

This paper has been prepared by the EFRAG Secretariat for discussion at a public meeting of EFRAG SR TEG. The paper forms part of an early stage of the development of a potential EFRAG position. Consequently, the paper does not represent the official views of EFRAG or any individual member of the EFRAG SRB or EFRAG SR TEG. The paper is made available to enable the public to follow the discussions in the meeting. Tentative decisions are made in public and reported in the EFRAG Update. EFRAG positions, as approved by the EFRAG SRB, are published as comment letters, discussion or position papers, or in any other form considered appropriate in the circumstances.

This paper is provided as background and provides a preview on the changes the EFRAG Secretariat is doing to enhance the draft working paper. Some of the changes are still in progress hence this document only reflects an interim stage towards a final working paper.

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**WORKING PAPER IN PREPARATION OF
DRAFT EUROPEAN SUSTAINABILITY REPORTING STANDARDS
ESRS Mining, Quarrying and Coal Operations
FOR SR TEG DISCUSSION**

DISCLAIMER

The working paper ~~Coal Operations~~Mining is set out in paragraphs X-X and Appendices A: Defined Terms and B: Application Requirements. Appendices A and B have the same authority as the main body of the [draft] Standard. Each Disclosure Requirement is stated in a bold paragraph that illustrates the objective of the disclosures. This working ~~papers~~paper also uses terms defined in other [draft] ESRS and shall be read in the context of its objective.

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Objective

1. The objective of this [draft] ESRS is to specify disclosure requirements applicable to all undertakings within the Mining, Quarrying and Coal Operations Sector that are additional to the sector-agnostic ESRS disclosures. They address impacts, risks and opportunities not covered, or not sufficiently covered, by sector-agnostic Disclosure Requirements and have to be applied in conjunction with them.
2. In addition, this [draft] ESRS also ~~specified~~specifies Mining, Quarrying and Coal Operations sector specific application requirements to existing sector-agnostic disclosure requirements, which should be taken in consideration by the undertaking in the preparation of their sustainability disclosures.
3. Disclosure Requirements in this [draft] ESRS will enable users of the sustainability statements to understand the undertaking's material impacts, as well as related material risks and opportunities arising with regard to a list of sustainability matters that are material for the undertakings in the Mining, Quarrying and Coal Operations Sector.
4. This [draft] Standard requires undertakings in the sector to disclose:
 - (a) the material actual or potential, positive or negative impacts in relation the environmental, social and governance matters material for the Mining, Quarrying and Coal Operations Sector;
 - (b) any actions taken, and the result of such actions, to prevent or mitigate actual or potential material negative impacts;
 - (c) the nature, type and extent of the undertaking's material risks and opportunities related to its impacts and dependencies in relation to the list of matters that are material for the Mining, Quarrying and Coal Operations Sector (as identified in appendix C of this [draft] ESRS), and how the undertaking manages them; and
 - (d) the financial effects on the undertaking over the short-, medium- and long-term time horizons of material risks and opportunities.

Interaction with other ESRS

5. This Mining, Quarrying and Coal Operations sector [draft] ESRS identifies a list of matters that shall be considered material for any undertaking operating in the Mining, Quarrying and Coal Operations sector, irrespective of the outcome of their materiality assessment. The undertaking within the scope of application of this [draft] ESRS shall consider, for the purposes of paragraph 31 of ESRS 1 General Requirements, that the sustainability matters listed in the table in paragraph ~~46~~17 below are material. The undertaking shall apply paragraphs 33 to 39 of ESRS 1 to define the information to be included in its sustainability statements in relation to each of these matters.
6. An undertaking is within the scope of application of this [draft] ESRS when it discloses Mining, Quarrying and/or Coal Operations as a significant sector according to paragraph 38 (b) and/or (c) of ESRS 2 General Disclosures, using the criteria in AR 12 of ESRS 2 to define a significant sector.
7. [draft] ESRS SEC 1 *Sector classification* defines the aggregation of activities (NACE codes) into sectors for the purposes of applying sector ESRS. The list of NACE codes that are considered as pertaining to the Mining, Quarrying and Coal Operations sector are listed in Appendix D to this [draft] ESRS, consistent with SEC 1.
8. This Mining, Quarrying and Coal Operations sector [draft] ESRS also stipulates sector specific Disclosure Requirements applicable for undertakings in the Coal OperationsMining sector and includes two types of requirements:

- (a) requirements that provide sector-specifications in relation to sector agnostic Disclosure Requirements in order to either (i) complement with additional datapoints ~~—~~ presented in the main body of this [draft] Standard as sector-agnostic related Disclosure Requirement ~~—~~ or (ii) support the application of Disclosure Requirements ~~—~~ presented in the Application Requirements of this [draft] Standard and therefore to be disclosed if the related Disclosure Requirement from sector-agnostic disclosure is material;
 - (b) sector-specific Disclosure Requirements to be reported additionally to the Disclosure Requirements in the sector-agnostic standards – presented in the main body of this standard and when applicable accompanied by Application Requirements in Appendix B of this standard. These Disclosure Requirements are separately numbered.
9. Undertakings in the ~~Coal Operations~~ Mining, Quarrying and coal sector shall apply the [draft] cross cutting and [draft] topical ESRS requirements in addition to requirements of this Standard to both its own operations and, where relevant, to reporting on material impacts, risks and opportunities in the undertaking's value chain.
- 9.10. Undertakings in the sector shall assess all sustainability matters relevant for them for materiality and subject to that materiality assessment, apply all disclosures related to material sustainability matters, not only the disclosure requirements mentioned in a subchapter such as Coal operations or Quarrying.
- 10.11. When preparing its sustainability statements, the undertaking shall group the disclosures by cross-cutting reporting area and, where applicable, by sustainability matter according to the provisions set out in [draft] ESRS 1 paragraph 117. Disclosures stemming from the [draft] Mining, Quarrying and Coal Operations ESRS shall be presented alongside the disclosures required by the corresponding sector-agnostic ESRS.

Sector description and sustainability matters

Sector Description: Mining and quarrying

- 12. The Mining sector includes the extraction of metals and minerals. It encompasses extraction activities in relation to, amongst others: aluminium, antimony, asbestos, baryte, bauxite, bentonite, copper, cobalt, diatomite, feldspar, fluorspar, gold, graphite gypsum, iron, kaolin, lead, lithium, magnesite, manganese, molybdenum, nickel, peat, perlite, platinum, potash, salt, silver, sulphur, titanium, talc, tantalum, thorium, tungsten, uranium, vanadium, and zinc.
- 13. It also addresses quarrying activities in relation to hard rock, natural sand, gravel, sandstone, limestone, clay, chalk, slate, and gemstones.
- 14. Extraction can be achieved by different methods such as underground or surface mining, well operation, seabed mining, salars' exploitation, geothermal mining etc.
- 15. This sector also includes supplementary activities aimed at preparing the crude materials for marketing, for example, crushing, grinding, cleaning, washing, drying, sorting, sintering of ores, dredging of alluvial deposits, rock crushing or the use of salt marshes.
- 16. Quarrying activities include quarrying, rough trimming and sawing of large building stones, breaking and crushing of ornamental and building stones, the extraction and dredging of (industrial) sand, mining of natural phosphates and natural potassium salts, peat digging and preparation of peat to improve quality or facilitate transport or storage. It also includes mining and quarrying of various minerals and materials. Finally, support services such as exploration services, draining and pumping services or test drilling are also included in this [draft] sector standard.

Sustainability Matters: Mining and Quarrying Sector

17. This [draft] ESRS sets out Disclosure Requirements related to the sustainability matters considered material to the Mining sector, listed in the table below. A Detailed descriptions of them is included in Appendix C.

<u>Environmental</u>	<u>Social</u>	<u>Governance</u>
<u>E1: Climate change adaption (*)</u>	<u>S1: Working time and work-life balance</u>	<u>G1: Corporate culture (*)</u>
<u>E1: Energy (*)</u>	<u>S1: Health and Safety</u>	<u>G1: Corruption and bribery (*)</u>
<u>E2: Pollution of Air (*)</u>	<u>S1: Adequate wages and secure employment</u>	<u>G1: Anti-competitive behaviour</u>
<u>E2: Pollution of Water (*)</u>	<u>S1: Freedom of association and collective bargaining</u>	<u>G1: Political engagement and lobbying activities (*)</u>
<u>E2: Pollution of Soil (*)</u>	<u>S1: Gender equality and equal pay for work of equal value</u>	<u>G1: Management of relationships including payment practices (*)</u>
<u>E2: Pollution of living organisms and food resources (*)</u>	<u>S1: Training and skills development</u>	<u>G1: Cyber security</u>
<u>E2: Substances of concern (*)</u>	<u>S1: Measures against violence and harassment in the workplace</u>	
<u>E2: Industrial hazards</u>	<u>S1: Diversity</u>	
<u>E3: Water withdrawals (*)</u>	<u>S1/S2: Child labour</u>	
<u>E3: Water consumption (*)</u>	<u>S1/S2: Forced labour</u>	
<u>E3: Water use (*)</u>	<u>S1/S2: Adequate housing, including water and sanitation</u>	
<u>E3: Water discharges in water bodies and in the oceans (*)</u>	<u>S1/S2: Privacy</u>	
<u>E3: Habitat degradation and intensity of pressure on marine resources (*)</u>	<u>S3: Infrastructure. Including Adequate housing, Adequate food, water and sanitation and power(electricity)</u>	
<u>E4: Direct impact drivers on biodiversity loss (*)</u>	<u>S3: Land-related impacts</u>	
<u>E4: Impacts on the state of species (*)</u>	<u>S3: Security-related impacts</u>	
<u>E4: Impacts on the extent and condition of ecosystems (*)</u>	<u>S3: Freedom of expression and freedom of assembly</u>	
<u>E4: Impacts and dependencies on ecosystem services (*)</u>	<u>S3: Impacts on human rights defenders</u>	
<u>E5: Resources inflows, including resource use (*)</u>	<u>S3: Particular rights of indigenous communities.</u>	

	<u>Including; Free, prior and informed consent; self-determination; and cultural rights</u>	
<u>E5: Waste (*)</u>	<u>S4: Access to quality information</u>	
<u>(*) Sustainability matter covered by Disclosure Requirements in the topical sector-agnostic ESRS (see ESRS 1 Appendix B table in paragraph AR 12.)</u>		

Disclosure Requirements and specifications

<u>Areas of potential information gathering at operational site level [TO BE DISCUSSED]</u>	
<u>Spills</u>	<u>Pollution of air, water and soil</u>
<u>Restoration plans for biodiversity</u>	<u>Tailings</u>
<u>Closure and rehabilitation</u>	<u>Metrics for material impacts in biodiversity</u>
<u>Financial provisions for transition</u>	<u>Location near high-biodiversity areas</u>
<u>Relation with indigenous peoples</u>	<u>Impact of price and demand</u>
<u>Payments to governments</u>	<u>Affected communities</u>

Disclosure Requirement related to ESRS 2 – SBM 1 Market position, strategy, business model(s) and value chain

18. The undertaking shall provide a breakdown of its turnover by NACE codes and by production data by countries in compliance with the Extractives Industry Transparency Initiative (“EITI”) quality assurance mechanism.
19. Undertakings in the Mining and Quarrying sector shall provide a breakdown of its production data per NACE-code activity where it is active for the following NACE-code activities:
- (a) B.07 – Mining of metal ores
 - (a)(b) B.08 – Other mining and quarrying
 - (c) B.09 – Mining support activities
- 14.20. The undertaking shall disclose the breakdown of its production into the following categories of countries, according to their compliance with the EITI quality assurance standards as per its scale:
- (a) Countries with a very high progress in complying;
 - (b) Countries with a high to satisfactory progress in complying;
 - (c) Countries with a moderate to meaningful progress in complying;
 - (d) Countries with a fairly low to inadequate progress in complying;
 - (e) Countries with low to no progress in complying;
 - (f) Other countries.

21. The objective of this Disclosure Requirement is to enable an understanding of the undertakings' footprint in terms of activities, regulations and alignment with EBA Pillar III framework.
- 12.22. The EITI categories of quality assurance are used to disclose alignment with how the principles are being implemented locally. The category "other" refers to countries for which the assessment is suspended or to countries for which the compliance has yet to be assessed.

Disclosure Requirement MIN 1 - List of operational sites

23. The undertaking shall disclose a list of its operational sites [TO BE DISCUSSED] where the undertaking either:
- (a) owns more than 20% of the operation
 - (b) more than 5% of it's total production comes from the operational site
 - (c) the undertaking has significant influence over an operational site
 - (d) or all of the above.
24. The objective of this Disclosure Requirement is to enable an understanding of the undertakings' footprint in terms of activities and regulatory impact.
25. When identifying an operational site [TO BE DISCUSSED] the undertaking shall include
- (a) Mines and the surface area disturbed by a mining operation, including but not limited to; the surface area from which the nonferrous metallic minerals or refuse or both have been removed, the surface area covered by refuse, all lands disturbed by the construction or improvement of haulage ways, pipelines and pipeline corridors, and any surface areas in which structures, equipment, materials, and any other elements used in the mining operation are situated.[definition to be discussed]
 - (b) Quarries [definition pending feedback from quarries companies]
 - (c) Tailing dams
 - (d) Infrastructure and office buildings relating to the operations
26. The undertaking shall specify the status of the operational site [TO BE DISCUSSED], and specify if it is
- (a) Whether the site is active
 - (a)(b) whether the site has a closure and rehabilitation plans in place;
 - (b)(c) whether the site is undergoing closure activities.
 - (c)(d) whether the site has been closed;
 - (e) whether the site has been rehabilitated
27. The undertaking shall also disclose the operational site [TO BE DISCUSSED] impacts social and environmental matters. This includes:
- (a) protected areas or a key-biodiversity area,
 - (b) impacts on the local community, this includes
 - i. indigenous communities
 - ii. land rights
 - iii. Infrastructure. Including housing, food, water and sanitation, and power.
 - iv. Pollution

- v. Toxic waste storage/disposal
 - (c) Whether the operational site [TO BE DISCUSSED] is located in our near conflict affected or high-risk areas
 - (d) involuntary resettlements
 - (e) which minerals are produced for each of the mine sites.
28. The undertaking shall also disclose whether it has an emergency preparedness and response plans in place.

ESRS E1-related requirements

Disclosure requirement MIN 2- E1– Sensitivity analysis

- 13.29. The undertaking shall disclose a sensitivity analysis of its reserves.
- 14.30. The objective of this Disclosure Requirement is to provide insight on how future price changes may influence the status of its reserves.
31. The undertaking shall disclose a sensitivity analysis of reserves to determine how several future scenarios may affect its determination of whether the reserves are proven or probable.

Disclosure requirement MIN 3-E1 – Impact of price and demand – closure and rehabilitation costs

32. The undertaking shall discuss how projections for price and demand and the path of air quality and climate regulation influence the entity’s capital expenditure (CAPEX) strategy.
33. In addition, the undertaking shall disclose, per operational site [TO BE DISCUSSED], the financial provisions available and ultimately necessary, for closure and rehabilitation of the operational sites.
34. The objective of this Disclosure Requirement is to identify the financial effects from future ore prices and the costs necessary for closure and rehabilitation on the ability of the undertaking to complete its transition trajectory.

Disclosure Requirement MIN 4 -E2- Tailings facilities and impoundments and compliance with GISTM

35. The undertaking shall disclose the list of its tailings facilities, the list of its tailing impoundments classified according to their hazard potential, and the types of tailings disposal methods used.
36. The undertaking shall also disclose whether and how it complies with the Global Industry Standard on Tailings Management (GISTM).
37. The objective of this Disclosure Requirement is to understand how the undertaking manages its tailings facilities and to provide an estimate of how hazardous the undertakings tailing impoundments may be, disclosing the most recent risk assessments relating to these facilities support the assessment of the risk of future tailings failures, and to understand if the undertaking is following the Industry Standard with respect to the treatment of tailings.
38. The undertaking shall describe actions taken to:
- (a) manage impacts from tailings facilities, including during closure and post-closure and;
 - (a)(b) prevent catastrophic failures of tailings facilities.

39. In addition, the undertaking shall provide:
- (a) a description of the tailing facilities in place for each operational site [TO BE DISCUSSED], including legacy ones;
 - (b) the list of the tailing impoundments classified according to their hazard potential.
 - (c) types of tailings disposal methods used by the undertaking.
- 15.40. The disclosure shall include, for each operational site [TO BE DISCUSSED], including legacy ones, the tailings facilities in place, their name, location, and ownership status. The undertaking shall include:
- (a) a description of the tailing's facility.
 - (b) whether the facility is active, inactive, or closed.
 - (c) the date and main findings of the most recent risk assessment; and
 - (d) the dates of the most recent and next independent technical reviews.
 - (e) report the maximum permitted storage capacity and the total weight of tailings stored in metric tonnes
 - (f) report the date and main findings of the most recent independent technical
 - (g) review, and the date of the next review
41. The undertaking shall disclose how it takes into account long-term liabilities.
42. The undertaking shall provide information about its waste-management process in case of deep-sea, river, lake and ocean tailings disposal and shall:
- (e)(a) disclose the total amount of tailings waste and of mineral processing waste generated during the reporting period;
 - (f)(b) report on the waste-management process followed and additional challenges faced considering the activities that take place underwater, if it engages on sea mining activities, coastal or deep sea, including the disposal of waste into the marine systems or other activities mentioned in ESRS E3 AR.12 (in the case of deep-sea mining this is often known as Deep-Sea Tailings Disposal (DSTD)).
43. The undertaking shall disclose whether it complies with the GISTM and, if so, provide the most recent information disclosed in line with GISTM Principle 15.
44. If the undertaking doesn't comply with GISTM yet, it shall provide a date for when it will start complying with GISTM.

Disclosure Requirement related to [draft] ESRS E4-5 – Impact metrics related to biodiversity and ecosystems change

45. The undertaking shall report metrics related to material impacts resulting in biodiversity and ecosystem change, following ESRS E4-5, per each operational site [TO BE DISCUSSED] located in or near, or that has material impacts on, protected areas, high biodiversity areas, sites with protected conservation status, or sites with endangered species habitats.
46. The objective of this Disclosure Requirement is to provide an overview of the undertaking's operational sites [TO BE DISCUSSED] situated in or near protected areas, high-biodiversity areas, sites with protected conservation status, or sites with endangered species habitats, and to provide information on impacts on biodiversity arising from its operational sites [TO BE DISCUSSED] located in or near these areas.

