

# Due Diligence by Design

*Safeguarding human rights throughout the aluminium value chain*

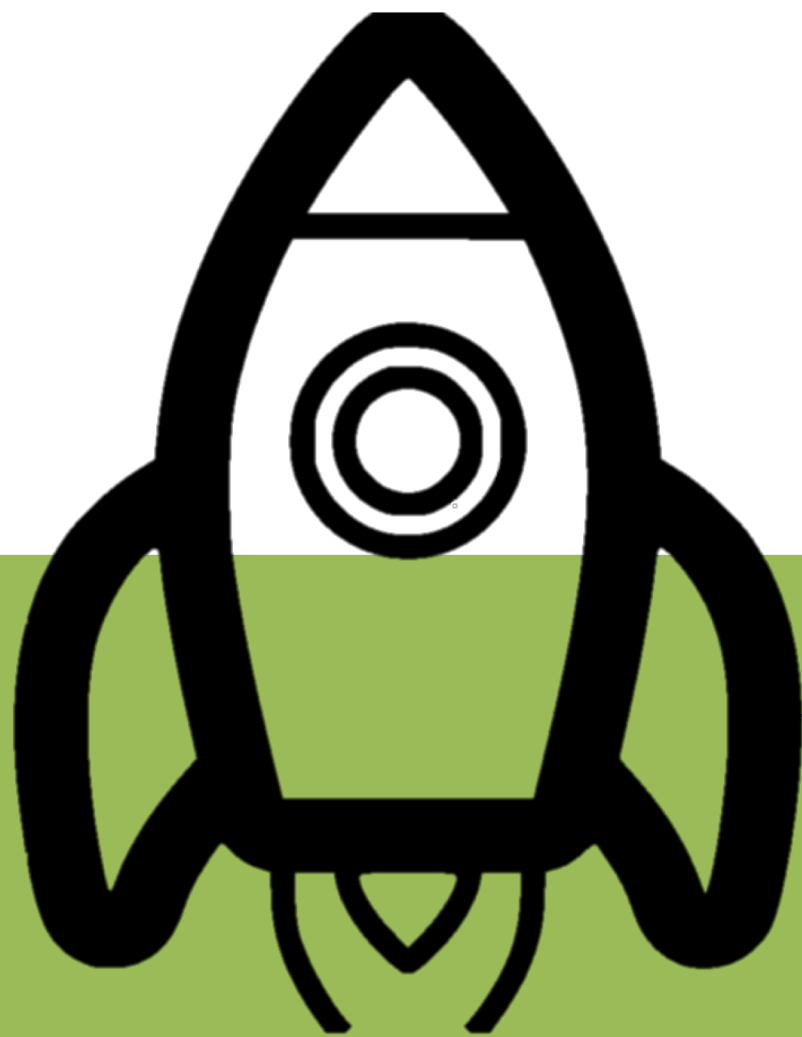
*Kendyl Salcito, NomoGaia*

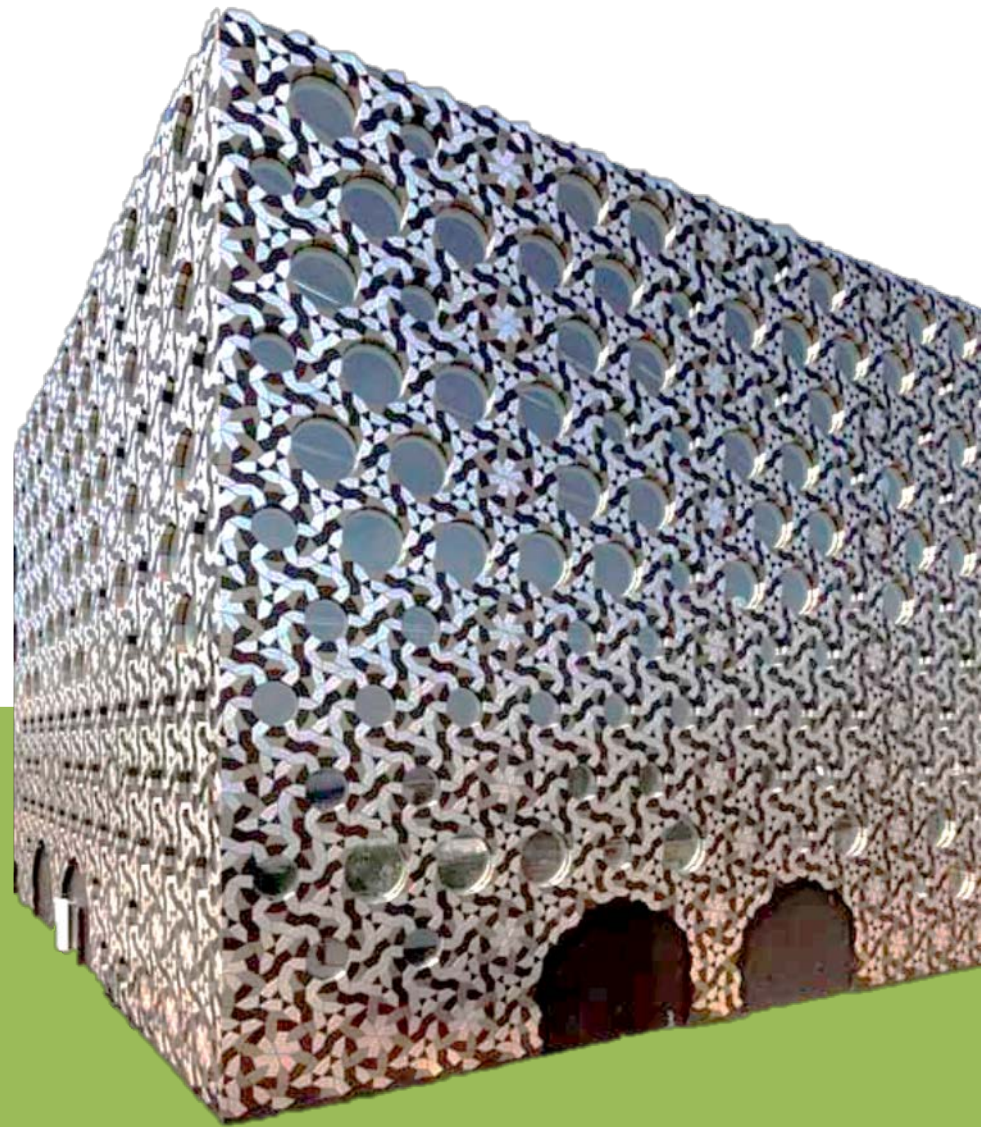
*Neill Wilkins, IHRB*





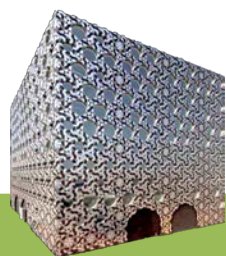


















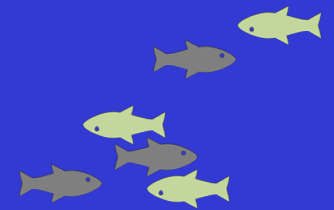
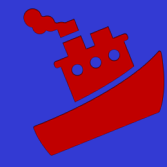
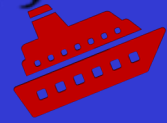
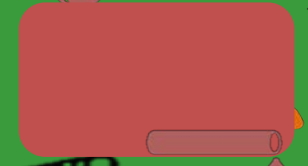
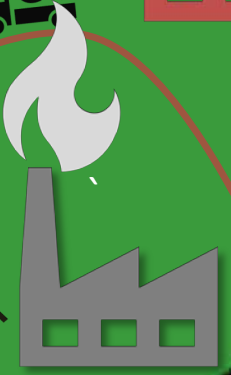
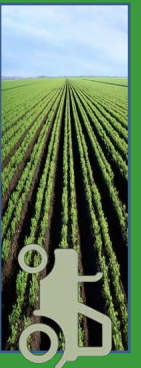
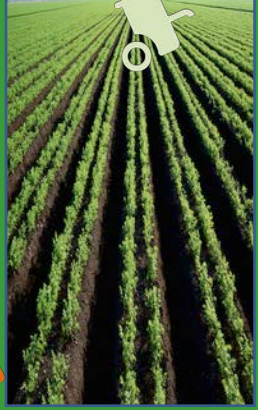
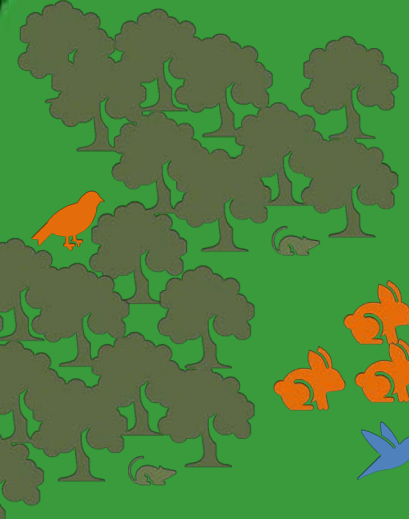








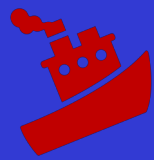
