best practice for standard-setting as possible and has undergone extensive public consultation. This solid process is the basis for the legitimacy and recognition that CRAFT enjoys.
- It will be the responsibility of the initiative to take appropriate steps to ensure the legitimacy, reputation and recognition of the branched version.

The maintainer of the CRAFT Code (Alliance for Responsible Mining – ARM) welcomes any branching initiative, as the *Share-Alike* requirement allows to merge the branch, or successful elements of it, back into the Core Version. **Any branching initiative is therefore at the same time a valuable contribution to the potential future development of the Core Version of the CRAFT Code.**

Alternatively, the supply chain initiative that sees a need for branching may contact the standard maintainer (ARM)) standards@responsiblemines.org, in order to jointly explore if the desired modification can be achieved by amending the Core Version of the CRAFT Code.



3.4 INCORPORATING CRAFT IN OTHER STANDARDS

One of the considerations to develop the CRAFT under open source license terms was that, by this approach, CRAFT may not only be adopted by supply chain schemes but also **incorporated into existing supply chain initiatives such as responsible mining standards**. The CC-BY-CA freedom to *Adapt* allows for “remixing and building upon the material”.

When elements of CRAFT are incorporated into other already existing Standards, only the parts based on CRAFT become subject to the *Share-Alike* term and maintain the CC-BY-SA license. The *Attribution* term applies. As CRAFT is not a certification scheme on its own, this will not duplicate or affect the certification mechanism of the Standard that incorporates CRAFT.

04. CLAIMS AND COMMUNICATIONS

4.1 CLAIMS OF CRAFT SCHEMES

The CRAFT Code is a progressive performance standard for ASM Mineral Producers, providing assurance through first- and second-party verification by the AMP. **CRAFT is a process standard and it is not a product standard nor a certification scheme.**

CRAFT Schemes wishing to make claims, have to consider the following aspects for valid claims:

- The claim may express that the AMPs affiliated to its CRAFT Scheme affirm in their CRAFT Reports to operate in conformity with the CRAFT Code. The claim may describe the support provided by the CRAFT Scheme.

- If applicable, the claim may express that the CRAFT scheme verified (or that it was independently third-party verified) that the AMPs produced the mineral or metal in conformity with the CRAFT Code. If the CRAFT Scheme is a certification scheme, this verification may be certified under the certification terms of that scheme.

Claims other than **the above are not aligned with the CRAFT Code and are/will be considered invalid**. In particular, as CRAFT is not a product standard, product-related claims such as “CRAFT Gold” are invalid.

Please contact ARM as the CRAFT maintainer (standards@responsiblemines.org) in case of doubt or suspected misuse.

4.2 COMMUNICATIONS

The *Attribution* term of the CC-BY-SA license encourages and even requires CRAFT Schemes or other users to communicate the use of CRAFT, giving appropriate credit in any reasonable manner, but not in any way that suggests the licensor endorses the user or the use.

According to Volume 1, “a **CRAFT Scheme** is a supply chain scheme that follows, uses, incorporates, or builds upon the rules of the CRAFT Code”. According to this definition, a supply chain scheme can be explicitly or implicitly a CRAFT Scheme.

- A supply chain scheme is **implicitly** a CRAFT Scheme if it uses the CRAFT in its work internally, **without making any public statements about it**.
- A supply chain scheme is **explicitly** a CRAFT Scheme if it **publicly declares or communicates to follow, use, incorporate, or build upon the rules of the CRAFT Code**. If it builds upon CRAFT using a branched version of CRAFT, then this should be communicated accordingly (see chapter 3.3).

CRAFT Schemes are encouraged **to communicate their use of the CRAFT**. However, communications shall **not suggest that their work or their use of CRAFT is endorsed in any way by the maintainer of the CRAFT Code (ARM)**.

4.3 USAGE OF THE CRAFT LOGO

For usage with version CRAFT 2.0 onwards, the Code maintainer (ARM), on behalf of the open-source community developing the CRAFT, created this logo:



This **official CRAFT logo** is not derivative work, as it does not *Adapt* (remix, transform, or build upon) the CRAFT Code. The official CRAFT logo is therefore not covered by or subject to the CC-BY-SA license under which the Code is published. The official CRAFT logo is the intellectual property of the open-source community developing the CRAFT, represented by ARM as the Code maintainer, and is correspondingly protected.

The official CRAFT logo is used to identify official documents such as released versions of the CRAFT or CRAFT-related communications by the code maintainer, e.g. the CRAFT website.

Please contact the CRAFT Code maintainer (Alliance for Responsible Mining ARM, standards@responsiblemines.org) in case you wish to use the logo.





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For more information, visit www.craftmines.org
You can also contact the Alliance for Responsible Mining (standards@responsiblemines.org)
or Resolve (Taylor Kennedy: tkennedy@resolve.ngo)