47. The undertaking shall include an exhaustive list of operational sites [TO BE DISCUSSED] owned, leased, managed in or near, or that have material impacts on, protected areas, key biodiversity areas, sites with protected conservation status, or sites with endangered species habitats and include per each operational site [TO BE DISCUSSED]:
- (a) a description of the material impacts on biodiversity its exploration has or has had, thereby specifying the impacts to the affected habitats and ecosystems;
 - (b) the total number of IUCN Red list species and national conservation list species with habitats in areas affected by the operations of the organisation and this by level of extinction risk;
 - (c) the approach used, for each of these operational sites [TO BE DISCUSSED], to ensure respect for conservation status or endangered species habitat;
 - (g)(d) the percentage of proved and probable reserves in or near sites with protected conservation status or endangered species habitat.
- 16.48. The undertaking shall disclose the percentage and grade (in percentage metal content) of proved reserves that are located in or near high-risk areas.**
- (a) The undertaking shall use the definition in Appendix A for classifying reserves as proved and/or probable.
 - (a) The percentage of proved/probable reserves shall be calculated as the amount of proved/probable reserves located in or near areas of high risk divided by the total amount of proved/probable reserves
 - (b) The undertaking shall provide a breakdown of the calculations by grade (in percentage metal content) of proved/probable reserves
 - (c) The undertaking shall, where relevant, provide a breakdown of calculations by mineral or business unit where minerals or business units include, for example: aluminium, copper, zinc, iron ore, platinum group metals, and diamonds.
 - (d) The undertaking shall follow the Combined Reserves International Reporting Standards Committee (CRIRSCO) guidance for classifying ore reserves and mineral resources, including the use of a "competent person" to compile information.
- 17.49. The undertaking shall also explain their process of identifying the sites with protected conservation status or endangered species habitat in a way that is easy to understand and replicate.
- 18.50. Reserves are considered to be in areas of protected conservation status if they are located within:
- (a) International Union for Conservation of Nature (IUCN) Protected Areas (categories I-VI)
 - (b) Ramsar Wetlands of International Importance
 - (c) UNESCO World Heritage Sites
 - (d) Biosphere Reserves recognized within the framework of UNESCO's Man and the Biosphere (MAB) Programme
 - (e) Natura 2000 sites
 - (f) Sites that meet the IUCN's definition of a protected area: "A protected area is a clearly defined geographical space, recognized, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values"

- (g) These sites may be listed in the World Database of Protected Areas (WDPA) and mapped on Protected Planet
- 19.51. Reserves are considered to be in endangered species habitat if they are in or near areas where IUCN Red List of Threatened Species that are classified as Critically Endangered (CR) or Endangered (EN) are extant.
- 20.52. A species is considered extant in an area if it is a resident, present during breeding or non-breeding season, or if it makes use of the area for passage.
- 21.53. For the purposes of disclosure, " passage" is defined as all areas of land or water that a migratory species inhabits, stays in temporarily, crosses or overflies at any time on its normal migration route.
- 22.54. The undertaking may separately identify reserves in areas with additional ecological, biodiversity, or conservation designations such as those listed by the A-Z Guide of Areas of Biodiversity Importance prepared by the United Nations Environment Programme's World Conservation Monitoring Centre (UNEP-WCMC).
- 23.55. The undertaking may discuss reserves that are located in protected areas or endangered species habitat, but present low risk to biodiversity or ecosystem services; the undertaking may provide similar discussion for reserves located in areas with no official designation of high biodiversity value but that present high biodiversity or ecosystem services risks.

ESRS S1 Own workforce -related requirements

Data points related to [draft] ESRS S1-11 Social Protection

- 24.56. When disclosing the coverage of its own workers by social protection against loss of income due to major life events according to [draft] ESRS S1-11, the undertaking shall disclose the access of its own workers to non-occupational medical and healthcare services.
- 25.57. The objective of this Disclosure Requirement is to enable an understanding of the undertaking's employees coverage of non-occupational medical and healthcare services.
- 26.58. As per paragraph 57, the undertaking shall disclose, including specifying if these only apply to employees or non-employees workers where applicable:
- (a) how the undertaking facilitates workers' access to non-occupational medical and healthcare services as well as the scope of access;
 - (b) (b) a description of voluntary health promotion services and programs offered to workers to address major non-work-related health risks, including the specific health risks addressed, and how the organisation facilitates workers' access to these services and programs. Disclosure Requirement MIN 5 -S1- Percentage of security personnel receiving training in undertakings' human rights policies

The undertaking shall disclose the percentage of security personnel that has received training in the undertaking's human rights policies.

- 27.59. The objective of this Disclosure Requirement is to understand to which extent security providers are aware of the necessary respect for human rights.
60. The undertaking shall disclose the percentage of security personnel (within own workforce and workers in the value chain) that has received training in the undertaking's human rights policies and other security procedures. The undertaking shall clarify if these data have been audited or not.
61. Based on earlier experience the undertaking shall further provide information on the number of expected incidents in this area per operational site [TO BE DISCUSSED].

ESRS S3 Affected communities -related requirements**Disclosure Requirement MIN-6-S3 – Metrics of negative impacts on affected communities**

62. **The undertaking shall disclose, [for each operational site/for key operational sites – TO BE DISCUSSED] metrics of negative impacts on affected communities.**
63. **The objective of this Disclosure Requirement is to enable an understanding of the negative impacts of the undertaking on affected communities.**
64. **The undertaking shall disclose:**
- (a) **whether it has caused or contributed to involuntary resettlement or where such a resettlement is ongoing; in this case the undertaking shall disclose the operational site [TO BE DISCUSSED] involved. It shall also describe measures taken to ensure that livelihoods and human rights have been preserved and valuation methods used and how legitimate tenure rights holders have been involved in determining valuation. This includes:**
 - i. **the policies or commitments to providing remediation to local communities or individuals subject to involuntary resettlement, and the process for establishing compensation for loss of assets or other assistance to improve or restore standards of living or livelihoods.**
 - (b) **Whether there have been incidents as described in Disclosure Requirement MIN 5- E2 that have had a negative impact on the local community. The undertaking shall disclose the damages that have resulted from the incident, and shall include:**
 - i. **Deaths**
 - ii. **Other impacts on the health and wellbeing of local communities. Including both physical and psychological impacts.**
 - iii. **Damage to infrastructure (including housing, water and sanitation, roads, public facilities and power)**
65. **The undertaking shall also describe the organization’s approach to emergency preparedness and response plans, and how engagement with local stakeholders has informed the plans.**

Disclosure Requirement MIN 7 – S3– Proved and probable reserves

66. **The undertaking shall disclose percentage of proved and probable reserves**
- (a) **in conflict affected or high-risk areas**
 - (a)(b) **in or near indigenous land**
- 28.67. **The objective of this Disclosure Requirement is to enable an understanding of how many operational sites are situated in conflict areas and how the undertaking is ensuring respect for human rights by security providers, as well as to provide an overview of the undertakings’ extraction sites located in areas mentioned in paragraph 85.**

Disclosure Requirement MIN 8 -S3 – Policy to deal with human rights defenders

- 29.68. **The undertaking shall disclose how it deals with human rights defenders and the number of cases the undertaking and/or its suppliers are involved in.**
69. **The objective of this Disclosure Requirement is to understand how the undertaking integrates respect for interaction with human rights defenders and the causes they strive for in the**

undertakings' policies as well as how these policies are rolled out throughout the undertaking. The objective incorporates also reporting on the number of cases of incidents with human rights defenders the undertaking and/or its suppliers are involved in.

70. The undertaking shall describe for each of its operational sites [TO BE DISCUSSED] the policy it applies in dealing with human rights defenders. In addition, the undertaking shall provide the number of cases of attacks on human rights defenders where the undertaking and/or one of its suppliers are named and which steps are taken to address allegations. The number of cases shall be complemented with anonymised gender and ethnicity disaggregated data of human rights defenders, and how many have filed complaints through the undertaking's grievance mechanisms and their eventual resolution.

ESRS G1- related requirements

Data points related to [draft] ESRS G1-5 Business conduct

71. The undertaking shall disclose differences between it's main position and it's stated policies; differences between these positions and the associations and committees it supports as well as the actions it takes to ensure clear, transparent and substantiated communication.
72. The objective to this Disclosure Requirement is to understand how the undertaking works at promoting its views in politics, how it attempts to influence politics, and undertakings stance on climate change and understand how this effects its political engagement.
73. The other objective of this Disclosure requirement is to understand how the undertaking works to prevent the spread of false and omissive information.
74. When disclosing in accordance ESRS G1 paragraph 29 the undertaking shall disclose:
- (a) any differences between the main positions identified in ESRS G1 29 (c) and its stated policies, goals, or other public positions; as well as
 - (b) any differences between the undertaking's stated policies, goals, or other public positions on significant issues related to climate change, and the positions of the representative associations or committees it supports as mentioned in ESRS G1 29 (b).
 - (c) what proportion (%) of communication spendings is dedicated to influencing political opinion with regard to its material impacts, risks and opportunities identified in its materiality assessment in accordance with [draft] ESRS 2.
75. The undertaking shall also explain how its corporate communication aligns with globally established targets related to climate neutrality or nature positive economy and how it ensures that its sustainability communication is clear, transparent, substantiated and specific. If this communication relates to climate change, or pollution, or water and marine resources, or biodiversity and ecosystems, or resource use and circular economy the undertaking shall explain how it ensures consistency with the undertaking's disclosures under [draft] ESRS E1 Climate Change or [draft] ESRS E2 Pollution or [draft] ESRS E3 Water and Marine Resources or [draft] ESRS E4 Biodiversity and Ecosystems or [draft] ESRS E5 Resource use and Circular Economy respectively.
76. The undertaking shall disclose the number of opened cases before courts or other competent authorities within the reporting year that concern misleading commercial practices or public communication related to sustainability as well as the number of cases that were closed during the reporting year and if they ended with the undertaking being fined or found in breach.

Datapoint points relating to ESRS G1-2 – Management of relationship with suppliers

30.77. When disclosing in accordance to ESRS G1-2 the undertaking shall disclose the outcome of its assessment of its suppliers for social and environmental criteria.

31.78. The objective of this Disclosure Requirement is to understand the degree of actual and potential negative social impacts in the supply chain of the undertaking and to understand to which extent the undertaking uses social criteria in selecting its suppliers.

32.79. The undertaking shall disclose:

- (a) Information regarding actual adverse impacts and significant risks of adverse impacts that the enterprise has identified through it's due diligence.
- (b) Information regarding measures the undertaking has implemented or plan to implement to cease significant actual and potential negative impacts on fundamental human rights and decent working conditions in the supply chain.
- (c) Information regarding measures the undertaking has implemented or plan to implement after identifying significant actual and potential negative impacts on the environment in the supply chain.
- (d) percentage of suppliers identified as having significant actual and potential negative impacts with which improvements were agreed upon as a result of the assessment; and
- (e) percentage of suppliers identified as having significant actual and potential negative impacts with which relationships were terminated as a result of assessment and why.

Disclosure Requirement MIN- 9 - G1 Contract transparency

33.80. The undertaking shall disclose its approach to contract transparency, including:

- (a) Whether contracts and licenses are made publicly available and, if so, where they are published;
- (b) if contracts or licenses are not publicly available, the reason for this and actions taken to make them public in the future.

34.81. The objective of this Disclosure Requirement is to understand the openness of the undertaking about its contracts and licences concluded.

Disclosure Requirement MIN- 10-G1 – State-aid and competition law

82. The undertaking shall provide information on any publicly announced notifications, preliminary investigations, investigations or proceedings concerning possible anti-competitive agreements, abuse of dominance, concentrations or state aid it is facing during the reporting period.

83. The disclosure required by paragraph 82 shall include the following information:

- (a) publicly announced notifications, preliminary investigations, investigations, proceedings or commitments and remedies where the undertaking (or its subsidiaries) was named as a participant by a competent authority;
- (b) main outcome of legal proceedings against the undertaking concluded during the reporting period, including sanctions, fines, commitments and remedies;
- (a)(c) the fee or payment for the sales to government organizations (or third parties acting on the government's behalf);
- (d) all payments to governments relating to mining extraction, trade and transport from all concerned / affected countries, in accordance with jurisdictional legislation.

Undertakings shall disclose all relevant payments in line with the principals outlined in the Extractive Industry Transparency Initiatives (EITI).

Disclosure Requirement MIN - 11 -G1 – List of beneficial owners

84. The undertaking shall disclose its activities to ensure ethical beneficial owners of business partners, including joint ventures and suppliers.

85. The objective of this Disclosure Requirement is to understand the undertaking's policy regarding beneficial owners and how the undertaking identifies and handles them.

86. The undertaking shall disclose:

(a) its beneficial owners, who possess 25% ownership and / or are based in one of the 20 lowest ranked countries according to the most recent Transparency International Corruption Perceptions Index;

(b) policies and screening processes regarding PEPs and beneficial owners of business partners, including joint ventures and suppliers.

Disclosure Requirement MIN-12-G1 – Number of data breaches, policies and practices relating to cybersecurity

35.87. The undertaking shall disclose the:

(a) number of data breaches

(b) percentage involving classified or restricted information

(c) number of operational sites and;

(d) how the potential for future cyber security breaches are being prevented.

88. The objective this Disclosure Requirement is to provide an overview of the number of data breaches and who is impacted by those data breaches and to gain an understanding of the undertaking's policies regarding cybersecurity and management of risks.

89. The undertaking shall also describe its policies and practices relating to cybersecurity threats or attacks.

36.90. The undertaking shall also describe it's approach to security management for existing operations, projects planned or underway and new locations for business activities, including assessment of threats, vulnerabilities and risks.

Disclosure Requirement MIN-13 – G1 Policies and investments relating to closure and post closure

91. The undertaking shall disclose the total undiscounted monetary value of material financial provisions made by the undertaking for the closure and rehabilitation of mines and provide a breakdown of this total by operational site [TO BE DISCUSSED].

92. The objective is to get an overview of the undertaking's financial investments

93. The undertaking shall include

(a) environmental post-closure monitoring and aftercare for operational sites,

(b) socioeconomic post-closure monitoring and aftercare for operational sites,

(c) financial provisions made to ensure a just transition

(d) if the mine site has been sold to a third party.

94. The undertaking shall also disclose methodology used to calculate the undiscounted financial provisions for closure and rehabilitation.

Disclosure Requirement MIN-14 – G1 Anti-competitive behaviour events

95. The undertaking shall provide information on any publicly announced investigation into or litigation concerning possible anti-competitive behaviour it is facing during the reporting period.

96. The principle to be followed under this disclosure requirement is to provide transparency on publicly announced investigations into or litigation concerning possible anti-competitive behaviour of the undertaking that are ongoing during the reporting period.

97. The disclosure required by paragraph 91 shall include the following information:

(a) investigations into and decisions relating to violations of anti-trust and monopoly legislation where the undertaking (or its subsidiaries) was named as a participant by a competent authority;

(b) The number of new, on-going or finalised legal action during the reporting period regarding anti-competitive behaviour;

(c) The outcome of these legal proceedings against the undertaking.

Additional Disclosure Requirements for the Coal Operations sector

Sector Description: Coal operations Sector

37-98. The Coal Operations sector includes the extraction of solid mineral fuels through underground or open-cast mining and includes operations (e.g., grading, cleaning, compressing and other steps necessary for transportation etc.) leading to a marketable product.

38-99. The Coal Operations sector includes undertakings that mine coal and other similar materials and those that manufacture coal products. Mining activity covers both underground and surface mining, and thermal and metallurgical coal. It also includes manufacturing of coke oven products.

Relevant Sustainability Matters: Coal Operations Sector

39-100. This [draft] ESRStandard sets out Disclosure Requirements related to the sustainability matters ~~considered material relevant~~ to the Coal Operations Mining sector, ~~listed included in the table below~~ Appendix C. Detailed descriptions of ~~them~~ relevant sustainability matters are ~~also~~ included in Appendix C.

Environmental	Social	Governance
E1: Climate change adaption (*)	S1: Working conditions (*)	G1: Corporate culture (*)
E1: Energy (*)	S1: Equal treatment and opportunities for all (*)	G1: Corruption and bribery (*)
E2: Pollution of Air (*)	S1: Other work-related rights (*)	G1: Anti-competitive behaviour
E2: Pollution of Water (*)	S2: Working conditions (*)	G1: Political engagement and lobbying activities (*)
E2: Pollution of Soil (*)	S2: Equal treatment and opportunities for all (*)	G1: Management of relationships including payment practices (*)
E2: Substances of concern (*)	S2: Other work-related rights (*)	
E3: Water withdrawals (*)	S3: Communities economic, social, and cultural rights (*)	

E3: Water consumption (*)	S3: Communities' civil and political rights (*)	
E3: Water use (*)	S3: Particular rights of indigenous peoples (*)	
E3: Water discharges in water bodies and in the oceans (*)	S4: Information-related impacts for consumers and/or end users (*)	
E4: Direct impact drivers on biodiversity loss (*)		
E4: Impacts on the state of species (*)		
E4: Impacts on the extent and condition of ecosystems (*)		
E4: Impacts and dependencies on ecosystem services (*)		
E5: Resources inflows, including resource use (*)		
E5: Waste (*)		
(*) Sustainability matter covered by Disclosure Requirements in the topical sector-agnostic ESRS (see ESRS 1 Appendix B table in paragraph AR 12.)		