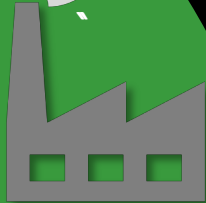
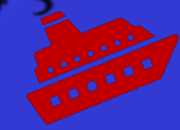
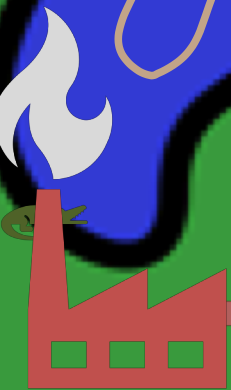


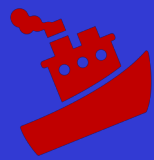
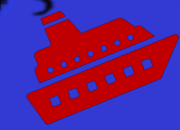
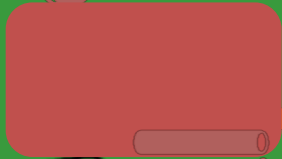
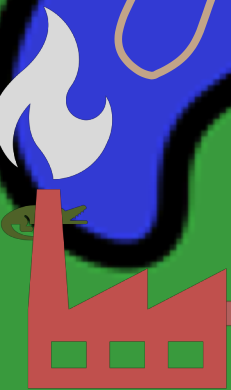
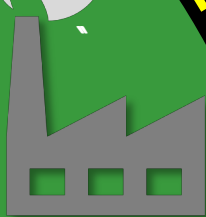


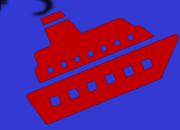
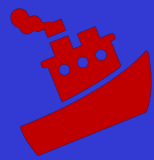
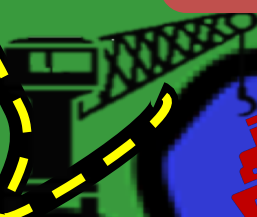
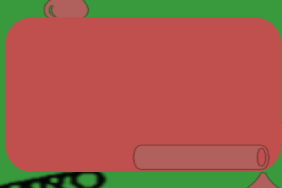
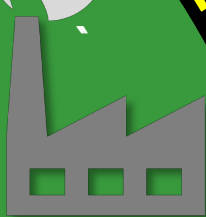
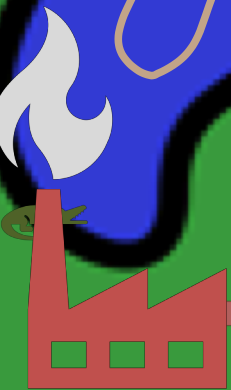
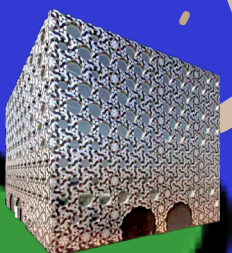












