

Matt Runci
Chairman, Board of Directors
Responsible Jewellery Council
Via Email

RE: Civil society perspectives on IRMA and RJC's Mining Supplement

December 8, 2008

Dear Matt and RJC members:

We represent civil society groups that have been actively engaged in mining standards setting and certification efforts, including the Initiative for Responsible Mining Assurance (IRMA) and the Responsible Jewellery Council (RJC, formerly CRJP), for several years.

For the last few months, a number of us from NGOs, affected communities, labor, mining and jewelry industries, have been discussing the need for better coordination between IRMA and CRJP/RJC. This letter describes some of the main points we have discussed. As RJC and its members consider next steps relating to mining standards and verification, we request you to consider the following:

The value of a multi-stakeholder approach

We cannot emphasize enough the importance of a truly multi-stakeholder effort to develop both standards as well as a verification system for mining certification. Such an approach will be perceived as more credible, and will result in a more robust outcome, than a single or dual sector effort. For an initiative to be truly multi-stakeholder, the development of standards and the governance of a verification/certification system must include representatives of the key sectors – including industry and civil society. The opportunity to provide input on drafts or engage in discussions of the CRJP/RJC standards is valuable, but is quite different from an effort that is multi-sector in its very structure and governance.

Third party certification

CRJP/RJC's initiative, as it currently stands, is what would be considered first or second party certification – an effort led primarily by industry to, in essence, self-regulate. While we understand that independent firms would be hired to conduct the audits on behalf of RJC and its members, this does not make the process a third-party certification effort. This, in our view, is a significant weakness of the CRJP/RJC system, and puts at risk its credibility in the eyes of not just civil society participants, but also the media, consumers, and the general public.¹

¹ There is a wide body of research on this topic. For a recent overview, see Michael Conroy's book "*Branded!*" (New Society Publishers, 2007).

Initiative for Responsible Mining Assurance

By contrast, IRMA's structure includes representatives from both industry (jewelry and mining) as well as civil society (NGOs, labor and mining affected communities). Although it is certainly more challenging to arrive at consensus among more diverse parties, we feel that the only way to deliver a robust and credible system is via a multi-stakeholder process for developing standards and establishing/governing a third-party verification system.

A process composed of just corporations, or just civil society may be able to make rapid progress, but its outcome does not carry as much weight in the marketplace of public opinion where consumers and communities are seeking clarity about the impact of metals and mining. For example, our civil society organizations, although dissimilar and quite diverse in mission and geography, could move relatively quickly to agreeing on a set of mining standards we would consider more responsible – and indeed, have already done so on a number of key issues. Similarly, RJC and its many members could make rapid progress with their standard-setting efforts. What is harder, but also far more legitimate and valid, is a result that represents the many diverse players at the table. It is such a process that we seek.

We believe that IRMA's structure and governance more closely reflects a third-party, multi-stakeholder approach than any other comparable mining-related initiative. While IRMA's progress has not been as brisk as any of us would like, we believe that this can be remedied if there is genuine commitment to the process and outcomes on the part of all sectors/participants.

Many of your members are also participating in IRMA, and may feel as strained as we do in attempting to fully engage in both processes. Many of these firms appear to have made a choice to put their efforts and resources into RJC/CRJP—which, while perhaps a strategic business decision, has no doubt had an impact on IRMA's progress. For IRMA to truly get off the ground, all sectors must be equally engaged and committed to the success of the initiative.

The way forward

Given that IRMA and RJC are now proceeding on separate tracks to arrive at similar objectives, we, as civil society groups would urge you to consider ways to coordinate the two processes in a way that minimizes duplication and maximizes efficiencies of resources and expertise.

Many of our organizations have submitted comments to the RJC's first draft of mining principles. However, in the interest of achieving an effective result for consumers and communities, and given the restricted resources available, we can only commit to fully engaging in a single effort—one that is multi-sector in its composition, that is seeking independent, third-party verification, and that is committed to addressing the more straightforward as well as the "tough" environmental and social issues related to mining.

RJC representatives have said on numerous occasions that RJC would be willing and interested in adopting the results of IRMA for the RJC mining supplement. Given this desire, we offer that RJC's needs may be better met by coordinating, or even merging, its mining supplement initiative with IRMA, rather than maintaining an autonomous track. This could happen in several different ways, and we are open to discussing these ideas.

We formally request that RJC – and its individual members – put its energies and resources into a genuine multi-sector, third-party verifiable standards process for mining. We are eager to engage in a discussion with RJC and its members about how we may be able to advance such a process. Please let us know if there is an interest in such an approach. Thank you.

Sincerely,

Payal Sampat
EARTHWORKS (IRMA Steering Committee member)

Julie Fishel
Western Shoshone Defense Project (IRMA Steering Committee member)

Joe Drexler
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John Hall, Rio Tinto Diamonds

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Mick Roche, BHP Billiton

Pamela Caillens, Cartier

Alan Grieve, Richemont

Dave Baker, Newmont

Christine Charles, Newmont

Geoff Field, British Jewellers Association

Michael Hoare, National Association of Goldsmiths

Michael Rae, Responsible Jewellery Council