Disclosure Requirements: Coal Operations-specific Sector Disclosure Requirements and specifications

ESRS E1 related requirements

Disclosure Requirement MCO 1 – List of operational sites related to E1-2 – Policies related to climate change mitigation and adaptation

~~40.101. The undertaking shall disclose its operational sites policies related to the management and abatement of methane emissions.~~

~~41.102. The objective of this Disclosure Requirement is to enable an understanding of the undertakings' operation sites, their potential risks for ensure that when disclosing on policies related to Climate Change and GHG emissions, the undertaking makes explicit reference to methane.~~

~~(a) — biodiversity and an up-to-date status report of the different stages of closure and rehabilitation activities related to them. This The disclosure complements the measures required by art.10 of Directive 2006/21 of 15 March 2006 paragraph [previous] shall contain the information on the management of waste from extractive industries.~~

~~42.103. where indigenous peoples are present or affected policies implemented by activities of the undertaking, to manage and abate methane emissions considering the disclosure content required in ESRS 2 DC-P – Policies adopted to manage material sustainability matters).~~

~~2 — The undertaking shall specify their potential risks for biodiversity and the closure and rehabilitation activities related to them. [For each operational site/for the key operational sites — TO BE DISCUSSED] the undertaking shall include:~~

~~(a) — a description of the potential risk for biodiversity;~~

~~(b) — whether the site is located in or near a protected area or a high-biodiversity area;~~

- (c) ~~where applicable, the size, location and status of habitats protected or restored;~~
- (a) ~~whether the site has a closure and rehabilitation plans in place;~~
- (b) ~~whether the site has been closed;~~
- (c) ~~whether the site is undergoing closure activities.~~

~~43-104. In the absence of methane emissions management policies, the undertaking shall specify an exhaustive list of locations of operations where indigenous people explain why such policies are present or affected by activities of the undertaking. not in place.~~

~~ESRS 2-related requirements~~

~~Disclosure Requirement related to ESRS 2 – SBM 1.1 Market position, strategy, business model(s) and value chain E1-3 – Actions and resources in relation to climate change policies~~

~~44-105. The undertaking shall provide a breakdown of ~~disclose~~ its turnover by NACE codes and of its net revenue by countries in compliance with the Extractives Industry Transparency Initiative (“EITI”) quality assurance mechanism. actions and resources to manage and abate methane emissions.~~

~~45-106. The objective of this Disclosure Requirement is to provide insight into the turnover by NACE codes and into the extent to which the undertaking is active in countries that have subscribed to the EITI principles about the prudent use of natural resource exploitation contributing to sustainable economic growth ensure that when disclosing on actions related to Climate Change and GHG emissions, the undertaking makes explicit reference to methane.~~

- ~~107. The undertaking shall provide a breakdown of its turnover (both in monetary amount ~~disclose:~~~~
- (a) the methods used to monitor and quantify methane emissions, namely the use of Leak Detection & Repair (LDAR) surveys as a percentage well as:
 - i. the frequency of its total turnover) per NACE-code ~~the monitoring;~~
 - ii. the different methane monitoring technologies, e.g. remote sensing techniques or estimation methods.
 - (b) the frequency of the LDAR surveys;
 - i. the actions taken to address the methane leakages found as a result of the regular monitoring surveys;
 - ii. the effectiveness of the actions taken;
 - iii. the geographical location of any significant flaring or venting emissions;
 - iv. the % of routine and non-routine flaring and cases of flaring;
 - v. Indicate areas for operational improvements;
 - vi. discuss the overall performance of the methane emissions management policy and actions, by source and activity ~~wherein~~ terms of total absolute emissions and emission intensities.

~~Disclosure Requirement related to E1-4 – Targets related to climate change mitigation and adaptation~~

~~108. The undertaking shall disclose methane emissions reduction targets that it has adopted.~~

~~46.109. The objective of this Disclosure Requirement is active for the following NACE-code activities: to ensure that when disclosing on targets related to Climate Change and GHG emissions, the undertaking makes explicit reference to methane.~~

~~(d) — B.07 — Mining of metal ores~~

~~(a) — B.08 — Other mining and quarrying~~

ESRS E2 related requirements

Disclosure requirement related to ESRS E2-4 – Impact of coal dust

~~47.110. B.09 — Mining support activities~~ **The undertaking shall disclose the** breakdown of its revenue split [Or production — TO BE DISCUSSED] over the following categories of countries, according to their compliance with the EITI quality assurance standards as per its scale:

~~(a) — Countries with a very high progress in complying;~~

~~(b) — Countries with a high to satisfactory progress in complying;~~

~~(c) — Countries with a moderate to meaningful progress in complying;~~

~~(d) — Countries with a fairly low to inadequate progress in complying;~~

~~(e) — Countries with low to no progress in complying;~~

~~(f) — Other countries.~~

~~48.111. The EITI categories of quality assurance are used to disclose alignment with how the principles are being implemented locally. The category “other” refers to countries for which the assessment is suspended or to countries for which the compliance has yet to be assessed.~~

Disclosure Requirement ESRS 2 – SBM 1.2 Market position, strategy, business model(s) and value chain

~~3 — The undertaking shall disclose, for each operational site, the direct economic value generated and distributed.~~

~~4 — The objective list of this Disclosure Requirement is actions taken to provide insight of how the undertaking is creating value for its stakeholders.~~

~~5 — The undertaking shall disclose, [for each operational site/for the key operational sites/for each country — TO BE DISCUSSED], the direct economic value generated and distributed.~~

Disclosure Requirement related to ESRS 2 – SBM 2 Interests and views of stakeholders

~~6 — When disclosing how the undertaking engages with its stakeholders in compliance with ESRS 2 SBM-2, the undertaking shall describe how it incorporates the OECD Due Diligence Guidance for Meaningful Stakeholder Engagement in the Extractives Sector.~~

Disclosure Requirement related to ESRS 2 – SBM 3 Material impacts, risks and opportunities with their interaction with strategy and business model(s)

~~7 — When disclosing the undertaking’s prevent or mitigate potential negative impacts on its own workforce, it shall disclose, where applicable, the undertaking’s policies, actions and targets to help own workers manage the adverse impacts arising from the closure of its operational site(s).~~

- 8—The objective of this Disclosure Requirement is to provide an understanding on how the undertaking helps its own workers and own workers' communities to overcome the closure of an operational site they have been dependent upon for many years.
- 9—The socio-economic environment of **local communities** (unemployment, people moving out affecting the liveability of remaining supporting activities such as local shops, schools, and more) can be affected by the closure of an operational site(s).
- 10—The undertaking shall disclose the labour transition plans in place to help workers manage the transition to a post-closure phase of operations (e.g., redeployment, assistance with redeployment, resettlement, and redundancy payments, training and skills programmes).
- AR 2.—The undertaking shall also consider the collaborative efforts, projects and programs that are set up to manage the socio-economic impact of closure and restoration programs and disclose these.

ESRS E1-related requirements

Disclosure Requirement related to ESRS E1-5

- 11—The undertaking shall complement the disclosure provided under ESRS E1-5 with information about the energy consumption in its value chain.
- 12—The objective of this Disclosure Requirement is to identify the energy consumption of the undertaking's upstream and downstream activities related to its operations and the actions planned or implemented to reduce this energy consumption around these activities.
- 13—The undertaking shall include the following information:
- (a)—energy consumption outside of the undertaking (upstream and downstream), in MWh;
 - (b)—standards, methodologies, assumptions, and/or calculation tools used, including the source of the conversion factors used; and
 - (c)—the actions planned or implemented to reduce the energy consumptions connected with the undertaking's upstream and downstream activities.

ESRS E2-related requirements

Disclosure Requirement related to ESRS E2-1, E2-2, E2-3 and E2-4

- 14—In disclosing the pollutants generated or used during the extraction process, the undertaking shall include methane in the list of pollutants to be disclosed.
- 15—The objective of this Disclosure Requirement is ensure that when disclosing on policies, actions and targets related to pollution and on the pollutants, the undertaking makes explicit reference to methane as a pollutant.

Disclosure Requirement MCO -2 -E2 Actions to prevent or mitigate negative impacts from acid mine drainage

- 16—The undertaking shall disclose its actions to prevent or mitigate negative impacts from acid mine drainage.
- 17—The objective of this Disclosure Requirement is to provide an insight into what the undertaking does to prevent or mitigate the negative impacts from acid mine drainage.

- 18—The undertaking shall disclose which actions it has implemented or planned to prevent or mitigate negative impacts from acid mine drainage including which mine sites acid mine drainage is:
- (a) ~~predicted to occur;~~
 - (b) ~~has not been actively mitigated, and~~
 - (c) ~~is not under treatment or remediation.~~
- 19—The undertaking shall state which minerals are produced for each of the mine sites above.

Disclosure Requirement MCO 3-E2- Compliance with GISTM

- 20—~~The undertaking shall disclose whether and how the undertaking complies with the Global Industry Standard on Tailings Management (“GISTM”).~~
- 21—~~The objective of this Disclosure Requirement is to understand if the undertaking is following the Industry Standard with respect to the treatment of tailings.~~
- 22—~~The undertaking shall disclose whether the undertaking complies with the GISTM and, if so, provide the most recent information disclosed in line with GISTM Principle 15.~~

Disclosure Requirement MCO 4-E2-Disclosure of nitrogen oxides, sulphur oxides and other significant air emissions

- 23—~~The undertaking shall disclose nitrogen oxides, sulphur oxides, mercury and other significant air emissions.~~
- 24—~~The objective of this Disclosure Requirement is to provide insight in the volume of significant air emissions caused by each operational site of the undertaking.~~
- 25—~~The undertaking shall disclose, [per operational site/per key operational sites — TO BE DISCUSSED], the volume of nitrogen oxides, sulphur oxides, mercury and other significant air emissions over the last 12-month period as well as in total for the entire duration of the operational site. The Disclosure Requirement is to be fulfilled at operational site-level. The undertaking shall report the following information:~~
- (a) ~~Significant air emissions, in kilograms or multiples, for each of the following:~~
 - (i) ~~NO_x~~
 - (ii) ~~Sox~~
 - (iii) ~~Mercury~~
 - (iv) ~~Persistent organic pollutants (POP)~~
 - (v) ~~Volatile organic compounds (VOC)~~
 - (vi) ~~Hazardous air pollutants (HAP)~~
 - (vii) ~~Particulate matter (PM)~~
 - (viii) ~~Other standard categories of air emissions identified in relevant regulations such as the fine particulate matter (PM_{2,5}) as defined in Article 3, points (7) to (8), of Directive (EU) 2016/2284 of the European Parliament and of the Council;~~
 - (b) ~~Source of the emission factors used.~~
 - (d) ~~Standards, methodologies, assumptions, and/or calculation tools used.~~

26—The undertaking shall also describe the approach of selecting the different standards and methodologies used to calculate the significant air emissions.

Disclosure Requirement MCO 5 -E2— Significant spills and other critical incidents

~~27— The undertaking shall disclose the number of critical incidents in the reporting period, including their impacts, as well as the number, volume and impact of recorded significant spills.~~

28—The objective of this Disclosure Requirement is to understand how many critical incidents, including specifically how many spills, happened, as well as their impacts. Quantitative data supports the understanding of whether the incident rate and impacts improves over time.

~~AR 3.— The undertaking shall disclose the total number of critical incidents in the reporting period and their impacts, by type of pollutant involved. The undertaking shall rely on the pollutants listed in ESRS E2, AR 21 till AR26 as well as the definitions of substances of concern and substances of very high concern defined in Appendix A to ESRS 2 Pollution. In one incident multiple pollutants can be involved. The disclosure shall include:~~

- ~~(a) — a description of the incident,~~
- ~~(b) — how the undertaking defines a ‘critical’ incident and a description of the impact.~~

~~AR 4.— The undertaking shall disclose the total number and total volume of recorded significant spills. [For each spill/ for the significant spills — TO BE DISCUSSED], the undertaking shall disclose:~~

- ~~(a) — location of spill,~~
- ~~(b) — volume of spill,~~
- ~~(c) — material of spill, categorised by: oil spills (soil or water surfaces), fuel spills (soil or water surfaces), spills of waste (soil or water surfaces), spills of chemicals (mostly soil or water surfaces), and other.~~
- ~~(d) — a description of the impacts of each spill,~~
- ~~(e) — how the undertaking defines a ‘significant’ spill.~~

~~AR 5.— The undertaking shall report on spills that occurred during the reporting period as well as spills from previous reporting periods that have not been entirely cleaned up.~~

Disclosure Requirement MCO 6 -E2-Tailings facilities and impoundments

~~29— The undertaking shall disclose the list of tailing facilities, how it manages them and the list of tailing impoundments according to their hazard potential.~~

30—The objective of this Disclosure Requirement is to understand how the undertaking manages its tailings facilities and to provide an estimate of how hazardous the undertakings tailing impoundments may be; disclosing the most recent risk assessments relating to these facilities support the assessment of the risk of future tailings failures.

31—The undertaking shall describe actions taken to

- ~~(a) — manage impacts from tailings facilities, including during closure and post-closure and~~
- ~~(a) — prevent catastrophic failures of tailings facilities.~~

32—In addition, the undertaking shall provide

- ~~(a) — a description of the tailing facilities in place [for each operational site/for key operational sites — TO BE DISCUSSED], including legacy ones;~~

~~(b) — the list of the tailing impoundments classified according to their hazard potential.~~

~~49.112. The disclosure shall include [for each operational site/for key operational sites — TO BE DISCUSSED] including legacy ones, the tailings facilities in place, their name, location, and ownership status. The undertaking shall include:~~

~~(a) — a description of the tailing's facility.~~

~~(b) — whether the facility is active, inactive, or closed.~~

~~(c) — the date and main findings of the most recent risk assessment; and~~

~~(d) — the dates of the most recent and next independent technical reviews.~~

Disclosure requirement MCO 7-E2 – Financial effects from future price and demand for coal

33 — The undertaking shall disclose the potential financial effects from future coal prices.

34 — The objective of this Disclosure Requirement is to identify the financial effects from future coal prices on the ability of the undertaking to complete its transition trajectory.

35 — The undertaking shall discuss how projections for price and demand for coal and the path of air quality and climate regulation influence the entity's capital expenditure (CAPEX) strategy.

Disclosure requirement MCO 8-E2 – Sensitivity analysis of coal reserves

50.113. The undertaking disclose the potential effects of future price changes on its reserves.

51.114. The objective of this Disclosure Requirement is to provide insight on how future price changes may influence the status of its reserves.

36 — The undertaking shall disclose a sensitivity analysis of its coal and final products reserves to determine how several future scenarios may affect its determination of whether the reserves are proven or probable.

Disclosure requirement MCO 9 E2 – Actions to prevent and mitigate impacts of coal dust

52.115. The undertaking shall disclose its actions to prevent or mitigate negative impacts and workers from emissions of coal dust, as well as actions take to improve coal quality.

53.116. The objective of this disclosure requirement is to provide an overview, per operational site, [TO BE DISCUSSED] of how the undertaking prevents or mitigates impacts generated by coal dust in relation to health issues and impact on eco-systems.

37 — The undertaking shall disclose the list of actions taken to prevent or mitigate potential negative impacts on local communities and workers from emissions of coal dust, as well as actions take to improve coal quality.

38 — The disclosure shall be provided [per operational site/for the key operational sites — TO BE DISCUSSED]

ESRS E4-G1 related requirements
Disclosure requirement related to ~~[draft]~~ ESRS E4G1-1 Corporate culture and business conduct policies

- ~~39—The Transition plan disclosed according to ESRS E4-1 shall report an explanation [for each operational site/for key operational sites — TO BE DISCUSSED] and shall take into consideration the entire value chain.~~
- ~~117. The undertaking shall disclose whether and to which extent its processes comply with the International Organisation for Standardisation (ISO) standards and how these have been accredited, audited or found conform to the ISOC standards through conformity assessment procedures. The undertaking shall also disclose the time of the last conformation or audit procedure of compliance with the ISO standards.~~
- ~~40—The objective of this Disclosure Requirement is to provide information on the undertaking extent to provide a transition plan by operational site [for each operational site/for key operational sites — TO BE DISCUSSED], including the entire value chain.~~
- ~~54.118. When disclosing its transition plan, which the undertaking shall provide an explanation [for each operational site/for key operational sites — TO BE DISCUSSED] on how its strategy and business model ensures compatibility with the targets of no net loss by 2030, net gain from 2030 and, through recovery and restoration, full recovery and restoration, full recovery by 2050 explicitly taking into consideration has integrated compliance with the entire value chain ISO standards in its processes.~~

Disclosure requirement related to ~~[draft]~~ ESRS E4-2 ESRS E1-6 – Gross scopes 1, 2, 3 and total GHG emissions

- ~~41—The policies implemented to manage material impacts, risks and opportunities related to biodiversity and ecosystems, disclosed according to ESRS E4-2, shall be detailed [for each operational site/for key operational sites — TO BE DISCUSSED]~~
- ~~119. Undertakings in the Coal operations sector shall in addition to DR E1.6 provide a breakdown of their Scope 1, 2 and 3 GHG per NACE code activity they are active in and this for the following NACE-activities:~~
- ~~(a) B.05 - Mining of coal and lignite~~
- ~~(b) C.19.10 - Manufacture of coke oven products~~
- ~~120. Disclosure requirement E1-6 requires undertakings to disclose the GHG intensity based on net revenue. In addition, undertakings shall apply another breakdown of their GHG intensity. Undertakings shall disclose the:~~
- ~~(a) average tonnes of CO2 equivalent, and~~
- ~~(b) average share of high carbon technologies~~
- ~~(c) per:~~
- ~~i. tonne of output; and~~
- ~~ii. NACE code activity they are active in and this for the following NACE-activities:~~
- ~~1. B.05 - Mining of coal and lignite~~
- ~~2. C19.10 Manufacture of coke oven products~~

- 42—The objective of this disclosure requirement is ~~for the undertaking to outline policies and commitments with respect to biodiversity loss [for each operational site/for key operational sites—TO BE DISCUSSED].~~
- 43—The undertaking shall describe policies and commitments to achieving no net loss or net gain to biodiversity on operational sites; and report whether these commitments apply to existing and future operations.

Disclosure Requirement related to [draft] ESRS E4-5

- 44—~~The undertaking shall report metrics related to material impacts resulting in biodiversity and ecosystem change, following ESRS E4-5, per each operational site located in or adjacent to protected areas or high biodiversity areas.~~
- 45—The objective of this Disclosure Requirement is for the undertaking to provide information on impacts on biodiversity arising from its operational sites located in or adjacent to protected areas or high biodiversity areas.
- 46—The undertaking shall include a list of operational sites owned, leased, managed in or adjacent to protected areas or key biodiversity areas and include per each operational site:
- (a)—~~a description the material impacts on biodiversity its exploration has or has had, thereby specifying the impacts to the affected habitats and ecosystems;~~
 - (b)—~~the total number of IUCN Red list species and national conservation list species with habitats in areas affected by the operations of the organisation and this by level of extinction risk.~~

Disclosure Requirement MCO 10—E4—Operational sites in or near sites with protected conservation status or endangered species habitat

- 47—The undertaking shall disclose its operational sites in or near areas of conflict.
- 48—The objective of this Disclosure Requirement is to enable an understanding of how many operational sites are situated in or near sites with protected conservation status or endangered species habitat as well as to provide an overview of the undertakings' extraction sites located in these areas.
- 55.121.—~~The undertaking shall provide an exhaustive list of operational sites that are in or near sites with protected conservation status or endangered species habitat. In addition, it shall provide a description of the approach used, for each of these operational sites, to ensure respect for conservation status or endangered species habitat alignment with EBA pillar 3.~~
- (a)—~~Further, the undertaking shall disclose the percentage of proved and probable reserves in or near sites with protected conservation status or endangered species habitat.~~

ESRS E5-related requirements

Disclosure Requirement related to [draft] ESRS E5-5 Resource use and circular economy

- 49—~~When disclosing about its waste according to Disclosure Requirement E5-5, the undertaking shall disclose the different categories of waste according to the European Waste Catalogue and shall provide information about its waste-management process in case of deep-sea tailings disposal.~~

- ~~50~~—The objective of this Disclosure Requirement is to provide the information required to complement the Waste management plan as specified by Article 5 of Directive 2006/21 of 15 March 2006 on the management of waste from extractive industries.
- ~~51~~—When disclosing about its waste according to Disclosure Requirement E5-5, the undertaking shall:
- ~~(b)~~—Shall disclose the total amount of tailings waste and of mineral processing waste generated during the reporting period;
 - ~~(c)~~—report on the waste management process followed and additional challenges faced considering the activities that take place underwater, if it engages on sea mining activities, coastal or deep sea, including the disposal of waste into the marine systems or other activities mentioned in ESRS E3 AR.12 (in the case of deep sea mining this is often known as Deep Sea Tailings Disposal (DSTD)).