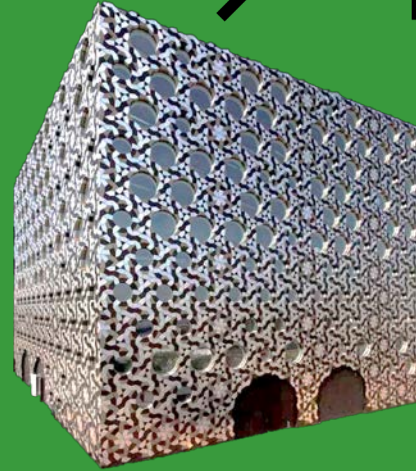


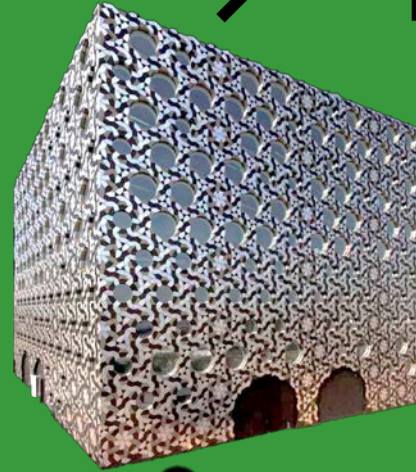












# Performance Standard: 59 topics in 11 Standards defined as Governance, Environment, Social

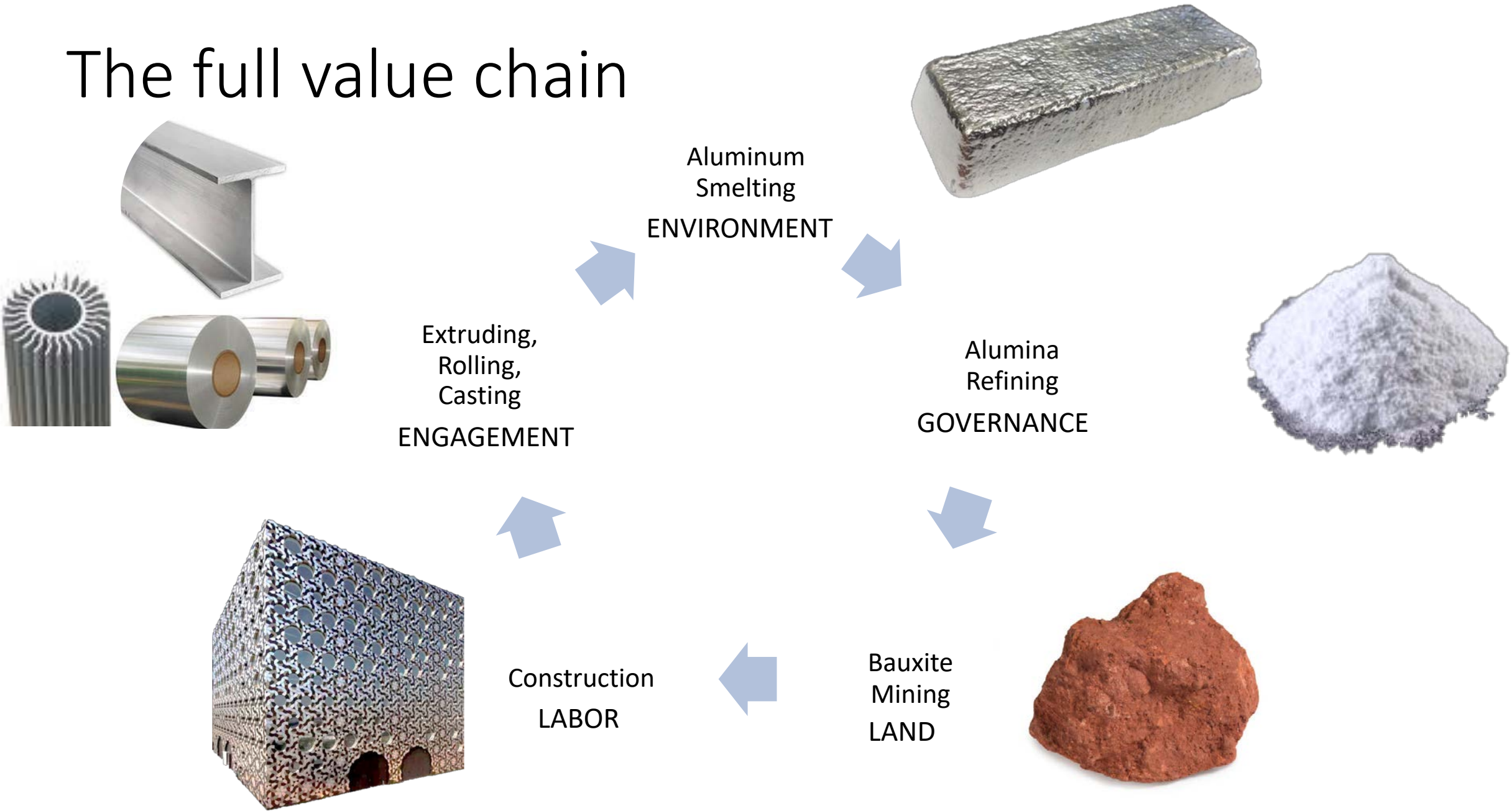
Governance: 19	Environment: 19	Social: 21
<ul style="list-style-type: none"> <li>• Legal Compliance</li> <li>• Anti-Corruption</li> <li>• Code of Conduct</li> </ul> <p><b>1. Integrity</b></p>	<ul style="list-style-type: none"> <li>• Disclosure of GHG emissions and energy use</li> <li>• GHG emissions</li> <li>• Aluminium Smelting</li> </ul> <p><b>5. Greenhouse Gasses</b></p>	<ul style="list-style-type: none"> <li>• Human Rights Due Diligence</li> <li>• Women’s Rights</li> <li>• Indigenous Peoples</li> <li>• Free, Prior, and Informed Consent (FPIC)</li> <li>• Cultural and natural heritage</li> <li>• Resettlements</li> <li>• Local Communities</li> <li>• Conflict-Affected and High-Risk Areas</li> <li>• Security Practice</li> </ul> <p><b>9. Human Rights</b></p>
<ul style="list-style-type: none"> <li>• Environmental, Social, and Governance Policy</li> <li>• Leadership</li> <li>• Environmental and Social Management Systems</li> <li>• Responsible Sourcing</li> <li>• Emergency Response Plan</li> <li>• Mergers and Acquisitions</li> <li>• Closure, Decommissioning and Divestment</li> <li>• Impact Assessments</li> </ul> <p><b>2. Policy</b></p>	<ul style="list-style-type: none"> <li>• Emissions to Air</li> <li>• Discharges to Water</li> <li>• Assessment and Management of Spills and Leakage</li> <li>• Reporting of Spills</li> <li>• Waste management and reporting</li> <li>• Bauxite Residue</li> <li>• Spent Pot Lining (SPL)</li> <li>• Dross</li> </ul> <p><b>6. Emissions</b></p>	<ul style="list-style-type: none"> <li>• Freedom of Association and Right to Collective Bargaining</li> <li>• Child Labour</li> <li>• Forced Labour</li> <li>• Non-Discrimination</li> <li>• Communication and engagement</li> <li>• Disciplinary practices</li> <li>• Remuneration</li> <li>• Working Time</li> </ul> <p><b>10. Labor Rights</b></p>
<ul style="list-style-type: none"> <li>• Sustainability Reporting</li> <li>• Non-compliance and liabilities</li> <li>• Payments to governments</li> <li>• Stakeholder complaints, grievances and requests for information</li> </ul> <p><b>3. Transparency</b></p>	<ul style="list-style-type: none"> <li>• Water assessment</li> <li>• Water management</li> <li>• Disclosure of water usage and risks</li> </ul> <p><b>7. Water</b></p>	<ul style="list-style-type: none"> <li>• Occupational Health and Safety (OH&amp;S) Policy</li> <li>• OH&amp;S Management System</li> <li>• Employee engagement in health and safety</li> <li>• OH&amp;S performance</li> </ul> <p><b>11. Occupational Health &amp; Safety</b></p>
<ul style="list-style-type: none"> <li>• Environmental Life Cycle Assessment</li> <li>• Product design</li> <li>• Summative Environmental Stewardship</li> <li>• Collection and recycling of products at end-of-life</li> </ul> <p><b>4. Material Stewardship*</b></p>	<ul style="list-style-type: none"> <li>• Biodiversity assessment</li> <li>• Biodiversity management</li> <li>• Alien Species</li> <li>• Commitment to “No Go” in World Heritage properties</li> <li>• Mine rehabilitation</li> </ul> <p><b>8. Biodiversity</b></p>	