~~ESRS S1 Own workforce related requirements~~

~~Disclosure Requirement related to [draft] ESRS S1-13 Training and skills development indicators~~

- ~~52~~—When disclosing the training and development indicators defined in [draft] ESRS S1-13, the undertaking shall disclose the average hours of health, safety, and emergency response training for its employees.
- ~~53~~—The objective of this Disclosure Requirement is to enable an understanding the extent to which the training and skills developments' training cover health and safety management for the undertaking's employees.
- ~~54~~—The disclosure required by paragraph 79 shall include:
- ~~(a)~~—the undertaking's general approach and processes to ensure the quality of the training services related to work-related hazards, hazardous activities, or hazardous situations which contribute to the identification and elimination of hazards and minimisation of risks for its employees.
 - ~~(a)~~—the average hours of training related to the health, safety and emergency preparedness of employees, with respect to occupational risks or hazards to which employees are reasonably likely to be exposed; such information shall be broken down by permanent employees, temporary employees and non-guaranteed hours employees,

~~Disclosure Requirement related to [draft] ESRS S1-14 Health and Safety indicators~~

- ~~55~~—When disclosing the health and safety indicators according to [draft] ESRS S1-14, the undertaking shall specify fatalities, injuries and work-related ill health due to chemicals and the physical work environment.
- ~~56~~—The objective of these Disclosure Requirements is to allow an understanding of the performance of the health and management system for the undertaking to provide insight into its health care and safety management system established to prevent work-related injuries caused by chemicals and the physical work environment.
- ~~57~~—The disclosure required by paragraph 82 shall include the following information broken down between employees and non-employee workers in own workforce:
- ~~(a)~~—the disclosure of other dangerous chemicals that workers are exposed to in its operations;

- ~~(b) the disclosure of other dangerous factors in the physical work environment, including:

 - ~~i. noise and vibrations;~~
 - ~~ii. ergonomic risk factors;~~
 - ~~iii. psycho-social organizational work environment; or~~
 - ~~iv. thermal strain and stress (including heat rash, heat fatigue, heat cramps, heat syncope, heat exhaustion and heat stroke); and~~~~
- ~~(c) a description of the occupational health services functions that contribute to the identification and elimination of hazards and minimisation of risks and an explanation

 - ~~(b) the number of fatalities, injuries and cases of work-related ill health as a result of working with chemicals (including but not limited to silica, asbestos, and diesel);~~
 - ~~(c) how the undertaking ensures the quality of these services and facilitates workers' access to them;~~~~

Disclosure Requirement related to [draft] ESRS S1-11 Social Protection

~~56.122. When disclosing the coverage of its own workers by social protection against loss of income due to major life events according to [draft] ESRS S1-11, the undertaking shall disclose the access of its own workers to non-occupational medical and healthcare services.~~

~~57.123. The objective of this Disclosure Requirement is to enable an understanding of the undertaking's employees coverage of non-occupational medical and healthcare services.~~

~~58.124. As per paragraph 85, the undertaking shall disclose, including specifying if these only apply to employees or non-employees workers where applicable, :~~

- ~~(a) how the undertaking facilitates workers' access to non-occupational medical and healthcare services as well as the scope of access;~~
- ~~(d) a description of voluntary health promotion services and programs offered to workers to address major non-work-related health risks, including the specific health risks addressed, and how the organisation facilitates workers' access to these services and programs.~~

Disclosure Requirement MCO 11 -S1- Percentage of security personnel receiving training in undertakings' human rights policies

~~58 The undertaking shall disclose the percentage of security personnel that has received training in the undertaking's human rights policies and other security procedures.~~

~~59.125. The objective of this Disclosure Requirement is to understand to which extent security providers are aware of the necessary respect for human rights.~~

~~59 The undertaking shall disclose the percentage of security personnel (within own workforce and workers in the value chain) that has received training in the undertaking's human rights policies and other security procedures.~~

~~ESRS S1/S2-related requirements~~

~~**[Disclosure Requirement MCO xx S1/S2 – Specification of datapoints for [draft] ESRS S1 para 16 and [draft] ESRS S2 para 11 (b) in relation to child and forced labour and children’s rights on the closure of operational sites]**~~

~~ESRS S3 Affected communities-related requirements~~

~~Disclosure Requirement related to [draft] ESRS S3-2 Processes for engaging with affected communities about impacts –Closure and post-closure~~

~~60 — When disclosing its processes to engage with affected communities about actual and potential material impacts following [draft] ESRS S3-2, the undertaking shall disclose its actions and financial provisions to limit the impacts caused by the closure of its operational sites.~~

~~61 — The objective of this Disclosure Requirement is to enable an understanding of whether and how the undertaking engages with affected communities, their legitimate representatives, or with credible proxies about actions to limit the impacts on affected communities caused by closure of an operational site.~~

~~62 — When disclosing its processes to engage with affected about impacts following [draft] ESRS S3-2, The undertaking shall disclose:~~

~~(a) — how it engages with local communities and other relevant stakeholders on its closure and post-closure planning and implementation, including post-mining land use, to limit the actual and potential adverse impacts (e.g. unemployment, people moving out affecting the liveability of remaining supporting activities such as local shops, schools);~~

~~(b) — the total monetary value of material financial provisions made by the undertaking for closure and rehabilitation, including environmental and socioeconomic post-closure monitoring and aftercare for operational sites, and provide a breakdown of this total [by project/by key projects — TO BE DISCUSSED].~~

~~Disclosure Requirement related to [draft] S3-4 Taking action on material impacts, and approaches to mitigating material risks and pursuing material opportunities related to affected communities, and effectiveness of those actions and approaches~~

~~63 — The undertaking shall disclose its approaches to taking action on affected communities and to mitigating material risks and pursuing material opportunities~~

~~AR 6. — The objective of this Disclosure Requirement is to provide insight on the interactions with, programmes developed, percentage of top management recruited from the affected communities and significant investment on infrastructure and services supported. activities.~~

~~AR 7. — The undertaking shall disclose [for each operational site/for the key operational sites — TO BE DISCUSSED]:~~

~~(a) — the percentage of senior management that are recruited from the local community;~~

~~(b) — the percentage of the procurement budget spent on suppliers local to that operation;~~

~~(a) — the extent of development of significant infrastructure investments (e.g. transport links, utilities) and services (e.g. community social facilities, health, and welfare centres) supported;—~~

~~AR 8. If material, the undertaking shall also disclose [for each operational site/for the key operational sites TO BE DISCUSSED]:~~

- ~~(a) its interactions with indigenous peoples, including but not limited to means of communication, language used, frequency;~~
- ~~(b) where applicable, the co-ownership programs developed for indigenous peoples and local communities. This shall include equity shares acquired by communities and their value;~~
- ~~(c) the most recent examples of involvement in the process of seeking free, prior, and informed consent from indigenous peoples to any of the undertakings' activities, and whether an agreement has been reached and if it is publicly available.~~

~~Disclosure Requirement MCO-12 S3 – Metrics of negative impacts on affected communities~~

~~64 The undertaking shall disclose, [for each operational site/for key operational sites] metrics of negative impacts on affected communities.~~

~~65 The objective of this Disclosure Requirement is to enable an understanding of the negative impacts of the undertaking on affected communities.~~

~~66 The undertaking shall disclose:~~

- ~~(a) whether it has caused or contributed to involuntary resettlement or where such a resettlement is ongoing; in this case the undertaking shall disclose the operational site involved. It shall also describe measures taken to ensure that livelihoods and human rights have been preserved and valuation methods used and how legitimate tenure rights holders have been involved in determining valuation.~~

~~Disclosure Requirement MCO 13 – S3 – Operational sites in or near areas of conflict~~

~~67 The undertaking shall disclose its operational sites in or near areas of conflict.~~

~~60.126. The objective of this Disclosure Requirement is to enable an understanding of how many operational sites are situated in conflict areas and how the undertaking is ensuring respect for human rights by security providers, as well as to provide an overview of the undertakings' extraction sites located in areas mentioned in paragraph 85.~~

~~68 The undertaking shall provide an exhaustive list of operational sites that are in or near areas of conflict. In addition, it shall provide a description of the approach used, for each of these operational sites, to ensure respect for human rights by public and private security providers and those of its suppliers.~~

~~69 Further, the undertaking shall disclose the percentage of proved and probable reserves:~~

- ~~(a) in or near areas of conflict~~
- ~~(a) in or near indigenous land~~

~~Disclosure Requirement MCO 14 S3 – Policy to deal with human rights defenders~~

~~61.127. The undertaking shall disclose how it deals with human rights defenders and the number of cases the undertaking and/or its suppliers are involved in.~~

~~70 The objective of this Disclosure Requirement is to understand how the undertaking deals with human rights defenders in the areas it is active as well as the number of cases the undertaking and/or its suppliers are involved in.~~

~~71—The undertaking shall describe [for each of its projects /for the key projects — TO BE DISCUSSED], the policy it applies in dealing with human rights defenders. In addition, the undertaking shall provide a list of cases of attacks on human rights defenders where the undertaking and/or one of its suppliers are named and the steps taken to address allegations. This list shall contain anonymised gender and ethnicity disaggregated data of human rights defenders, and how many have filed complaints through the undertaking's grievance mechanisms and their eventual resolution.~~

~~ESRS G1-related requirements~~

~~Disclosure Requirement related to [draft] ESRS G1 Business conduct~~

~~72—The undertaking shall disclose its participation in public policy development and lobbying.~~

~~73—The objective to this Disclosure Requirement is to understand how the undertaking works at promoting its views in politics. The objective of this Disclosure Requirement is understanding the size and how an undertaking attempts to influence politics. The objective of this Disclosure Requirement is to understand the undertakings stance on climate change and understand how this effects its political engagement.~~

~~74—The undertaking shall include:~~

- ~~(a)—a description describe of its stance on significant issues that are the focus of its participation in public policy development and lobbying;~~
- ~~(b)—any differences between these positions and its stated policies, goals, or other public positions;~~
- ~~(c)—whether it is a member of, or contributes to, any representative associations or committees that participate in public policy development and lobbying, including:

 - ~~(i)—the nature of this contribution;~~
 - ~~(ii)—any differences between the undertaking's stated policies, goals, or other public positions on significant issues related to climate change, and the positions of the representative associations or committees.~~~~
- ~~(d)—a description of its approach to public policy development and its lobbying activities specifically on the topic of climate change.~~

~~Disclosure Requirement MIN- 15 - G1 Contract transparency~~

~~62.128. The undertaking shall disclose its approach to contract transparency, including:~~

- ~~(e)—Whether contracts and licenses are made publicly available and, if so, where they are published~~
- ~~(f)—if contracts or licenses are not publicly available, the reason for this and actions taken to make them public in the future~~

~~63.129. The objective of this Disclosure Requirement is to understand the openness of the undertaking about its contracts and licences concluded.~~

~~Disclosure Requirement MIN- 16-G1— Sales to, support received from and payments made to governments~~

~~75—The undertaking shall disclose its sales to, support received from and payments made to governments.~~

~~76~~—The objective of this Disclosure Requirement is to provide transparency on the economic relationships with the governments.

~~77~~—The undertaking shall disclose:

- ~~(a)~~—the sales to government organizations, including for mineral extraction, trade, handling, transport and export, and including sales to third parties appointed by the state on their behalf;
- ~~(a)~~—the fee or payment for the sales to government organizations (or third parties acting on the government's behalf);
- ~~(b)~~—various types of materials purchased, names of the buying undertaking(s), and the recipient of the fee;
- ~~(c)~~—a breakdown of the payments to governments levied at the project-level, by project and revenue streams [granularity TO BE DISCUSSED];
- ~~(d)~~—the monetary value of financial assistance received by the undertaking from any government during the reporting period, split [by country/ by key country — TO BE DISCUSSED];
- ~~(e)~~—whether, and the extent to which, any government is present in the shareholding structure and in which country;
- ~~(f)~~—all payments to governments relating to mining extraction, trade and transport from all concerned / affected countries, in accordance with jurisdictional legislation. Undertakings shall disclose all relevant payments in line with the principals outlined in the Extractive Industry Transparency Initiatives (EITI).

Disclosure Requirement MIN - 17 - G1 – List of beneficial owners

~~78~~—The undertaking shall disclose its beneficial owners and how it identifies the beneficial owners of business partners, including joint ventures and suppliers.

~~79~~—The objective of this Disclosure Requirement is to understand who the undertakings beneficial owners are and how the undertaking identifies them.

~~80~~—The undertaking shall disclose:

- ~~(a)~~—its beneficial owners. This includes, but is not limited to name, nationality, country of residence, any politically exposed persons;
- ~~(b)~~—an explanation of how it identifies the beneficial owners of business partners, including joint ventures and suppliers.

Disclosure Requirement MIN - 18 – G1 – Suppliers assessed for social impacts

~~64.130.~~ The undertaking shall disclose the outcome of its assessment of its suppliers for social impacts.

~~65.131.~~ The objective of this Disclosure Requirement is to understand the degree of actual and potential negative social impacts in the supply chain of the undertaking and to understand to which extent the undertaking uses social criteria in selecting its suppliers.

~~66.132.~~ The undertaking shall disclose:

- ~~(c)~~—the number of suppliers assessed for fundamental human rights and decent working conditions;
- ~~(d)~~—the percentage of new suppliers that were screened using social criteria.

- ~~(e) — the number of suppliers identified as having significant actual and potential negative social impacts.~~
- ~~(f) — significant actual and potential negative social impacts identified in the supply chain.~~
- ~~(g) — percentage of suppliers identified as having significant actual and potential negative social impacts with which improvements were agreed upon as a result of the assessment; and~~
- ~~(h) — percentage of suppliers identified as having significant actual and potential negative social impacts with which relationships were terminated as a result of assessment and why.~~

Disclosure Requirement MIN-19-G1 – Number of data breaches

~~67.133. The undertaking shall disclose the:~~

- ~~(a) — number of data breaches~~
- ~~(b) — percentage involving classified or restricted information~~
- ~~(c) — number of operational sites and;~~
- ~~(d) — how the potential for future cyber security breaches are being prevented.~~

~~81 — The objective this Disclosure Requirement is to provide an overview of the number of data breaches and who is impacted by those data breaches.~~

Disclosure Requirement MIN-20 – G1 Policies and practices relating to cybersecurity

~~82 — The undertaking shall describe its policies and practices relating to cybersecurity threats or attacks.~~

~~83 — The objective this Disclosure Requirement is to gain an understanding of the undertaking's policies regarding cybersecurity and management of risks.~~

~~68.134. The undertaking shall also describe its approach to security management for existing operations, projects planned or underway and new locations for business activities, including assessment of threats, vulnerabilities and risks.~~

Appendix A: Defined Terms

Active conflict/ conflict affected or high-risk areas	Areas identified by the presence in a state of armed conflict, widespread violence, including violence generated by criminal networks, or other risks of serious and widespread harm to people. Armed fragile post-conflict may take a variety of forms as well as areas witnessing weak or non-existent governance and security, such as a conflict failed states, and widespread and systematic violations of international or non-international character, which may involve two or more states, or may consist of wars of liberation, or insurgencies, civil wars, law, including human rights abuses
Biosphere Reserves recognised within the framework of UNESCO's Man and the Biosphere (MAB) Programme	Biosphere reserves are nominated by national governments and remain under the sovereign jurisdiction of the states where they are located. Biosphere Reserves are designated under the intergovernmental MAB Programme by the Director-General of UNESCO following the decisions of the MAB International Coordinating Council (MAB ICC). Their status is internationally recognized.
Community development program	A plan that details actions to minimise, mitigate or compensate for adverse social and/or economic impacts, and/or to identify opportunities or actions to enhance positive impacts of a project on the community.
Critical incident	An event that may adversely affect the undertaking and requires an immediate response. It is likely to cause significant personal illness or injury, substantial impact to operations and commercial prospects, a degradation of reputation, or lead to an impact on the wider community.
Cyber security	Cyber security relates to the practice of protecting electronic data, computer systems, servers, networks, mobile devices, tablet devices etc. from malicious criminal attacks, theft of sensitive data, and damage to IT systems.
Energy recovery	The use of combustible waste as a means to generate energy through direct incineration with or without other waste but with recovery of the heat.
Government relations	Government" refers to any national, regional or local authority of a Member State or of a third country. It includes a department, agency or undertaking controlled by that authority (Chapter 10, Report on Payments to Governments, 2013). Government relations is the process of influencing public and government policy at all levels previously outlined.
High-risk area	High-risk areas are those where there is a high risk of conflict or of widespread or serious abuses as defined in paragraph 1 of Annex II of the OECD Guidance. Such areas are often characterized by political instability or repression, institutional weakness, insecurity, collapse of civil infrastructure, widespread violence, and violations of national or international law.
Indigenous peoples Human rights defender	The term indigenous peoples should be understood in accordance to the Convention (No.169) concerning Indigenous and Tribal Peoples in Independent Countries. "Human rights defender" is a term

	<u>used to describe people who, individually or with others, act to promote or protect human rights in a peaceful manner. Human rights defenders are identified by what they do and it is through a description of their actions and of some of the contexts in which they work.</u>
<u>“near”Local community</u>	<u>Within 5 kilometres (km) of the boundary of an area of protected conservation status or an endangered species habitat to the location of the entity’s proven and probable reserves. Local communities are defined as persons or groups of persons living and/or working in any areas that are economically, socially or environmentally impacted (positively or negatively) by an organization’s operations. The local community can range from persons living adjacent to an organization’s operations, to those living at a distance who are still likely to be impacted by these operations.</u>
Operational site	Any location where an integral part of the mining business is performed.
<u>Politically Exposed Persons (PEP)</u>	<u>The Financial Action Task Force defines a PEP as an individual entrusted with a prominent public function.</u>
Probable coal/ore reserves	Reserves for which quantity and grade and/or quality are computed from information similar to that used for proven (measured) reserves, but the sites for inspection, sampling, and measurement are farther apart or are otherwise less adequately spaced.
Recycled and remanufactured materials	Waste materials that have been reprocessed or treated by means of production or manufacturing process and made into a final product or made into a component for incorporation into a product.
Reserves	Part of a mineral deposit which could be economically and legally extracted or produced at the time of the reserve determination.
Spills	Spills are accidental release of hazardous substances such as chemicals, oils, fuels and other substances. They can affect water, soil and air quality as well as biodiversity and human health.
<u>Significant spills</u>	<u>Spill that is included in the organization’s financial statements, for example due to resulting liabilities, or is recorded as a spill by the organization.</u>
<u>Substances of very high concern</u>	<u>Substances that meet the criteria laid down in Article 57 of Regulation (EC) 1907/2006 (REACH) and were identified in accordance with Article 59(1) of that Regulation.</u>
<u>Tailings</u>	<u>A by-product of mining, consisting of the processed rock or soil left over from the separation of the commodities of value from the rock or soil within which they occur.</u> <u>Poor management or design of tailings facilities can lead to leaks or collapses, with serious impacts on local communities, livelihoods, infrastructure, and the environment. Failures can result from inadequate water management, overtopping, foundation or drainage failure, erosion, and earthquakes. Impacts become more severe when tailings contain high levels of bioavailable metals or hazardous chemicals.</u>
<u>Waste</u>	<u>Any substance or object which the holder discards or intends or is required to discard.</u>

Appendix B: Application Requirements

This Appendix is an integral part of the proposed [draft] ESRS Mining, Quarrying and Coal. It supports the application of the requirements set for in paragraphs X to X and has the same authority as the other parts of the [draft] Standard.

Tailings	<p>A by-product of mining, consisting of the processed rock or soil left over from the separation of the commodities of value from the rock or soil within which they occur.</p> <p>Poor management or design of tailings facilities can lead to leaks or collapses, with serious impacts on local communities, livelihoods, infrastructure, and the environment. Failures can result from inadequate water management, overtopping, foundation or drainage failure, erosion, and earthquakes. Impacts become more severe when tailings contain high levels of bioavailable metals or hazardous chemicals.</p>
Waste	<p>Any substance or object which the holder discards or intends or is required to discard.</p>

Appendix B: Application Requirements

~~This Appendix is an integral part of the proposed [draft] ESRS Mining. It supports the application of the requirements set for in paragraphs X to X and has the same authority as the other parts of the [draft] Standard.~~

Application Requirement MCOMIN-1– List of operational sites [TO BE DISCUSSED]

~~AR 1. When disclosing on MIN 1 the undertaking may use a table to list the mine sites. See example:~~

	<u>Operational site A</u>	<u>Operational site B</u>	<u>Operational site C</u>	<u>Operational site D etc.</u>
<u>Mines and surface areas</u>				
<u>Quarries</u>				
<u>Tailings dams</u>				
<u>Infrastructure</u>				
<u>Active /closure & rehabilitation plans / closure activities / closed / rehabilitated</u>				
<u>Social matters (i.e. local community, indigenous communities, land rights etc.)</u>				
<u>Environmental matters (i.e. biodiversity, pollution, toxic waste etc.)</u>				

~~AR 2. When identifying the operational site [TO BE DISCUSSED]the undertaking shall also specify what it considers to be local for that particular site. It is expected that this will be assessed at a more granular level than national. When doing this the undertaking shall consider:~~

- ~~(a) Stakeholders~~
- ~~(b) Geographical location~~
- ~~(c) Positive and negative social impacts~~
- ~~(d) Labour market~~

~~AR 9.AR 3. The undertaking shall consider the percentage and grade (in percentage metal content) of proved reserves that are located in or near high-risk areas.~~

- ~~(a) The undertaking shall use the definition in Appendix A for classifying reserves as proved and/or probable.~~
- ~~(b) The percentage of proved/probable reserves shall be calculated as the amount of proved/probable reserves located in or near areas of high risk divided by the total amount of proved/probable reserves~~

- (c) The undertaking shall provide a breakdown of the calculations by grade (in percentage metal content) of proved/probable reserves
- (d) The undertaking shall, where relevant, provide a breakdown of calculations by mineral or business unit where minerals or business units include, for example: aluminium, copper, zinc, iron ore, platinum group metals, and diamonds.
- (e) The undertaking shall follow the Combined Reserves International Reporting Standards Committee (CRIRSCO) guidance for classifying ore reserves and mineral resources, including the use of a "competent person" to compile information.

AR 10.AR 4. The undertaking shall also explain their process of identifying the high-risk areas in a way that is easy to understand and replicate.

- (a) In or near areas of conflict

AR 11.AR 5. Reserves shall be considered to be in or near an area of active conflict if they are located in the same country as the active conflict.

AR 12.AR 6. If the undertaking can demonstrate that a conflict is contained to a region, state, or designated area that is not proximate to its reserves, then it may exclude these from the scope of disclosure. If reserves are located in a country, region, or state adjacent to an active conflict and/ or can be reasonably expected to be operationally impacted by the conflict, then these reserves shall be included in the scope of disclosure.

- (a) In or near indigenous land

AR 13.AR 7. Indigenous lands are considered those occupied by indigenous people which are defined in ESRS S3 as: "indigenous peoples are generally identified as 1) tribal peoples in independent countries whose social, cultural and economic conditions distinguish them from other sections of the national community, and whose status is regulated wholly or partially by their own customs or traditions or by special laws or regulations; 2) peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonisation or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions.

- (a) In countries that have the 20 lowest rankings in Transparency International's Corruption Perception Index

AR 14.AR 8. The undertaking shall use the most current version of Transparency International's Corruption Perception Index to identify the 20 lowest ranking countries.

AR 15.AR 9. The 20 lowest numerical ranks shall be used to generate the scope of countries. Due to the fact that multiple countries share many ranks, the scope may include more than 20 countries.

AR 16.AR 10. The undertaking shall also discuss operations that are located in countries with low rankings in the index but present low business ethics risks. As well as operations located in countries that do not have one of the 20 lowest rankings in the index, but which present unique or high business ethics risks.

ESRS 2-related requirements

~~AR 17.AR 11. Different mining methods present distinct risks for biodiversity. Open-pit mines generate more severe impacts than underground mines due to the progressive deepening and widening of the mining site, increasing affected areas over time. Impacts on biodiversity can result from:~~

- ~~(a) residual impacts after all other measures have been applied;~~
- ~~(b) land clearance for pits, access routes, and expansion into new areas;~~

- ~~(c) — habitat fragmentation from access roads and other linear infrastructure;~~
- ~~(d) — ground subsidence from underground mines;~~
- ~~(e) — disruption of surface water, wetland, and groundwater ecosystems; and~~
- ~~(f) — effluent discharges, groundwater, or surface water contamination from acid mine drainage, tailings ponds, or overburden piles.~~

~~ESRS 2-related requirements~~

~~Application Requirement related to ESRS 2- GOV4 Statement on sustainability due diligence~~

~~AR 18:AR 12. When disclosing a mapping of the information provided in its sustainability statements about the sustainability due diligence process, the undertaking whose activities relate to :~~

- ~~(a) — the Supplement on Tin, Tantalum and Tungsten;~~
- ~~(b) — the Supplement on Gold;~~
- ~~(c) — other areas specified in the conflict minerals regulation~~

~~AR 19:AR 13. The undertaking shall also map the core elements from the OECD due diligence guidance for responsible Supply Chains of Minerals from Conflict-Affected and High-Risk areas in addition to the UN Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Enterprises mentioned in the agnostic disclosure.~~

~~AR 20:AR 14. The undertaking shall include procurement in its mapping as well as and environmental factors. This may be presented in a table in a similar form to the table presented below.~~

<u>Core elements</u>	<u>Paragraphs in the sustainability matters</u>
<u>OECD Due diligence guidance for Responsible Supply chains of Minerals from Conflict-Affected and High-Risk areas</u>	
<u>Establish strong company management system</u>	
<u>Identify and assess risk in the supply chain</u>	
<u>Carry out independent third-party audit of supply chain due diligence at identified points in the supply chain</u>	
<u>Report on supply chain due diligence</u>	

~~AR 21:AR 15. When disclosing a mapping of the information provided in its sustainability statements about the sustainability due diligence process, the undertaking whose activities relate to :~~

- ~~(a) — the Supplement on Tin, Tantalum and Tungsten;~~
- ~~(b) — the Supplement on Gold;~~
- ~~(a) — other areas specified in the conflict minerals regulation,~~

~~AR 22:AR 16. shall also map the core elements from the OECD due diligence guidance for responsible Supply Chains of Minerals from Conflict-Affected and High-Risk areas in addition to the UN Guiding Principles on Business and Human Rights and the OECD Guidelines for Multinational Enterprises mentioned in the agnostic disclosure.~~

~~AR 23. AR 17.~~ The undertaking shall include procurement in its mapping as well as and environmental factors. This may be presented in a table in a similar form to the table presented below.

Core elements	Paragraphs in the sustainability matters
OECD Due diligence guidance for Responsible Supply chains of Minerals from Conflict-Affected and High-Risk areas	
Establish strong company management system	
Identify and assess risk in the supply chain	
Carry out independent third-party audit of supply chain due diligence at identified points in the supply chain	
Report on supply chain due diligence	

Application Requirement related to ESRS 2 – SBM 2 Interests and views of stakeholders

~~AR 18.~~ When disclosing how the undertaking engages with its stakeholders in compliance with ESRS 2 SBM-2, the undertaking shall describe how it incorporates the OECD Due Diligence Guidance for Meaningful Stakeholder Engagement in the Extractives Sector, and in particular how it engages with affected stakeholders. Furthermore the undertaking must disclose the following:

~~AR 19.~~ Describe the approach to identifying stakeholders within local communities

~~AR 20.~~ List the vulnerable groups that the organisation has identified within local communities by mine site

ESRS E1-related requirements

Application Requirement related to ESRS E1-5-2 – SBM 3 Material impacts, risks and opportunities with their interaction with strategy and business model(s)

~~AR 21.~~ The disclosure required by Paragraph 19 shall include When disclosing the total energy consumption in MWh related to an undertaking's upstream and downstream activities broken down as demonstrated by Paragraph 35 of ESRS E1 Climate Change, impacts on its own workforce and the local community, it shall consider, where applicable, the undertaking's policies, actions and targets to help own workers and non-employee workers manage the adverse impacts arising from the closure of its operational site(s).

~~AR 24. AR 22.~~ The undertaking shall disaggregate and disclose separately the non-renewable and renewable energy consumption in MWh. consider the labour transition plans in place to help workers manage the transition to a post-closure phase of operations (e.g., redeployment, assistance with redeployment, resettlement, and redundancy payments, training and skills programmes).

~~AR 25. AR 23.~~ The undertaking shall also consider the collaborative efforts, projects and programs that are set up to manage the socio-economic impact of closure and restoration programs and disclose these.

~~AR 24.~~ The undertaking shall also consider how it engages with worker and other stakeholders in informing the closure plans, as well as notice periods regarding closure.

ESRS E1 -related requirements

69. ~~The disclosure shall be complemented by a narrative on how the undertaking intends to decrease the consumption of energy by upstream and downstream activities from non-renewable energy sources.~~
70. ~~This Disclosure Requirement complements Disclosure Requirement E1-5 of ESRS E1 Climate change and captures the energy consumption of the undertaking's upstream and downstream activities related to its operations.~~
71. ~~The reporting undertaking shall identify energy consumption outside of the undertaking may be presented using the tabular format provided by AR 31 of ESRS E1 Climate Change.~~

ESRS E2 -related requirements

Application Requirement ~~MCO-E2-TM1 – Nitrogen oxides, sulphur oxides and other significant air~~ related to [draft] ESRS E1-1 - Transition plan for climate change mitigation

~~AR 26. AR 25. When disclosing information on DR E1-1[16(d)] on potential locked-in GHG emissions from the undertaking's assets and products, undertakings shall consider this to be the emissions potential of proven (P1) and probable (P2) reserves of their coal, peat, natural phosphates and natural potassium assets and shall calculate this potential considering the recommendations in (Russel, 2016)1.~~

~~AR 27. AR 26. When compiling the information specified in Disclosure MCO-E2-TM1, the undertaking shall select one of the following approaches for calculating significant air emissions:~~

- ~~(a) Direct measurement of emissions (such as online analysers).~~
- ~~(b) Calculation based on site specific data.~~
- ~~(c) Calculation based on published emission factors.~~
- ~~(d) Estimation. If estimations are used due to a lack of default figures, the undertaking shall indicate the basis on which figures were estimated.~~

~~AR 27. Undertakings shall consider a breakdown of locked-in emissions according to the following table:~~

<u>Reserves</u>	<u>Proved</u>	<u>Probable</u>	<u>Total</u>
<u>Developed producing reserves</u>	[MtCO ₂]	[MtCO ₂]	[MtCO ₂]
<u>Developed non-producing reserves</u>	[MtCO ₂]	[MtCO ₂]	[MtCO ₂]
<u>Undeveloped reserves</u>	[MtCO ₂]	[MtCO ₂]	[MtCO ₂]

Application Requirement related to [draft] ESRS E1-6 – Gross scopes 1, 2, 3 and total GHG emissions

~~AR 28. When disclosing its scope 3 GHG emissions, the undertaking shall consider as a minimum the following datapoints:~~

- ~~(a) Waste generated in operations~~
- ~~(b) Processing of sold products~~

- (c) Use of sold products
- (d) Downstream transportation and distribution

Application Requirement DR related to [draft] MIN 2 -E1 – Sensitivity analysis

AR 28:AR 29. The undertaking shall analyse the sensitivity of its current proven and probable reserves using the price trajectories published by the International Energy Agency (IEA) in its World Energy Outlook (WEO) publication, including:

- (a) Current Policies Scenario, which assumes no changes in policies from the mid-point of the year of publication of the WEO.
- (a)(b) New Policies Scenario, which assumes that broad policy commitments and plans that have been announced by countries-including national pledges to reduce greenhouse gas emissions and plans to phase out fossil energy subsidies-occur, even if the measures to implement these commitments have yet to be identified or announced. This broadly serves as the IEA baseline scenario.
- (c) Sustainable Development Scenario, which assumes an energy pathway occurs that is consistent with the goal of limiting the global increase in temperature to 1.5°C by limiting concentration of greenhouse gases in the atmosphere.

AR 30. The undertaking shall consider the WEO scenarios as a normative reference, thus any updates to the WEO made year-on-year shall be considered updates to this guidance.

AR 29:AR 31. The undertaking may summarise its findings in the following table format:

<u>Price case</u>	<u>Proven reserves</u>		<u>Probable reserves</u>	
	<u>Product A (measure)</u>	<u>Product B (measure)</u>	<u>Product A (measure)</u>	<u>Product B (measure)</u>
<u>Current policies scenario (base)</u>				
<u>New policies scenario</u>				
<u>Sustainable development scenario</u>				

AR 30:AR 32. The undertaking may disclose the sensitivity of its reserve levels in other price and demand scenarios in addition to those described above, particularly if these scenarios differ depending on the type of coal reserves, regulatory environment in the countries or regions where mining occurs, end-use of the entity's products, or other factors.

AR 31:AR 33. For additional sensitivity analyses, the undertaking should consider disclosing the following, per the Task Force on Climate Related Financial Disclosures (TCFD) Recommendations Report Figure 8 as well as the Implementing the Recommendations of the TCFD Report, Section E:

- (a) The alternative scenarios used, including other 2°C or lower scenarios.
- (b) Critical input parameters, assumptions, and analytical choices for the climate-related scenarios used, particularly as they relate to key areas such as policy assumptions, energy deployment pathways, technology pathways, and related timing assumptions.

- (c) Time frames used for scenarios, including short-, medium-, and long-term milestones (e.g., how organizations consider timing of potential future implications under the scenarios used).

MCO-E2-IRO-1 Application Requirement related to MIN 3 – E1 - closure and rehabilitation costs

AR 34. In providing the Disclosure requirement related to ESRS E1-9 on closure and rehabilitation costs, the undertaking shall the costs necessary to address:

- (a) Adverse impacts of closure of the operational site [TO BE DISCUSSED] on own workers, non-employee workers and their communities (DR related to ESRS2 -SBM 3)
- (b) Restoration of material impacts to biodiversity and ecosystems around the closed operational site [TO BE DISCUSSED] (DR related to ESRS E4-2); and
- (c) Adverse impacts of closure of the operational site [TO BE DISCUSSED] on affected communities (DR related to ESRS S3-3)

ESRS E2-related requirements

Application Requirement related to [draft] ESRS E2-2 - Actions and resources related to pollution

AR 35. The undertaking shall consider its actions to prevent or mitigate negative impacts from acid rock drainage.

AR 32-AR 36. The undertaking shall consider which actions it has implemented or planned to prevent or mitigate negative impacts from acid mine drainage including which mine sites acid mine drainage is:[TO BE DISCUSSED]

- (a) predicted to occur;
- (b) has not been actively mitigated, and
- (c) is not under treatment or remediation.

AR 33-AR 37. Acid Rock Drainage (ARD) is predicted to occur if, based on computer simulations, chemical evaluations, and/ or acid-base accounting, it is biochemically likely that ARD could form at the mine site. ARD is considered to be actively mitigated if the entity is preventing the formation of ARD through methods that include but are not limited to: storing or covering sulphite-bearing minerals to prevent oxidation, flood prevention and mine sealing, mixing of acid buffering materials with acid-producing materials, or chemical treatment of sulfidic wastes (e.g., organic chemicals designed to kill sulphide-oxidising bacteria).

AR 34-AR 38. Minerals or business units may include, for example: aluminium, copper, zinc, iron ore, precious metals, or diamonds. ARD may also be referred to as acid-generating seepage or acid mine drainage.

AR 35-AR 39. ARD is considered under treatment or remediation, if the acidic water discharged from the mine area is captured and undergoes a wastewater treatment process (active or passive).

AR 36-AR 40. Mining activities can reduce water availability for local communities and other sectors that rely on water. They can have impacts on the quality of surface water, groundwater, and seawater, which can translate into long-term impacts on ecosystems and biodiversity, cause health and development problems for humans, and impair food security.

AR 37-AR 41. Water is used in mining activities for cooling and cutting; dust suppression during mining and hauling; washing to improve ore quality; re-vegetation of surface mines; and long-

distance ore slurry transportation. The amount of water needed for activities depends on whether mining occurs on the surface or underground and on operational efficiency.

AR 38:AR 42. The amount of water withdrawn also varies according to an undertaking's ability to substitute the use of freshwater, the quality of water required, reservoir characteristics, and recycling infrastructure.