\*Standard 4 is uniquely for Industrial & Commercial Users

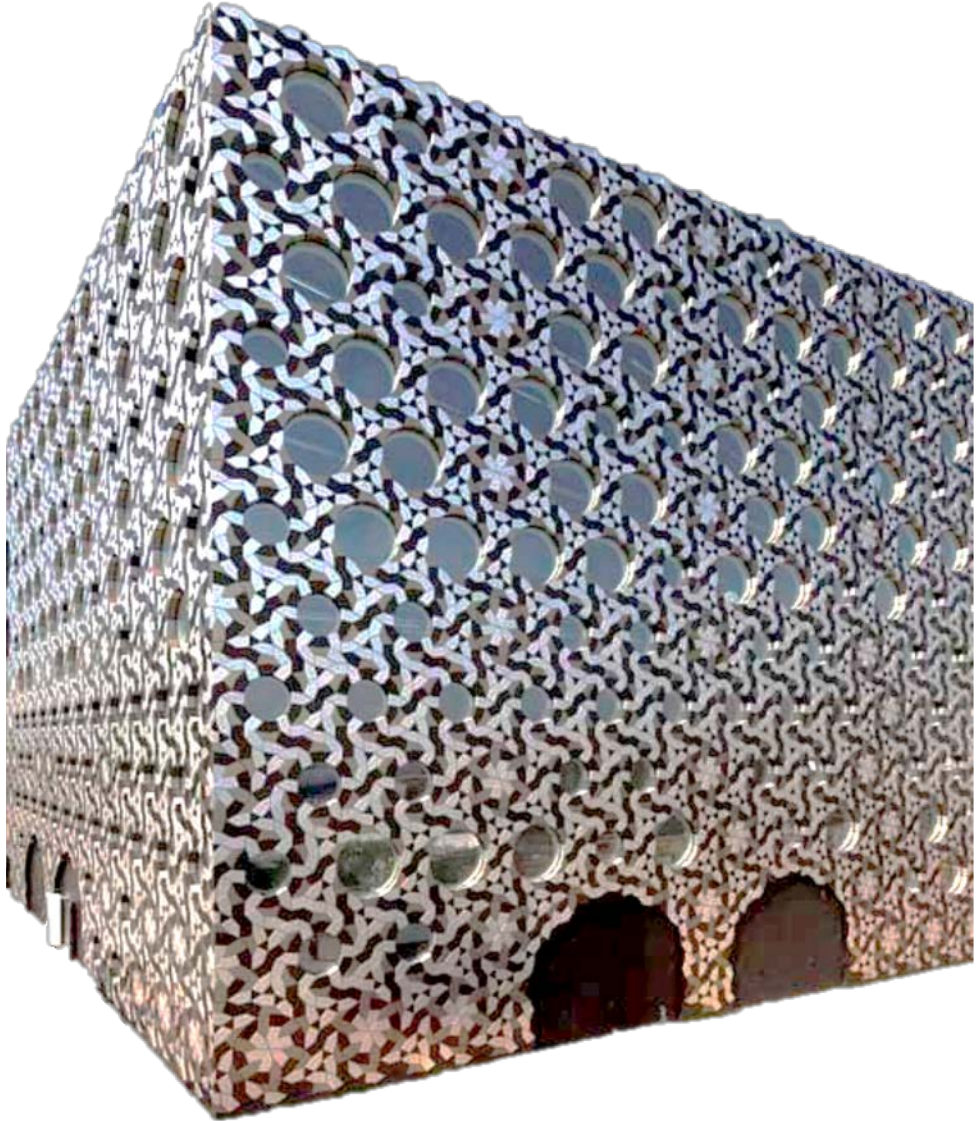
# Performance Standard: 59 topics in 11 Standards defined as Governance, Environment, Social

Governance: 19	Environment: 19	Social: 21
<ul style="list-style-type: none"> <li>• Legal Compliance</li> <li>• Anti-Corruption</li> <li>• Code of Conduct</li> </ul> <p><b>Respect Human Rights through Policy development and management</b></p> <ul style="list-style-type: none"> <li>• Environmental, Social, and Governance Policy</li> <li>• Leadership</li> <li>• Environmental and Social Management Systems</li> <li>• Responsibility</li> <li>• Emergency Response Plan</li> <li>• Mergers and Acquisitions</li> <li>• Closure, Decommissioning and Divestment</li> </ul> <p><b>Human Rights Impact Assessment</b></p> <ul style="list-style-type: none"> <li>• Sustainability Reporting</li> <li>• Non-compliance and liabilities</li> <li>• Payments to governments</li> </ul> <p><b>Right to Public Participation</b></p> <ul style="list-style-type: none"> <li>• Stakeholder complaints, grievances and requests for information</li> </ul> <p><b>Right to a Clean Environment, Public Participation, Scrap Collector Work Conditions, etc....</b></p> <ul style="list-style-type: none"> <li>• Environmental Life Cycle Assessment</li> <li>• Product design</li> <li>• Aluminium Processing</li> <li>• Collection and recycling of products at end-of-life</li> </ul>	<ul style="list-style-type: none"> <li>• Disclosure of GHG emissions and energy use</li> <li>• GHG emissions from operations</li> <li>• Aluminium Smelting</li> </ul> <p><b>Right to a Clean Environment</b></p> <ul style="list-style-type: none"> <li>• Emissions to Air</li> <li>• Discharges to Water</li> <li>• Assessment and Management of Spills and Leakage</li> <li>• Remediation</li> <li>• Waste management and reporting</li> <li>• Bauxite Residue</li> <li>• Spent Pot Lining (SPL)</li> <li>• Dross</li> </ul> <p><b>Right to a Clean Environment</b></p> <ul style="list-style-type: none"> <li>• Water assessment</li> <li>• Water management</li> <li>• Disclosure of water usage and risks</li> </ul> <p><b>Right to Water &amp; Sanitation</b></p> <ul style="list-style-type: none"> <li>• Biodiversity assessment</li> <li>• Biodiversity management</li> <li>• Alien Species</li> <li>• Commitment to “No Go” in World Heritage properties</li> </ul> <p><b>Right to Self Determination (Tribal Peoples)</b></p> <ul style="list-style-type: none"> <li>• Mining Rehabilitation</li> </ul> <p><b>Right to a Clean Environment</b></p>	<ul style="list-style-type: none"> <li>• Human Rights Due Diligence</li> <li>• Women’s Rights</li> <li>• Indigenous Peoples</li> <li>• Free, Prior, and Informed Consent (FPIC)</li> <li>• Cultural and sacred heritage</li> <li>• Resettlements</li> <li>• Local Communities</li> <li>• Conflict-Affected and High-Risk Areas</li> <li>• Security Practice</li> </ul> <p><b>9. Human Rights</b></p> <ul style="list-style-type: none"> <li>• Freedom of Association and Right to Collective Bargaining</li> <li>• Child Labour</li> <li>• Forced Labour</li> <li>• Non-Discrimination</li> <li>• Communication and engagement</li> <li>• Disciplinary practices</li> <li>• Remuneration</li> <li>• Working Time</li> </ul> <p><b>10. Labor Rights</b></p> <ul style="list-style-type: none"> <li>• Occupational Health and Safety (OHS) Policy</li> <li>• OH&amp;S Management System</li> <li>• Employee engagement on health and safety</li> <li>• OH&amp;S performance</li> </ul> <p><b>Right to Favorable Work Conditions</b></p> <p><b>Right to Health</b></p>