AR 39:AR 43. A mining undertaking's impacts on water also depend on the quantity of local water resources. A large proportion of the world's ore resources are found in areas that are arid or experience water stress (which are regions where the percentage of total water withdrawn is high (40-80%) or extremely high (greater than 80%) in the World Resources Institute's (WRI) Water Risk Atlas tool Aqeduct). In such areas, the sector's activities are likely to increase competition for water. This may exacerbate tensions between, as well as within, sectors or local communities. Droughts, floods, and other extreme weather events due to climate change will likely pose more frequent challenges to water availability and quality in the future.

AR 40:AR 44. Mining activities' impacts on water quality can be due to leaching from tailings, failure of tailings facilities, and acid mine drainage containing acidic water and heavy metals. Certain mining methods can involve substantive vegetation clearance and land-use changes, leading to erosion and sediment flows, which together with alterations in water flows can affect water quality and aquatic and terrestrial habitats. Underground operations might also disrupt or contaminate aquifers.

AR 41:AR 45. Transportation accidents and related ore spills can contaminate waterways and wetlands with harmful materials, such as arsenic, lead, mercury, and sulphur compounds.

Application Requirement *MCO-related to [draft] ESRS E2-4 - Pollution of air, water and soil*

AR 46. The undertaking shall consider disclosing pollutants mentioned in [draft] ESRS E2-4 Pollution of air, water and soil by operational site level. [TO BE DISCUSSED]

AR 47. The undertaking shall disclose, per operational site, the volume of pollutants and significant emissions over the last 12-month period as well as in total for the entire duration of the operational site. The Disclosure Requirement is to be fulfilled at operational site level [TO BE DISCUSSED]. The undertaking shall report the following information:

- (a) Significant emissions, in kilograms or multiples, of the pollutants mentioned in [draft] ESRS E2-4;
- (b) Source of the emission factors used;
- (a)(c) Standards, methodologies, assumptions, and/or calculation tools used.

AR 48. The undertaking shall also consider the approach of selecting the different standards and methodologies used to calculate the significant emissions.

AR 42:AR 49. When compiling the information specified in DR related to E2-4 Pollution of air, water and soil, the undertaking shall select one of the following approaches for calculating significant air emissions:

- (a) Direct measurement of emissions (such as online analysers).
- (b) Calculation based on site-specific data.
- (c) Calculation based on published emission factors.
- (d) Estimation. If estimations are used due to a lack of default figures, the undertaking shall indicate the basis on which figures were estimated.

AR 50. The most relevant pollutants for Mining are:

- (a) Hydrogen cyanide;

- (b) PM 10 & PM 2.5;
- (c) Carbon Monoxide;
- (d) Ground Level ozone;
- (e) Hydrogen sulphide;
- (f) Any other pollutants considered relevant by the undertaking.

Application Requirement related to [draft] ESRS E2-2, E2-3 and E2-6 – Significant spills and other critical incidents

AR 51. The undertaking shall consider the number of critical incidents in the reporting period, including their impacts, as well as the number, volume and impact of recorded significant spills.

AR 43:AR 52. The undertaking shall disclose the total number of critical incidents in the reporting period and their impacts, by type of pollutant involved. The undertaking shall rely on the pollutants listed in ESRS E2, AR 21 till AR26 as well as the definitions of substances of concern and substances of very high concern defined in Appendix A to ESRS 2 Pollution. In one incident multiple pollutants can be involved. The disclosure shall include:

- (a) a description of the incident,
- (b) how the undertaking defines a ‘critical’ incident and a description of the impact.

AR 44:AR 53. The undertaking shall disclose the total number and total volume of recorded significant spills. For each spill, [TO BE DISCUSSED] the undertaking shall disclose:

- (a) location of spill,
- (b) volume of spill,
- (c) material of spill, categorised by: oil spills (soil or water surfaces), fuel spills (soil or water surfaces), spills of waste (soil or water surfaces), spills of chemicals (mostly soil or water surfaces), and other.
- (d) a description of the impacts of each spill,
- (e) how the undertaking defines a ‘significant’ spill.

AR 45:AR 54. The undertaking shall report on spills that occurred during the reporting period as well as spills from previous reporting periods that have not been entirely cleaned-up.

AR 55. ~~TM3~~–The undertaking shall report on actions taken to remediate the impacts of spills.

AR 56. The undertaking shall clarify whether financial effects or broader impact effects were sought after.

Application Requirement MIN 3 -E2- Tailings facilities and impoundments and compliance with GISTM

AR 46:AR 57. Hazard potential shall be determined by a third party. The three different hazard potential classifications are:

- (a) High hazard potential
- (b) Significant hazard potential
- (c) Low hazard potential

AR 47:AR 58. High hazard potential impoundments are dams, regardless of their condition or size, whose failure will probably cause loss of life. These facilities are generally located in populated areas or where dwellings are found in the flood plain, and failure can reasonably be expected

to cause loss of life, serious damage to homes, industrial and commercial buildings, and damage to important utilities, highways, or railroads.

~~AR 48-AR 59.~~ Significant hazard potential impoundments are dams, regardless of their condition or size, whose failure would result in no probable loss of life but would disrupt important utilities or cause significant economic loss or significant environmental damage. These facilities are generally located in predominantly rural areas, but could be in populated areas with significant infrastructure, where failure could damage isolated homes, main highways, and minor railroads, or disrupt the use of service of public utilities.

~~AR 49-AR 60.~~ Low hazard potential impoundments are dams whose failure would not be expected to cause loss of life, disrupt important utilities, or cause significant economic loss or significant environmental damage. These facilities are usually located in rural or agricultural areas where losses are limited principally to the owner's property or where failure would cause only slight damage to farm buildings, forest and agricultural land, and minor roads.

~~AR 50-AR 61.~~ The scope of this disclosure includes only dams that either: (1) Equal or exceed 7.5 meters in height and can or do store a volume of more than 18.500 cubic meters, or (2) Exceed 1.8 meter in height and can or do store 61.500 or more cubic meters.

~~AR 51-AR 62.~~ Hazard potential classification depends solely on the consequences of failure of the dam and not on the condition of the dam. Hazard potential classification can change over time.

~~Disclosure requirement MCO 7-E2 – financial effects from future price and demand for coal~~

~~72.~~ The undertaking shall discuss the implications of price and demand scenario planning and how they may affect decisions to explore, acquire, and develop new reserves. This discussion shall include the entity's projections and assumptions about future coal prices and the likelihood that certain price and demand scenarios occur.

~~73.~~ The undertaking shall discuss factors that materially influence its CAPEX decision making, including, but not limited to:

~~74.~~ How the scope of air quality and climate change regulation—such as which countries, regions, and/or industries are likely to be impacted—may influence where the entity focuses its exploration and development.

~~75.~~ Its view of the alignment between the time horizon during which price and demand for coal may be affected by climate regulation and time horizons for returns on capital expenditures on reserves.

~~76.~~ How the structure of climate regulation—i.e., a carbon tax versus cap-and-trade—may differently affect price and demand, and thus the entity's capital expenditure decision making

~~77.~~ The undertaking shall discuss how these trends affect decision-making in the context of different types of reserve expenditures, including development of assets, acquisition of properties with proven reserves, acquisition of properties with unproven resources, and exploration activities.

~~Disclosure requirement MCO 8-E2 – Sensitivity analysis of coal reserves~~

~~AR 52-AR 63.~~ The undertaking shall analyse the sensitivity of its current proven and probable reserves using the price trajectories published by the International Energy Agency (IEA) in its World Energy Outlook (WEO) publication, including:

~~78.~~ Current Policies Scenario, which assumes no changes in policies from the mid-point of the year of publication of the WEO

~~(a) New Policies Scenario, which assumes that broad policy commitments and plans that have been announced by countries including national pledges to reduce greenhouse gas emissions and plans to phase out fossil energy subsidies occur, even if the measures to implement these commitments have yet to be identified or announced. This broadly serves as the IEA baseline scenario.~~

~~79. Sustainable Development Scenario, which assumes an energy pathway occurs that is consistent with the goal of limiting the global increase in temperature to 1.5°C by limiting concentration of greenhouse gases in the atmosphere~~

~~80. The undertaking shall consider the WEO scenarios as a normative reference, thus any updates to the WEO made year-on-year shall be considered updates to this guidance~~

~~AR 53. AR 64. The entity may summarize its findings in the following table format:~~

Price case	Proven reserves		Probable reserves	
	Coal (tons)	Product A (measure)	Coal (tons)	Product A (measure)
Current policies scenario (base)				
New policies scenario				
Sustainable development scenario				

~~AR 54. AR 65. The undertaking may disclose the sensitivity of its reserve levels in other price and demand scenarios in addition to those described above, particularly if these scenarios differ depending on the type of coal reserves, regulatory environment in the countries or regions where mining occurs, end-use of the entity's products, or other factors.~~

~~AR 55. AR 66. For additional sensitivity analyses, the undertaking should consider disclosing the following, per the Task Force on Climate Related Financial Disclosures (TCFD) Recommendations Report Figure 8 as well as the Implementing the Recommendations of the TCFD Report, Section E:~~

- ~~(a) The alternative scenarios used, including other 2°C or lower scenarios.~~
- ~~(b) Critical input parameters, assumptions, and analytical choices for the climate-related scenarios used, particularly as they relate to key areas such as policy assumptions, energy deployment pathways, technology pathways, and related timing assumptions.~~
- ~~(c) Time frames used for scenarios, including short-, medium-, and long-term milestones (e.g., how organizations consider timing of potential future implications under the scenarios used).~~

Disclosure requirement MCO-9-E2 – Actions to prevent and mitigate impacts of coal dust

~~81. Air emissions include pollutants that have negative impacts on air quality and ecosystems, including human and animal health. This topic covers impacts from emissions of sulphur oxides (Sox), nitrogen oxides (NOx), particulate matter (PM), volatile organic compounds (VOC), carbon monoxide (CO), and heavy metals, such as lead, mercury, and cadmium.~~

- ~~82. In addition to greenhouse gas (GHG) emissions, coal is a significant source of anthropogenic air emissions classified as pollutants. Globally, air pollution causes acute health problems and millions of deaths annually by contributing to heart and lung diseases, strokes, respiratory infections, and neurological damage. Air emissions disproportionately affect children, the elderly, and the poor, including local communities adjacent to operational sites.~~
- ~~83. Air pollution also causes an economic burden on communities and governments resulting from, for example, premature mortality, increased healthcare costs, loss of productivity, and reduced crop yields.~~
- ~~84. Air emissions from coal activities include CO, NO_x, PM, and SO₂. These emissions can occur in the form of evaporation from tailings ponds or waste areas; fugitive dust emissions from drilling, blasting, storage, transportation, loading, and unloading; refining and processing activities; transportation of supplies and products; and incidents, such as mine fires.~~
- ~~85. In addition to health effects, the emission of pollutants also has impacts on ecosystems. For example, nitrogen emissions and mercury that enter the oceans or waterways can have negative impacts on marine life. NO_x is also a major cause of ground-level ozone, commonly known as smog. Sulphur oxides can lead to acid rain and increase ocean acidification. Negative impacts from acid rain and ground-level ozone include the degradation of water and soil, impairing flora and fauna of their ability to function and grow. Some air pollutants, including methane, black carbon, and ozone are also short-lived climate pollutants that contribute to climate change.~~
- ~~86. Arsenic, cadmium, lead, mercury, selenium, and other heavy metals are other pollutants associated with coal use. The impurities and chemical components found in coal are largely responsible for the PM, SO₂, and mercury emissions formed when combusted, some of which can be mitigated by coal washing. The emissions from coal combustion are caused by undertakings in other sectors, such as utilities and steel, but their negative impacts are directly linked to coal mining undertakings.~~

ESRS E4-related requirements

Application Requirement MCO 10 – E4 – Operational sites in or near sites with protected conservation status or endangered species habitat

- ~~87.135. The undertaking shall disclose the percentage and grade (in percentage metal content) of proved reserves that are located in or near high-risk areas.~~
- ~~(a) The undertaking shall use the definition in Appendix A for classifying reserves as proved and/or probable.~~
- ~~(d) The percentage of proved/probable reserves shall be calculated as the amount of proved/probable reserves located in or near areas of high risk divided by the total amount of proved/probable reserves~~
- ~~(e) The undertaking shall provide a breakdown of the calculations by grade (in percentage metal content) of proved/probable reserves~~
- ~~(f) The undertaking shall, where relevant, provide a breakdown of calculations by mineral or business unit where minerals or business units include, for example: aluminium, copper, zinc, iron ore, platinum group metals, and diamonds.~~
- ~~(g) The undertaking shall follow the Combined Reserves International Reporting Standards Committee (CRIRSCO) guidance for classifying ore reserves and mineral resources, including the use of a "competent person" to compile information.~~
- ~~88.136. The undertaking shall also explain their process of identifying the sites with protected conservation status or endangered species habitat in a way that is easy to understand and replicate.~~

~~89.137. Reserves are considered to be in areas of protected conservation status if they are located within:~~

- ~~(a) International Union for Conservation of Nature (IUCN) Protected Areas (categories I-IV)~~
- ~~(b) Ramsar Wetlands of International Importance~~
- ~~(c) UNESCO World Heritage Sites~~
- ~~(d) Biosphere Reserves recognized within the framework of UNESCO's Man and the Biosphere (MAB) Programme~~
- ~~(e) Natura 2000 sites~~
- ~~(f) Sites that meet the IUCN's definition of a protected area: "A protected area is a clearly defined geographical space, recognized, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values"~~
- ~~(g) These sites may be listed in the World Database of Protected Areas (WDPA) and mapped on Protected Planet~~

~~90.138. Reserves are considered to be in endangered species habitat if they are in or near areas where IUCN Red List of Threatened Species that are classified as Critically Endangered (CR) or Endangered (EN) are extant.~~

~~91.139. A species is considered extant in an area if it is a resident, present during breeding or non-breeding season, or if it makes use of the area for passage.~~

~~92.140. For the purposes of disclosure, " passage" is defined as all areas of land or water that a migratory species inhabits, stays in temporarily, crosses or overflies at any time on its normal migration route.~~

~~93. For the purposes of this disclosure, "near" is defined as within 5 kilometres (km) of the boundary of an area of protected conservation status or an endangered species habitat to the location of the undertaking's proven and probable reserves.~~

~~94.141. The undertaking may separately identify reserves in areas with additional ecological, biodiversity, or conservation designations such as those listed by the A-Z Guide of Areas of Biodiversity Importance prepared by the United Nations Environment Programme's World Conservation Monitoring Centre (UNEP-WCMC).~~

~~95.142. The undertaking may discuss reserves that are located in protected areas or endangered species habitat, but present low risk to biodiversity or ecosystem services; the undertaking may provide similar discussion for reserves located in areas with no official designation of high biodiversity value but that present high biodiversity or ecosystem services risks.~~

~~ESRS E5-related requirements~~

~~Application Requirement MCO-CE-TM1 – Total amount of waste (mineral processing and tailing)~~

~~AR 56. AR 67. Relative to paragraph 75(a), 42, the amount of tailing waste produced to be reported as follows:~~

- ~~(a) the amount of total tailings waste shall be calculated in metric tons;~~
- ~~(b) the scope includes tailings waste generated from mining activities~~
- ~~(c) the scope of the disclosure excludes waste rock and overburden.~~

~~(d) — the amount of total tailings waste shall be calculated in metric tons;~~

~~(e) — the scope includes tailings waste generated from mining activities~~

~~(f) — the scope of the disclosure excludes waste rock and overburden.~~

96. Relative to paragraph 75(a), the amount of mineral processing waste and the amount of tailing waste produced are to be reported as follows:

~~(a) — the amount of total mineral processing waste shall be calculated in metric tons.~~

~~(b) — the scope includes tailings waste generated during metals processing (e.g. smelting and refining), such as slags, dusts, sludges, and spent solvents;~~

~~(c) — the scope includes scrap metal, reject coal, used oil, and other solid wastes and excludes gaseous wastes. excludes waste rock and overburden.~~

97. The percentage recycled shall be calculated as the weight of waste material that was reused plus the weight recycled or remanufactured (through treatment or processing) by the undertaking plus the amount sent externally for further recycling divided by the total weight of waste material, where:

98. The scope of recycled and remanufactured products includes primary recycled materials, co-products (outputs of equal value to primary recycled materials), and by-products (outputs of lesser value to primary recycled materials).

99. Portions of products and materials that are disposed of in landfills are not considered recycled; only the portions of products that are directly incorporated into new products, co-products, or by-products shall be included in the percentage recycled.

100. Materials sent for further recycling include those materials which are transferred to a third party for the expressed purpose of reuse, recycling, or refurbishment.

101. Materials incinerated, including for energy recovery, are not considered reused or recycled.

~~ESRS S1-related requirements~~

~~ESRS E3-related requirements~~

~~Application Requirement related to [draft] ESRS S1-13E3-4 – Water consumption~~

~~AR 68. The undertaking shall consider disclosing information on its water consumption performance according to [draft] ESRS E3-4, per operational site [TO BE DISCUSSED].~~

~~AR 69. The objective of this Disclosure Requirement is to provide insight in the volume of water consumption performance per each operational site of the undertaking.~~

~~ESRS E4-related requirements~~

~~Application Requirement related to [draft] ESRS E4-3 – Actions and resources related to biodiversity and ecosystems~~

~~AR 70. The undertaking shall disclose if a Restoration Plan exists for each of its operational sites [TO BE DISCUSSED]. If this is not the case, the undertaking shall disclose the list of sites for which there is no Restoration plan.~~

~~AR 71. The undertaking shall consider disclosing restoration plans for operational sites. [TO BE DISCUSSED]~~

~~AR 72. Restoration plans should address the following objectives:~~

- (a) the long-term stability and sustainability of the landforms, soils and hydrology of the site;
- (b) the partial or full repair of ecosystem capacity to provide habitats for biota and services for people;
- (c) the prevention of pollution of the surrounding environment.

AR 73. In the description of its Restoration Plans, the undertaking shall include:

- (a) A baseline assessment of the local environment pre-mine, which shall include
 - i. The affected ecosystems types;
 - ii. The affected ecosystem size in hectares;
 - iii. The affected ecosystem initial condition;
 - iv. The affected species names;
 - v. The affected species extinction risk;
 - vi. A list of the significant ecosystem services and beneficiaries that will be affected by the undertaking's operations;
 - vii. An explanation of how the ecosystem services and beneficiaries will be affected;
 - viii. Standards, methodologies, assumptions use to make this assessment.
- (b) A description of the risks for biodiversity and ecosystems;
- (c) A description of real impacts on biodiversity and ecosystems:
 - i. Report the size in hectares and the type of natural ecosystem converted since the cut off date or reference date;
 - ii. Report the current state of the ecosystem;
 - iii. Report the current state of species.
 - iv. Standards, methodologies, assumptions use to make this assessment.
- (d) A description of the goal of the restoration plan (converting the area to a safe and stable condition, restoring the area to pre-mining conditions as closely as possible, near-natural restored ecosystem, reinstating ecosystem functionality or land productivity, etc.)
- (e) A description of restoration activities and their implementation;
- (f) Monitoring performance of the restoration activities;
- (g) Results of the restoration activities.
- (h) Additional actions to offset negative impacts and transformative actions, including additional conservation actions by the undertaking.