# The full value chain

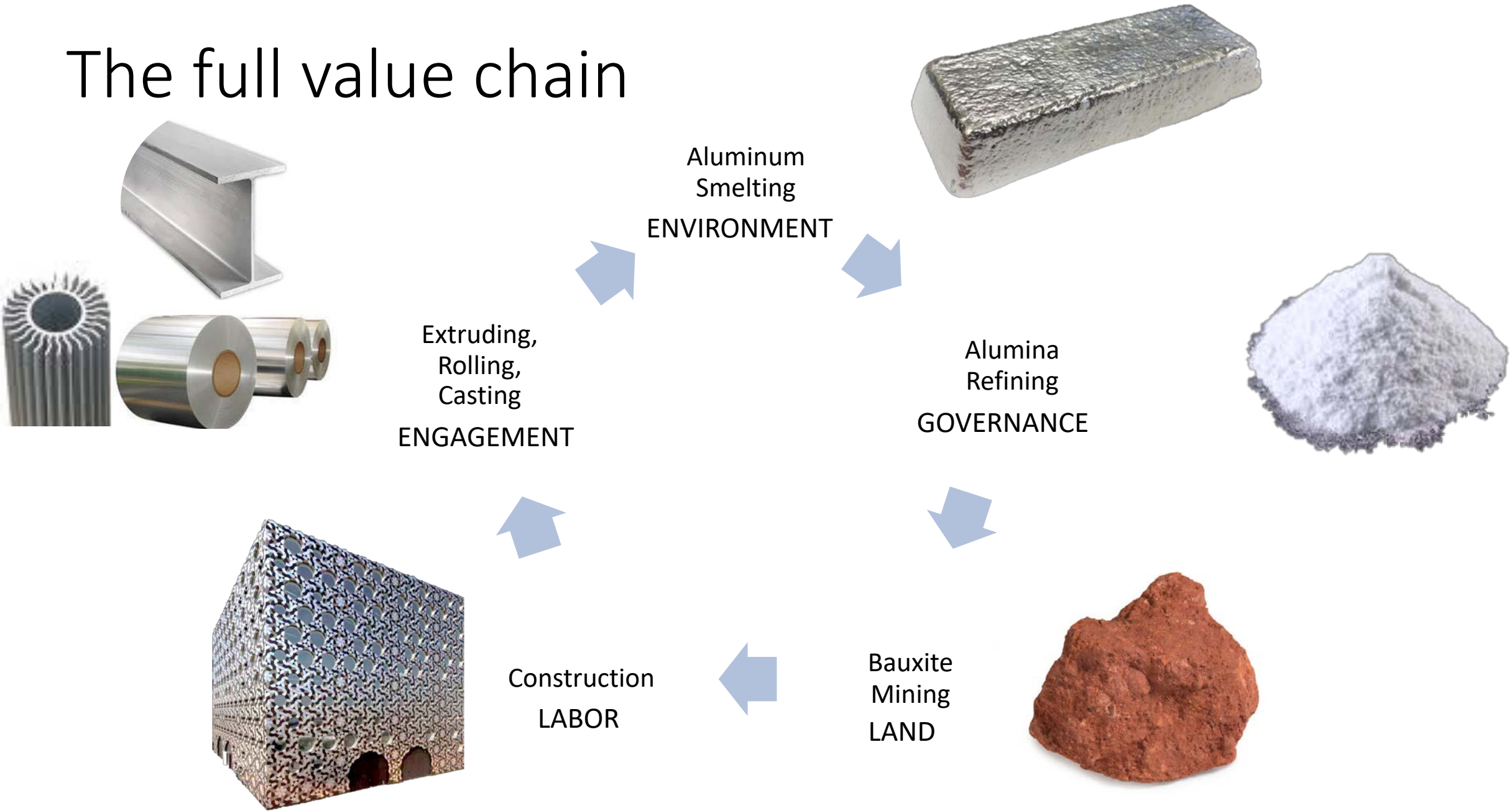


# Construction



- Employee Protections (physical and employment)
- Contractor Protections (physical and employment)