AR 74. To ensure long-term quality of the Restoration process, the undertaking shall:

- (a) Describe their legacy policy on restoration;
- (b) Describe the quality of the Restoration Plan in relation to local communities;
- (c) Consider Long-term liabilities, describing the continuation of the Restoration Plan if the area is sold or leaves the undertaking's possession.

AR 57-AR 75. Different mining methods present distinct risks for biodiversity. Open-pit mines generate more severe impacts than underground mines due to the progressive deepening

and widening of the mining site, increasing affected areas over time. Impacts on biodiversity can result from:

- (a) residual impacts after all other measures have been applied;
- (b) land clearance for pits, access routes, and expansion into new areas;
- (c) habitat fragmentation from access roads and other linear infrastructure;
- (d) ground subsidence from underground mines;
- (e) disruption of surface water, wetland, and groundwater ecosystems; and
- (f) effluent discharges, groundwater, or surface water contamination from acid mine drainage, tailings ponds, or overburden piles.

The average number of hours of health, safety, Application Requirement related to [draft] ESRS E4-2 - Policies related to biodiversity and emergency response training ecosystems

AR 76. The policies implemented to manage material impacts, risks and opportunities related to biodiversity and ecosystems, disclosed according to ESRS E4-2, shall be calculated as: (total qualifying training hours provided by detailed for each operational site [TO BE DISCUSSED].

AR 58:AR 77. The undertaking) / (total number of employees).— shall describe policies and commitments to achieving no net loss or net gain to biodiversity on operational sites [TO BE DISCUSSED]; and report whether these commitments apply to existing and future operations.

ESRS E5 -related requirements

Application Requirement related to [draft] ESRS E5-5 - Resource use and circular economy

AR 78. When disclosing about its waste according to Disclosure Requirement E5-5, the undertaking shall consider the different categories of waste according to the European Waste Catalogue (Directive 2006/21 of 15 March 2006 on the management of waste from extractive industries).

<https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32006D0532>

ESRS S1 -related requirements

Application Requirement MIN 9 -S1- Percentage of security personnel receiving training in undertakings' human rights policies

AR 79. In reporting Disclosure Requirement MIN 9-S1 the undertaking shall consider the following:

- (a) Provide information on the content of the trainings offered (eg. differentiate between trainings related to security issues and trainings on human rights policies);
- (b) Which due diligence steps are taught in dealing with human rights defenders;
- (c) Which remedial actions are taught to the security personnel.

AR 80. In disclosing the audited nature of the data, the undertaking shall consider both internal and external audits.

Application Requirement [draft]-S1-13 Training and skills development

AR 81. When disclosing the training and development indicators defined in [draft] ESRS S1-13, the undertaking shall consider the following data points:

- (a) the undertaking's general approach and processes to ensure the quality of the training services related to work-related hazards, hazardous activities, or hazardous situations which contribute to the identification and elimination of hazards and minimisation of risks for its employees.
- (b) the average hours of training related to the health, safety and emergency preparedness of employees, with respect to occupational risks or hazards to which employees are reasonably likely to be exposed; such information shall be broken down by permanent employees, temporary employees and non-guaranteed hours employees.

Application Requirement [draft]- S1-14 Health and Safety indicators

AR 82. When reporting on ESRS S1-14, the undertaking shall consider the following datapoints for own workforce and non-employee workers:

- (a) the disclosure of substances of very high concern that workers are exposed to in its operations;
- (b) the disclosure of other dangerous factors in the physical work environment, including:
 - i. noise and vibrations;
 - ii. ergonomic risk factors;
 - iii. psycho-social organizational work environment; or
 - iv. thermal strain and stress (including heat rash, heat fatigue, heat cramps, heat syncope, heat exhaustion and heat stroke); and
- (c) a description of the occupational health services functions that contribute to the identification and elimination of hazards and minimisation of risks and an explanation
- (d) the number of work-related fatalities, work-related injuries and cases of work-related ill health as a result of working with chemicals (including but not limited to silica, methane, asbestos, and diesel);
- (d)(e) how the undertaking ensures the quality of these services and facilitates workers' access to them; Social protection

~~AR 59.~~AR 83. When describing the scope of access to non-occupational medical and healthcare services provided, the undertaking ~~can specify~~shall consider the types of service to which access is facilitated ~~and~~as well as the ~~types of~~split between own workforce and non-employee workers ~~that have access to them.~~

~~AR 60.~~AR 84. If the undertaking does not facilitate own workforce workers' access to non-occupational medical and healthcare services because it operates in a country where the population already has access to high-quality and accessible services (e.g., through financial or other support), the undertaking can state this in its reported information.

~~AR 61.~~AR 85. If the undertaking does not facilitate access to non-occupational medical and healthcare services for workers who are not employees because the employer of those workers facilitates their access to these services, the undertaking can state this in its reported information.

~~AR 62:~~AR 86. Disclosure Requirement S1-14 covers services and programs aimed at addressing major nonwork-related health risks among workers, including both physical and mental health-related risks. Examples of these risks include smoking, drug and alcohol abuse, physical inactivity, unhealthy diets, HIV, and psychosocial factors.

~~AR 63:~~AR 87. Voluntary health promotion programs and services might include:

- (a) smoking cessation programs
- (b) dietary advice
- (c) offering of healthy food in the canteen
- (d) stress-reducing programs
- (e) provision of a gym or
- (f) fitness programs.

~~AR 64:~~AR 88. A program or service is voluntary when it does not set mandatory personal targets, and if incentives are provided, these are not associated with the undertaking's decisions regarding employment or engagement of workers.

~~AR 65:~~AR 89. In addition, voluntary health promotion services and programs complement but cannot be a substitute for occupational health and safety services, programs and systems that prevent harm and protect workers from work-related injuries and ill health. Voluntary health promotion and occupational health and safety may be managed jointly by the undertaking, as part of an overall approach to ensuring the health and safety of workers.

~~AR 66:~~AR 90. When describing how it facilitates workers' access to voluntary health promotion services and programs, the undertaking ~~can explain~~shall consider whether it allows workers to make use of these during paid working hours. The undertaking can also report if these services and programs are available for family members of workers.

Application Requirement ~~MCO 11~~MIN 5 -S1- Percentage of security personnel receiving training in undertakings' human rights policies

~~AR 67:~~AR 91. Undertakings in the mining sector may operate in locations and situations of conflict, including, for example, countries characterized by political and social instability. The risk of human rights abuses is heightened in areas of conflict. Conflict can also be caused by the presence of mining activities. It can be triggered by negative environmental impacts; inadequate engagement with stakeholders and indigenous peoples in decision-making processes; uneven distribution of economic benefits or provision of benefits deemed disproportionate to impacts created; and disputes over the use of land and natural resources. The perceived mismanagement of funds at the expense of local interests can also trigger conflict. Such conflicts can heighten the need to use security personnel, thereby increasing the potential for violations of human rights.

~~AR 68:~~AR 92. Security personnel engaged by undertakings in the mining sector or public security directed by the host government may be present to protect undertakings' assets or ensure workers' safety and security. Actions taken by security personnel against local community members, including during protest activities against the development of ore resources or to protect their land and resources, can violate human rights, such as rights to freedom of association and freedom of speech, as well as lead to violence, injuries, or deaths. Security contractors may also be connected to military or paramilitary groups, who may use child soldiers or be involved in grave human rights abuses.

~~AR 69:~~AR 93. Undertakings shall consider whether training is aligned with the Voluntary Principles on Security and Human Rights. Human rights training for security personnel aims at ensuring that force is used only when necessary, and shall clarify the proportional type of force that can be deployed to different types of threats. Training that addresses the protection of vulnerable

and marginalised groups, especially women, children and indigenous populations may be disclosed.

ESRS S2 Workers in the value chain -related requirements

Application requirement for ESRS S2-4 Taking action on material impacts on value chain workers, and approaches to mitigating material risks and pursuing material opportunities related to value chain workers, and effectiveness of those actions

AR 94. When the undertaking is disclosing its approaches to taking action on child labour and forced labour in accordance with paragraph 32-34 of ESRS S2 the undertaking shall include suppliers and other non-employee workers in its assessment of the value chain.

AR 95. They shall also consider:

- (a) Measures taken by the undertaking in the reporting period intended to contribute to the effective abolition of child labour.
- (b) Measures taken by the undertaking in the reporting period to contribute to the elimination of all forms of forced or compulsory labour.
- (c) Measures taken by the undertaking in the reporting period intended to support rights to exercise freedom of association and collective bargaining.

ESRS S3 -related requirements

Application Requirement related to [draft] ESRS S3-3 Processes for remediate negative impacts and channels for affected communities to raise concerns – Closure and post closure

AR 96. When disclosing its processes to remediate negative impacts following [draft] ESRS S3-3, the undertaking shall consider how it engages with local communities and other relevant stakeholders on its closure and post-closure planning and implementation, including post-mining land-use, to limit the actual and potential adverse impacts (e.g. unemployment, people moving out affecting the liveability of remaining supporting activities such as local shops, schools);

Application Requirement related to ESRS S3-2 - Approach to engage with local communities

AR 70:AR 97. When describing its processes for engaging with affected communities and their representatives about actual and potential material impacts on them, following ESRS S3-2, the undertaking shall describe its due diligence practices and procedures with respect to indigenous rights of communities in which it operates or intends to operate. In particular the undertaking shall consider the following:

- (a) Upholding ILO Convention No. 169;
- (b) Use of free, prior, and informed consent (or consultation) processes;
- (c) The establishment of project grievance mechanisms;
- (d) The establishment of formal community agreements;

~~Application Requirement related to ESRS S3-2 – Approach to engage with local communities~~

~~AR 71.AR 98. When describing its processes for engaging with affected communities and their representatives about actual and potential material impacts on them, following ESRS S3-2, the undertaking shall describe its due diligence practices and procedures with respect to indigenous rights of communities in which it operates or intends to operate. In particular the undertaking shall consider the following:~~

- ~~(a) Upholding ILO Convention No. 169;~~
- ~~(b) Use of free, prior, and informed consent (or consultation) processes;~~
- ~~(c) The establishment of project grievance mechanisms;~~
- ~~(d) The establishment of formal community agreements;~~

~~AR 72.AR 99. The disclosure shall consider due diligence processes employed during all stages of project development (i. e. prior, during, and post).~~

~~AR 73.AR 100. The disclosure shall also consider governance mechanisms the company puts in place to ensure that its policies and practices are adhered to throughout all levels of the undertaking.~~

~~AR 74.AR 101. The disclosure shall include how practices apply to business partners, such as contractors, sub-contractors, suppliers, and joint venture partners. Where practices do not apply to business partners, the undertaking may discuss factors that prevent the application of such practices.~~

~~Application Requirements related to [draft] ESRS S3-2 Processes for engaging with affected communities about impacts -Closure and post-closure~~

~~AR 75.AR 102. include due diligence processes employed during all stages of project development (i. e. prior, during, and post).~~

~~AR 76.AR 103. The disclosure shall also include governance mechanisms the company puts in place to ensure that its policies and practices are adhered to throughout all levels of the undertaking.~~

~~AR 77.AR 104. The disclosure shall include how practices apply to business partners, such as contractors, sub-contractors, suppliers, and joint venture partners. Where practices do not apply to business partners, the undertaking may discuss factors that prevent the application of such practices.~~

~~Application Requirements related to [draft] ESRS S3-2 Processes for engaging with affected communities about impacts -Closure and post-closure~~

~~AR 78.AR 105. The description of how an undertaking engages with local communities shall also consider an explanation on how the land will be used ex post the closure of the operational site. Where applicable, the undertaking shall develop such post-closure plans in consultation with local communities.~~

~~AR 79.AR 106. At the end of their commercial use, operational sites such as mines and other facilities are expected to be decommissioned or closed by the undertaking in an orderly way. Closure activities can include:~~

- ~~(a) Stabilisation of open-pit or underground workings, such as landfilling to prevent subsidence;~~
- ~~(b) Removal or conversion of infrastructure;~~
- ~~(c) Rehabilitation of waste rock stockpiles and tailings facilities to control erosion and land degradation;~~

(d) Management of waste, surface water and groundwater quality issues resulting from abandoned mine drainage, waste rock and leaching's from tailings; and

(e) Post-closure environmental and socio-economic monitoring.

~~AR 80:AR 107.~~ The closure of operational sites and restoring the biodiversity are often summarised in the undertaking's internal papers and memorandums. Affected regions require a lot of preparation. As the operational life of operational sites is expected to last for several decades a regularly updated restoration plan is essential. For this reason, the undertaking may update its closure and restoration plan annually and such disclosure shall be considered by the undertaking will also include an explanation on how the land will be used ex post the closure of the operational site. Where applicable, the undertaking shall develop such post-closure plans in consultation with local communities.

~~AR 81:AR 108.~~ At the end of their commercial use, operational sites such as mines and other facilities are expected to be decommissioned or closed by the undertaking in an orderly way. Closure activities can include:

(a) ~~Stabilisation of open-pit or underground workings, such as landfilling to prevent subsidence;~~

(b) ~~Removal or conversion of infrastructure;~~

(c) ~~Rehabilitation of waste rock stockpiles and tailings facilities to control erosion and land degradation;~~

(d) ~~Management of waste, surface water and groundwater quality issues resulting from abandoned mine drainage, waste rock and leaching's from tailings; and~~

(e) ~~Post-closure environmental and socio-economic monitoring.~~

~~AR 82:AR 109.~~ The closure of operational sites and restoring the biodiversity are often summarised in the undertaking's internal papers and memorandums. affected region requires a lot of preparation. As the operational life of operational sites is expected to last for several decades a regularly updated restoration plan is essential. For this reason, the undertaking may update its closure and restoration plan annually and such disclosure shall be considered by the undertaking.

~~AR 83:AR 110.~~ Closure and restoration are costly activities. For each operational site [TO BE DISCUSSED] the undertaking may annually demonstrate whether its financial provisions are sufficient to cover the expected costs, considering amongst others future price inflation.

~~AR 84:AR 111.~~ The disappearance of an operational site can have profound impacts on the socio-economic environment of local communities (unemployment, people moving out affecting the livability/liveability of remaining supporting activities such as local shops, schools, ...). In its disclosures the undertaking shall also disclose any collaborative efforts, projects and programs that are set up to manage the socio-economic impact of closure and restoration plans.

~~AR 85:AR 112.~~ The costs for environmental and socioeconomic aftercare can be significant. Therefore, the undertaking may book a financial provision in its financial statements to account for the payment of those activities related to closure and rehabilitation.

~~AR 86:AR 113.~~ Besides the financial provisioning, the undertaking may also disclose the non-financial provisions that are available to deal with the socio-economic transition of the local community to an environment where they are no longer dependent on the exploitation of the operational site. (including collaborative efforts, projects and programs).

AR 114. The socio-economic environment of local communities (unemployment, people moving out affecting the liveability of remaining supporting activities such as local shops, schools, and more) can be affected by the closure of an operational site(s).

Application Requirement related to [draft] S3 –4 Taking action on material impacts, and approaches to mitigating material risks and pursuing material opportunities related to affected communities, and effectiveness of those actions and approaches

~~AR 87.~~AR 115. The undertaking shall consider its approaches to taking action on affected communities and to mitigating material risks and pursuing material opportunities.

~~AR 88.~~AR 116. The undertaking shall disclose [for each operational site/for the key operational sites – TO BE DISCUSSED]:

- ~~(a)~~ the percentage of senior management that are recruited from the local community;
- ~~(b)~~ the percentage of workers hired from the local community;
- ~~(b)(c)~~ the percentage of the procurement budget spent on suppliers local to that operation:
 - ~~i.~~ the undertaking shall highlight the integration of businesses owned by women, or other minority groups within their local value chains.

the extent of development of significant infrastructure investments (e.g. transport links, utilities) and services (e.g. community social facilities, health, and welfare centres) supported; Application Requirement related to [draft] S3 –4 Taking action on material impacts, and approaches to mitigating material risks and pursuing material opportunities related to affected communities, and effectiveness of those actions and approaches

- ~~(d)~~ When disclosing on paragraph 29
 - ~~i.~~ this includes whether a community needs assessment was conducted to determine the need for infrastructure and other services, and describe the results.
- ~~(e)~~ details on the range of education and skills programmes that they deploy outside their workforce, including but not limited to:
 - ~~i.~~ Number of education and skills programmes supported (including early childhood development (ECD), bursaries and scholarships provided across all education levels, provision of primary, secondary and tertiary education support (including after school programmes or online support) and adult learning programmes)
 - ~~ii.~~ Total investment on education and skills programme(s) (outside of workforce) split by programme area.
 - ~~iii.~~ Total number of beneficiaries of education and skills programmes (disaggregated per gender and ethnicity to the extent practicable based on the local operating context and what is legally permissible)
- ~~(f)~~ approach to providing employment, procurement and training opportunities to local communities

~~AR 89.~~AR 117. If material, the undertaking shall also disclose [for each operational site/for the key operational sites – TO BE DISCUSSED]:

- ~~(a)~~ its interactions with indigenous peoples, including but not limited to means of communication, language used, frequency;
- ~~(b)~~ where applicable, the co-ownership programs developed for indigenous peoples and local communities. This shall include equity shares acquired by communities and their value;

~~(c) the most recent examples of involvement in the process of seeking free, prior, and informed consent from indigenous peoples to any of the undertakings' activities, and whether an agreement has been reached and if it is publicly available.~~

~~AR 90:AR 118. -), b) and c) When disclosing on paragraph AR 116 the undertaking shall consider:~~

~~AR 91:AR 119. The presence of the mining sector in proximity to indigenous communities can present economic opportunities and benefits for indigenous peoples through employment, training, and community development programs as well as co-ownership programs. However, it can also disrupt indigenous peoples' cultural, spiritual, and economic ties to their lands or natural environments, compromise their rights and well-being, and cause displacement. It can have further impacts on the availability of and access to water, which is a key concern for many indigenous communities.~~

~~AR 92:AR 120. The collective and individual rights of indigenous peoples are recognised in authoritative international instruments. Indigenous peoples also often have a special legal status in national legislation and can be customary or legal owners of lands to which undertakings in the mining sector are granted use rights by governments. Before initiating development or other activities that could have impacts on lands or resources that indigenous peoples use or own, undertakings are expected to seek free, prior, and informed consent (FPIC) from indigenous peoples. This right is recognized in the United Nations Declaration on the Rights of Indigenous Peoples and allows indigenous peoples to give or withhold consent to a project that may affect them or their territories and to negotiate project conditions.~~

Application Requirement MCO-12MIN-6 S3 – Metrics of negative impacts on affected communities

~~AR 93:AR 121. Land and resource rights of local communities and indigenous peoples are a key issue as often mining operations require relocation (voluntary or involuntary) of said groups.~~

~~AR 94:AR 122. The undertaking shall disclose the approach taken in recognising the legitimate tenure rights holders when acquiring, leasing or making other arrangements to use, or restrict the use of, land as well as to providing remediation following involuntary resettlement either through monetary or asset compensation.~~

~~AR 95:AR 123. The undertaking shall consider describing how it assesses whether its approach is in line with the best available standard.~~

Application Requirements MCO 13 – S3 – Operational sites in or near areas of conflict

~~AR 96:AR 124. The undertaking shall disclose the percentage and grade (in percentage metal content) of proved reserves that are located in or near high risk areas.~~

- ~~(a) The undertaking shall use the definition in Appendix A for classifying reserves as proved and/or probable.~~
- ~~(b) The percentage of proved/probable reserves shall be calculated as the amount of proved/probable reserves located in or near areas of high risk divided by the total amount of proved/probable reserves~~
- ~~(c) The undertaking shall provide a breakdown of the calculations by grade (in percentage metal content) of proved/probable reserves~~
- ~~(d) The undertaking shall, where relevant, provide a breakdown of calculations by mineral or business unit where minerals or business units include, for example: aluminium, copper, zinc, iron ore, platinum group metals, and diamonds.~~
- ~~(e) The undertaking shall follow the Combined Reserves International Reporting Standards Committee (CRIRSCO) guidance for classifying ore reserves and mineral resources, including the use of a "competent person" to compile information.~~

~~AR 97.AR 125.~~ The undertaking shall also explain their process of identifying the high-risk areas in a way that is easy to understand and replicate.