# The full value chain



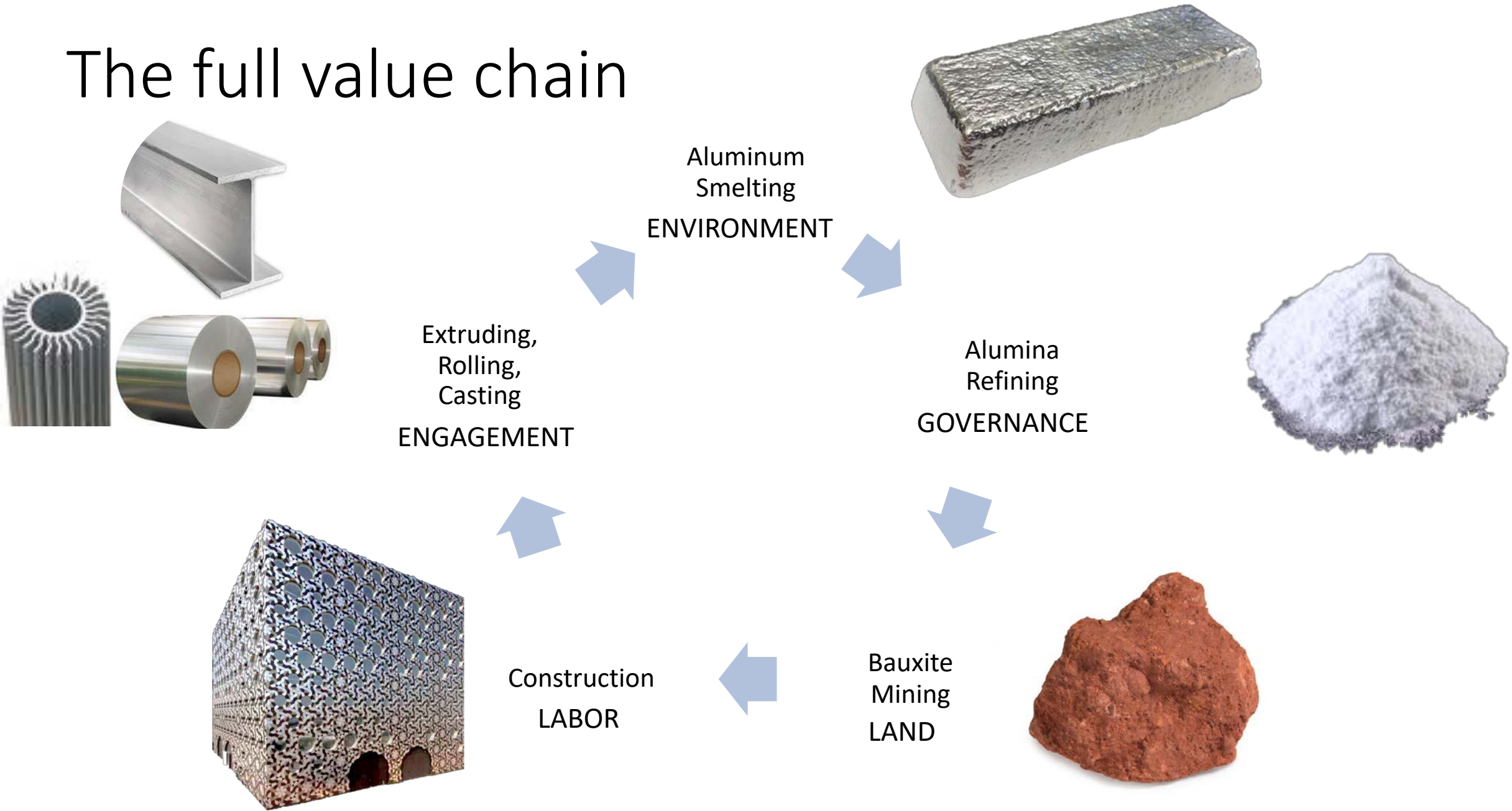


# Manufacturing



- Contractor relationships in communities
- CSOs as an entry point to social and health ills
- Community-environment nexus (early-response system for knowing about leaks)

# The full value chain

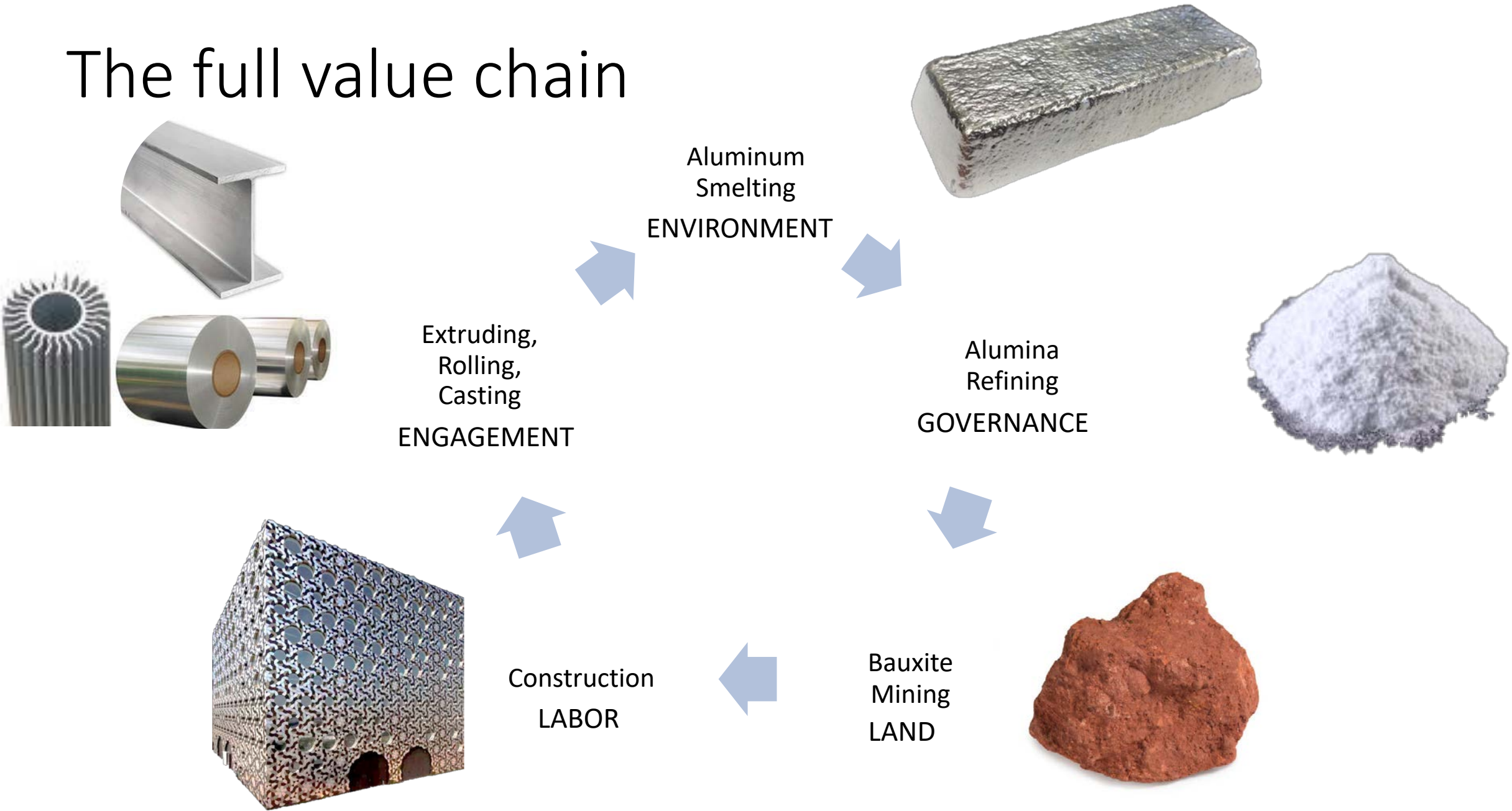


# Smelting



- Waste management, legacy environmental impacts, climate impacts from a human-rights perspective

# The full value chain

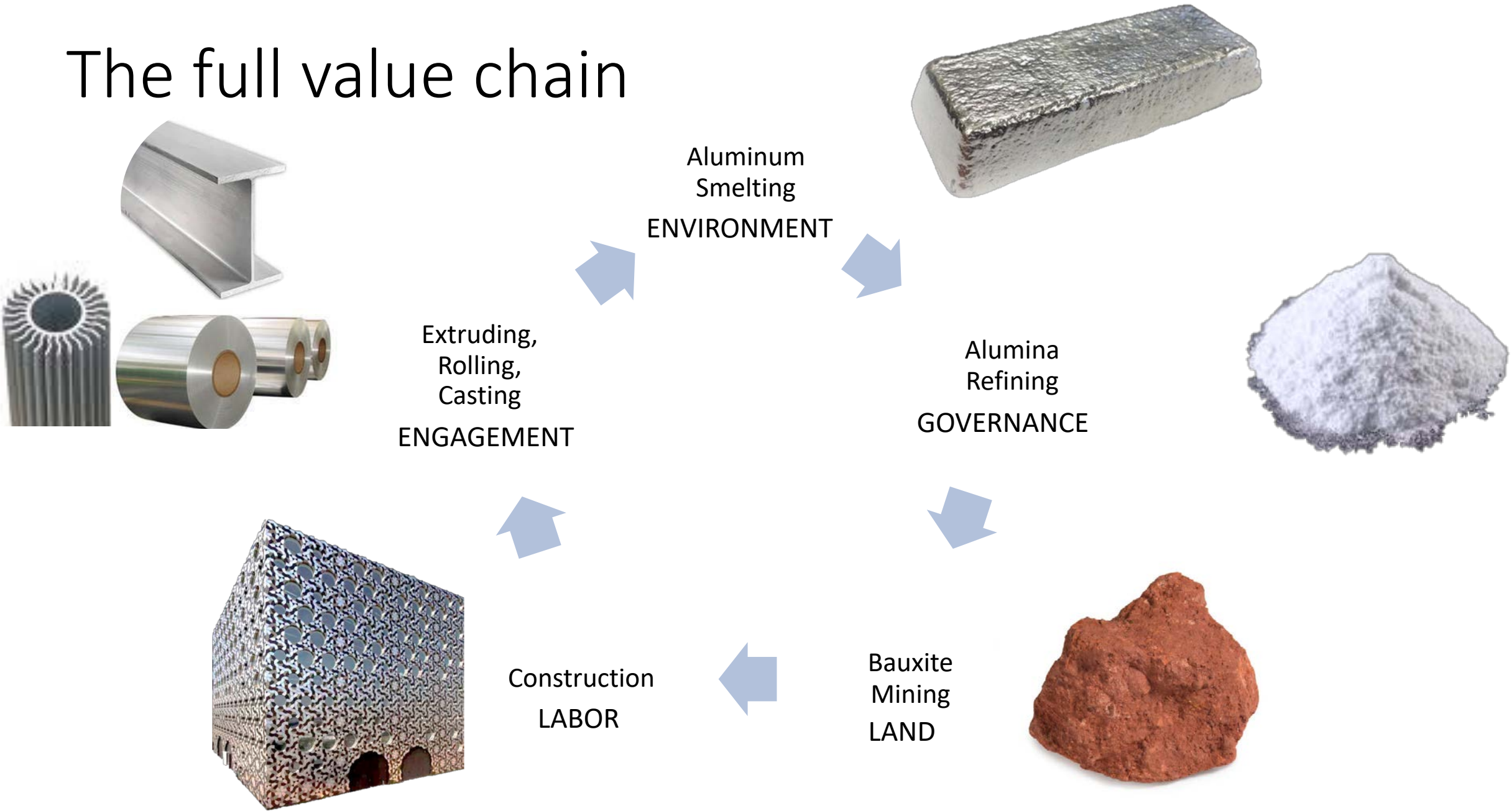


# Alumina Refining



- Government duties
- Corporate gap-filling
- What to do in low-governance contexts

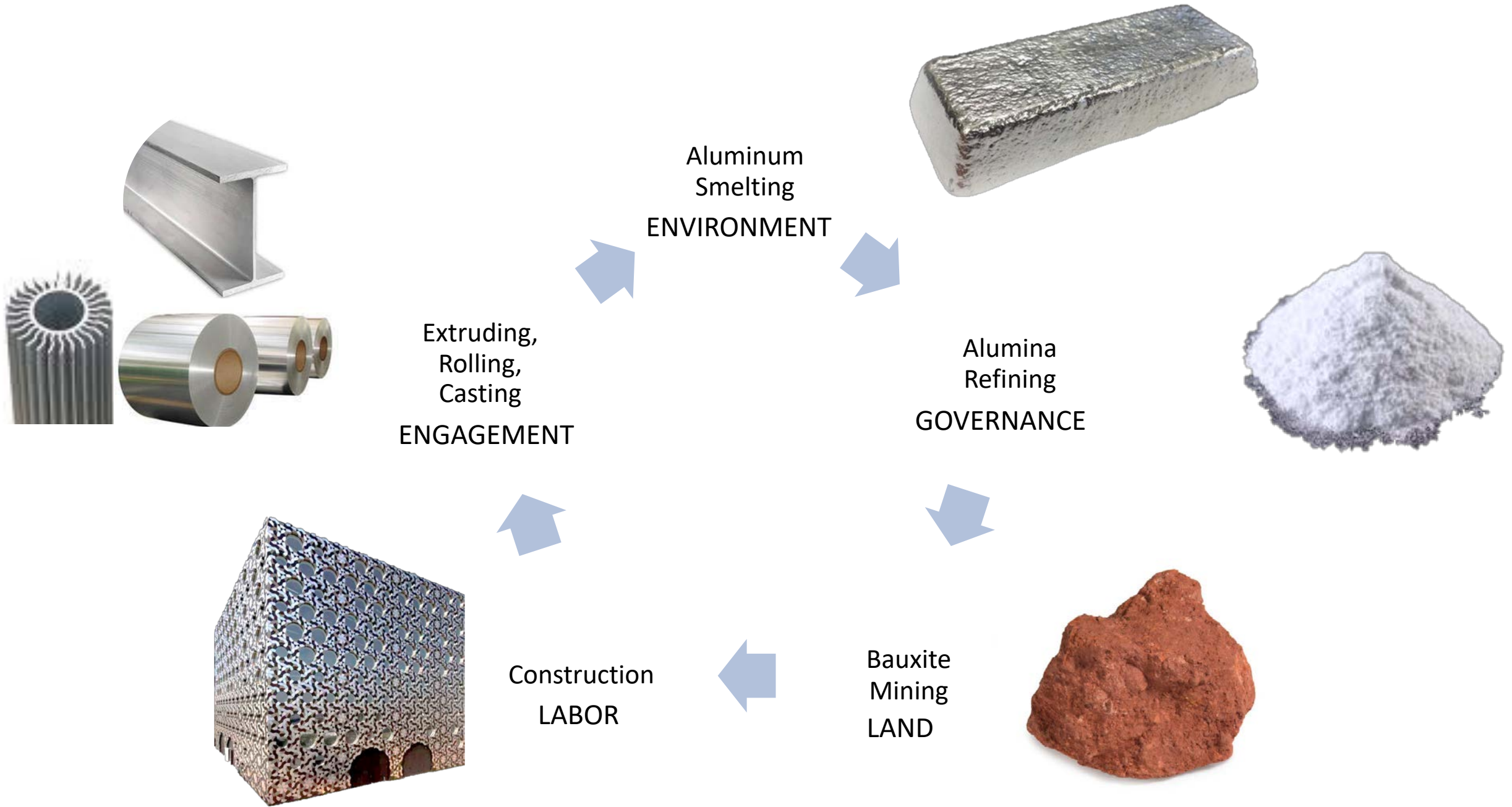
# The full value chain



# Bauxite Mining

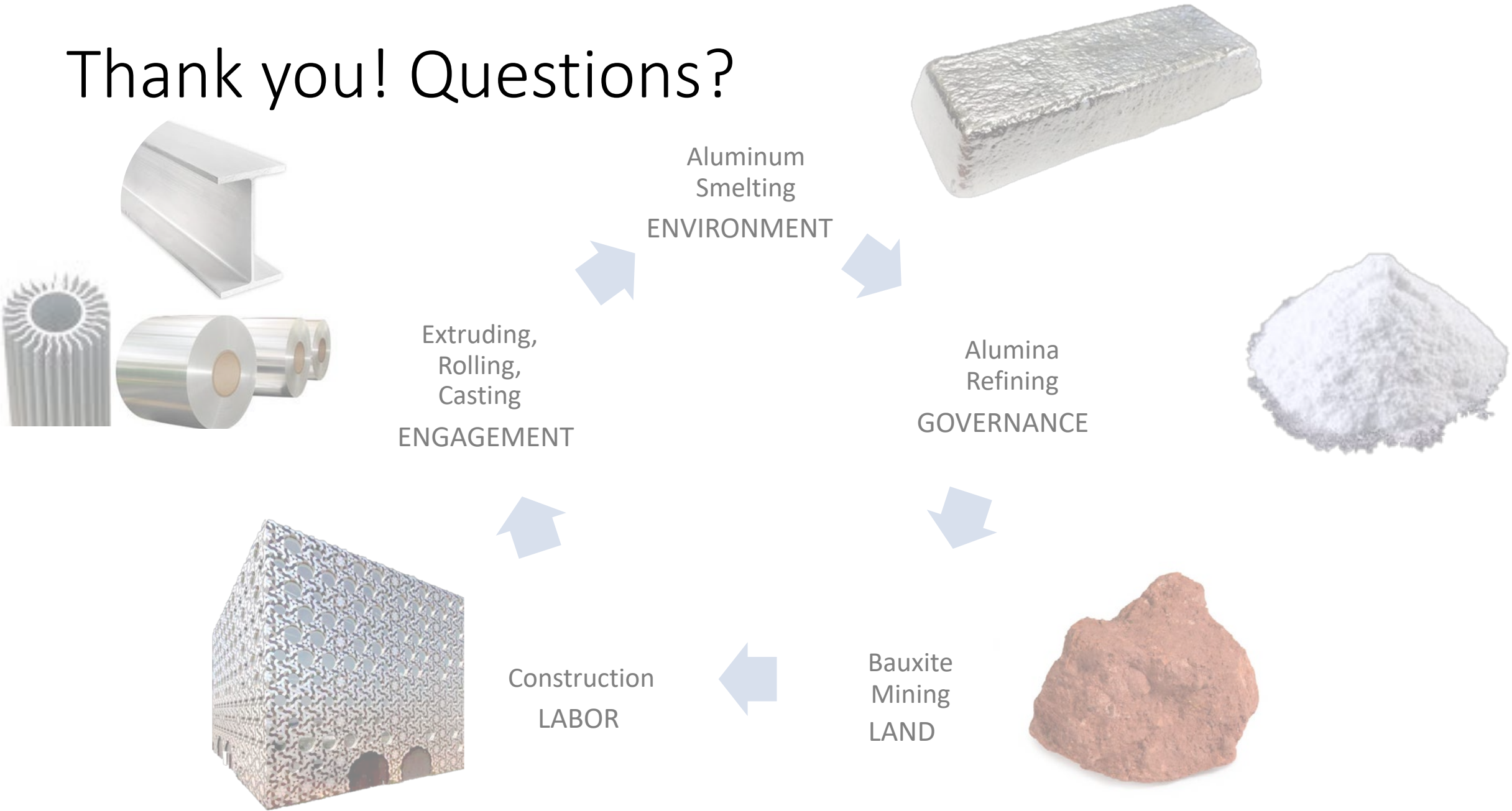


- The gap between legal and human rights-based approaches to land acquisition and management
- The “legacies” of old land acquisition processes





# Thank you! Questions?



# Resources

- [ETI framework](#) for both identifying rightsholders and evaluating risks particular to labor
- [NomoGaia](#) HRIA methodology, [DIHR](#) Toolbox (currently getting revamped)
- [ASI Guidance Note](#) for auditing HRIAs, as well as direct communication with ASI staff and the human rights working group
- [OECD Due Diligence Guidance for Stakeholder Engagement](#)