~~(a) In or near areas of conflict~~

~~AR 98.AR 126.~~ Reserves shall be considered to be in or near an area of active conflict if they are located in the same country as the active conflict.

~~AR 99.AR 127.~~ If the undertaking can demonstrate that a conflict is contained to a region, state, or designated area that is not proximate to its reserves, then it may exclude these from the scope of disclosure. If reserves are located in a country, region, or state adjacent to an active conflict and/ or can be reasonably expected to be operationally impacted by the conflict, then these reserves shall be included in the scope of disclosure.

~~(a) In or near indigenous land~~

~~AR 100.AR 128.~~ Indigenous lands are considered those occupied by indigenous people which are defined in ESRS S3 as: "indigenous peoples are generally identified as 1) tribal peoples in independent countries whose social, cultural and economic conditions distinguish them from other sections of the national community, and whose status is regulated wholly or partially by their own customs or traditions or by special laws or regulations; 2) peoples in independent countries who are regarded as indigenous on account of their descent from the populations which inhabited the country, or a geographical region to which the country belongs, at the time of conquest or colonisation or the establishment of present state boundaries and who, irrespective of their legal status, retain some or all of their own social, economic, cultural and political institutions.

~~(a) In countries that have the 20 lowest rankings in Transparency International's Corruption Perception Index~~

~~AR 101.AR 129.~~ The undertaking shall use the most current version of Transparency International's Corruption Perception Index to identify the 20 lowest ranking countries.

~~AR 102.AR 130.~~ The 20 lowest numerical ranks shall be used to generate the scope of countries. Due to the fact that multiple countries share many ranks, the scope may include more than 20 countries.

~~AR 103.AR 131.~~ The undertaking shall also discuss operations that are located in countries with low rankings in the index but present low business ethics risks. As well as operations located in countries that do not have one of the 20 lowest rankings in the index, but which present unique or high business ethics risks.

Application Requirements MCO 14MIN 8 -S3 – Policy to deal with human rights defenders

AR 104.AR 132. Human rights defenders play a valuable role in understanding local contexts and human rights risks on the ground. Based on the report "The United Nations Guiding Principles on Business and Human Rights: guidance on ensuring respect for human rights defenders" (2021) the disclosure requires a report of how the undertaking interacts with human rights defenders.

AR 105.AR 133. In addition, collecting data on attacks against human rights defenders is important to understand the existing scope of the problem, identify areas of concern and improvement.

AR 134. The undertakings therefore shall also provide a list of anonymised, disaggregated the following data on:

(a) The number of incidents with human rights defenders the undertaking was involved in during the reporting year. This number is provided by operational site [TO BE DISCUSSED] as the situations can differ very significantly between them in terms

human rights that are endangered. The breakdown per operational site also provides information on the geographical location of the incidents;

(a)(b) The number of incidents shall be broken down by gender and ethnicity of human rights defenders. This list shall be drawn up with the explicit consent of the defenders in a safe and secure manner) involved. The data will be anonymous;

(c) The undertaking shall explain how it remedies or will remedy the incidents that occurred during the reporting year. The undertaking shall also report on the resolved incidents from previous reporting years.

AR 135. In order to establish the list of incidents the undertaking shall consider official sources such as policy reports or other reports issued by governmental organisations. The undertaking shall not consider unofficial reports such as social media sources.

ESRS G1 -related requirements

Application Requirement ~~MCO- 16-G1 – Sales to, support received from and payments made to governments~~ESRS G1-2 – Management of relationship with suppliers

AR 106.AR 136. Compared to employees, workers employed by suppliers commonly have less favourable employment conditions, lower remuneration, less training, higher accident rates, and less job security. They often lack social protection and access to grievance mechanisms. Workers beyond the first tiers of business relationships in undertaking's supply chain may also be subject to low standards for working conditions, exposing undertakings in the mining sector to human rights violations through their business relationships.

AR 107.AR 137. Employment terms can vary between local workers, migrant workers, and contractors. Remuneration for these groups of workers may be unequal, and benefits, such as bonuses, housing allowances, and private insurance plans, may only be offered to expatriate employees. Lack of relevant skills, knowledge, or accessible training programs can also restrict local communities from accessing employment opportunities created by the mining sector.

Application Requirement MIN- 10-G1 – State aid and competition law

AR 108.AR 138. When reporting in accordance to paragraph ~~96-a)~~83 the undertaking shall include:

- (a) volumes and types of minerals purchased,
- (b) full names of the buying undertaking(s) and the recipient of the payment,
- (c) payments made for the purchase.

AR 109.AR 139. When reporting in accordance to paragraph ~~96-d)~~83 the undertaking shall include the following revenue streams in the breakdown:

- (a) The host government's production entitlement;
- (b) National state-owned company production;
- (c) Royalties;
- (d) Dividends;
- (e) Bonuses (e.g., signature, discovery, and production bonuses);
- (f) License fees, rental fees, entry fees; and other considerations for licenses or concessions;
- (g) Any other significant payments and material benefits to government.

~~AR 110.~~ **AR 140.** The undertaking shall also report the value of any thresholds that have been applied and any other contextual information necessary to understand how the project-level payments to governments reported have been compiled. When reporting in accordance to paragraph ~~96 e)~~ **83** shall include:

- (a) tax relief and tax credits;
- (b) subsidies.
- (c) funds received through the Just Transition Mechanism of the EU;
- (d) investment grants, research and development grants, and other relevant types of grants;
- (e) awards;
- (f) royalty holidays;
- (g) financial assistance from Export Credit Agencies (ECAs);
- (h) financial incentives;
- (i) other financial benefits received or receivable from any government for any operation.

AR 141. In accordance with Chapter 10 of the Directive 2013/34/EU on the annual financial statements, consolidated financial statements and related reports of certain types of undertakings, the undertaking shall provide payment data on a country-by-country level.

Data points related to [draft] ESRS S1-Appendix B.1 – Application Requirement MCO-18 – G1 – Suppliers assessed Requirements for social ESRS 2 related disclosures

AR 142. When disclosing the requirements in ESRS S1 Own workforce for ESRS 2 related disclosure the undertaking shall disclose the following datapoints:

<u>Social and human rights matters</u>	<u>Non-exhaustive list of factors to consider in Materiality Assessment</u>
<u>Secure employment</u>	<u>% of posted workers in own workforce</u>
<u>Working time</u>	<u>% of workers regularly working multi-day away-from-home assignments</u> <u>% of workers regularly working evening shifts</u> <u>% of workers regularly working night shifts</u> <u>% of workers regularly working on Saturdays and/or Sundays</u>
<u>Adequate wages</u>	<u>Allowances for housing for away-from-home assignments</u>
<u>Freedom of association/ collective bargaining including the rate of workers covered by collective agreements</u>	<u>% of workers affected by work stoppages</u>

Data points related to [draft] ESRS S1-Appendix B.2 - Application Requirements for ESRS S1-1 Policies related to own workforce

AR 143. When disclosing the requirements in ESRS S1 Own workforce for policies related to the own workforce the undertaking shall disclose the following datapoints:

<u>Social and human rights matters</u>	<u>Examples of policies</u>
<u>Secure employment</u>	<u>Policies on the use of posted workers</u>
<u>Working time</u>	<u>Policies on advance notice of scheduling, multi-day away-from-home assignments, and evening, night and weekend work</u>
<u>Adequate wages</u>	<u>Policies for housing allowances</u>
<u>Freedom of association/ collective bargaining including the rate of workers covered by collective agreements</u>	<u>% of workers affected by work stoppages</u>

Data points related to [draft] ESRS S1-Appendix B.3 – Application Requirements for ESRS S1-4 Taking action on material impacts on own workforce, and approaches to mitigating material risks and pursuing material opportunities related to own workforce, and effectiveness of those actions

~~AR 111.AR 144. Compared to employees, workers employed by suppliers commonly have less favourable employment conditions, lower remuneration, less training, higher accident rates, and less job security. They often lack social protection and access to grievance mechanisms. Workers beyond the first tiers of business relationships in undertaking's supply chain may also be subject to low standards for working conditions, exposing undertakings in the mining sector to human rights violations through their business relationships.~~

~~AR 112.AR 145. Employment terms can vary between local workers, migrant workers, and contractors. Remuneration for these groups of workers may be unequal, and benefits, such as bonuses, housing allowances, and private insurance plans, may only be offered to expatriate employees. Lack of relevant skills, knowledge, or accessible training programs can also restrict local communities from accessing employment opportunities created by the mining sector.~~

AR 146. When disclosing the requirements in ESRS S1 Own workforce for actions related material impacts on own workforce the undertaking shall disclose the following datapoints:

<u>Social and human rights matters</u>	<u>Examples of actions</u>
<u>Secure employment</u>	<u>Reducing the % of posted workers</u>
<u>Working time</u>	<u>Increase regular schedules</u> <u>Increasing advance notice of scheduling</u>

	<u>Reducing multi-day away-from-home assignments, and evening, night and weekend work</u>
<u>Adequate wages</u>	<u>Increasing housing allowances</u>
<u>Freedom of association/ collective bargaining including the rate of workers covered by collective agreements</u>	<u>% of workers affected by work stoppages</u>

Data points related to [draft] ESRS S1-Appendix B.4 – Application Requirements for ESRS S1-5 Targets related to managing material negative impacts, advancing positive impacts, and managing material risks and opportunities

AR 147. When disclosing the requirements in ESRS S1 Own workforce for targets related to managing material negative impacts the undertaking shall disclose the following datapoints:

<u>Social and human rights matters</u>	<u>Examples of targets</u>
<u>Secure employment</u>	<u>Smaller % of posted workers</u>
<u>Working time</u>	<u>Increased % of workers with regular schedules</u> <u>Increased advance notice of scheduling</u> <u>Lower % of multi-day away-from-home assignments, and evening, night and weekend work</u>
<u>Adequate wages</u>	<u>Adequate housing allowances</u>
<u>Freedom of association/ collective bargaining including the rate of workers covered by collective agreements</u>	<u>% of workers affected by work stoppages</u>

Appendix C: Sustainability Matters Mining, Quarrying and Coal

This Appendix presents a description of the sustainability matters that are material for undertakings in the Mining, Quarrying and Coal Operations-sector. It has the same authority of the main body of the standard and of Appendix B.

Sustainability Matters: Descriptions

E1: Climate change adaptation

Adaption Mining and Energy, low-carbon innovation quarrying

Mining and just transition metals production is often energy-intensive, with a significant proportion of energy consumption in the sector accounted for by purchased electricity. While fuel combustion on-site contributes to the sector's direct (Scope 1) GHG emissions, electricity purchases from the grid can result in indirect, Scope 2 emissions. The energy intensity of operations may increase with decreasing grades of deposits and increasing depth and scale of mining operations. The choice between on-site versus grid-sourced electricity, and use of alternative energy, can play an important role in influencing both the costs and reliability of energy supply. Affordable and easily accessible energy is an important competitive factor in a commodity market driven by global competition and purchased fuels and electricity can account for a significant proportion of total production costs. The way in which an undertaking manages its overall energy efficiency and intensity, its reliance on different types of energy, and its ability to access alternative sources of energy, can therefore be a material factor.

Coal

Coal operations generate significant amounts of CO₂ emissions and have the highest intensity per energy unit out of all fossil fuels. This topic covers how a company in this sector adapts to risks derived from climate change and its contributions to society to handle these impacts. Due to the high intensity of CO₂ emissions, this topic sheds a light on the transition the company is undergoing towards becoming low carbon. This would include the different alternatives they may have to contemplate to reduce emissions while developing coal activities and what effect these changes may have on the company's employees and the communities in which coal activities take place.

E1: Energy

Scope 1,2 Mining and 3 quarrying

Mining operations are energy-intensive and generate significant direct greenhouse gas (GHG) or CO₂e emissions, including carbon dioxide from fuel use during mining, ore processing, and smelting activities. It will also depend on the method used, open pit or underground mining, excavation type, depth of the mine and volumes of fugitive methane released. Underground mining is found to result in more GHG or CO₂e emissions. The extent and type of GHG emissions can vary depending on the metal mined and processed. Regulatory efforts to reduce GHG emissions in response to the risks posed by climate change may result in additional regulatory compliance costs and risks for metals and mining undertakings due to climate change mitigation policies. Operational efficiencies can be achieved through the cost-effective reduction of GHG emissions. Such efficiencies can mitigate the potential financial impact of increased fuel costs from regulations that seek to limit-or put a price on-GHG emissions.

Coal

Coal operations are energy intensive and generate significant direct greenhouse gas (GHG) or CO₂e emissions, including carbon dioxide from fuel use and methane released from coal beds during mining

and post-mining activities. This topic covers direct and energy indirect GHG or CO₂e emissions (Scope 1 and Scope 2) related to an undertaking's activities, as well as other indirect GHG emissions (Scope 3) related to the end use of an undertaking's products. The importance of CO₂e emissions will depend on the method used, open pit or underground mining, excavation type, depth of the mine and volumes of fugitive methane released. Underground mining is found to result in more GHG or CO₂e emissions than open pit mining. Regulatory efforts to reduce GHG emissions in response to the risks posed by climate change may result in higher operating and capital expenditures based on the magnitude of their direct emissions. Operational efficiencies can be achieved through the cost-effective reduction of GHG or CO₂e emissions. Such efficiencies can mitigate the potential financial impact of increased fuel costs from regulations that seek to limit - or put a price on - GHG or CO₂e emissions.

E2: Pollution of Air

Mining and quarrying

Non-greenhouse gas (GHG) air emissions from the Metals & Mining sector include hazardous air pollutants, criteria air pollutants, and Volatile Organic Compounds (VOCs) from smelting and refining activities. These can have significant, localized human health and environmental impacts. Depending on the metal, uncaptured sulphur dioxide, lead, mercury, cadmium, and arsenic are among the chief pollutants, along with particulate matter. Depending on the type of mining, i.e. open pit mining or underground mining the pollution of air differs. Underground mining is found to result in more GHG emissions than open pit mining.

Financial impacts resulting from air emissions will vary depending on the specific location of operations and the applicable air emissions regulations. Active management of the issue-through technological and process improvements-could allow undertakings to limit the impacts of increasingly stringent air quality regulations globally. Undertakings could also benefit from operational efficiencies that could lead to a lower cost structure over time.

Coal

Coal operations have an impact on the quality of air. Coal operations are emission intensive. Coal operations result in the emission of different gases during the entire operational process, from the drilling, refining, and transporting, to the transportation and waste management. This topic covers the emissions of Sulphur oxides (SO_x), nitrogen oxides (NO_x), carbon monoxide (CO), particulate matter (PM), heavy metals, persistent organic pollutants (POPs), volatile organic compounds (VOCs), ozone depleting substances (ODS), ammonia (NH₃), and other (hazardous) chemicals regulated by REACH and CLP and their compounds, several types of dust particles as well as other physical pollutants. These emissions are particular to the coal operations. This topic would additionally cover the efforts from undertakings to reduce the emissions of the above-mentioned gases and the impact these have on ecosystems, the health and safety of employees and local communities, as well as the economic and social effect these may have on society.

Depending on the type of mining, i.e. open pit mining or underground mining the pollution of air differs. Underground mining is found to result in more GHGeq emissions than open pit mining.

E2: Pollution of Water

In particular mercury

Mining and quarrying

Mining and metals production can impact both the availability and the quality of local water resources. Metals and mining undertakings face operational, regulatory, and reputational risks due to water scarcity, costs of water acquisition, regulations on effluents or amount of water used, and competition with local communities and other sectors for limited water resources. Impacts associated with water management may include higher costs, liabilities, and lost revenues due to curtailment or suspension of operations. The severity of these risks can vary depending on the region's water availability and the regulatory environment. Undertakings in the sector may deploy new technologies to manage risks related to water risk, including desalination, water recirculation, and innovative waste-disposal solutions. Reducing water use and contamination can create operational efficiencies for undertakings and lower their operating costs.

Coal

Coal operations have an impact on both the quality and quantity of local water resources. Coal operations are water intensive. The use of water in coal washing to remove sulphur, in cooling drilling equipment, and in transporting coal in slurry pipelines can impact resources. The severity of these risks can vary depending on the region's water availability and the regulatory environment. Reducing water use and contamination could also create operational efficiencies for undertakings and lower their operating costs. Wastewater treatment and discharge is often regulated by national or local agencies. Violating limits on selenium, sulphate, and dissolved solids could affect coal operations undertakings through significant penalties, compliance costs, delays in production, or higher costs related to mine closure.

E2: Pollution of Soil

Mining and quarrying

Mining activities are one of the most important anthropic causes of soil degradation and pollution in the world, according to scientific research. Mine soils in post-mining locations have great spatial variability in their properties (e.g., pH, particle size distributions, PTEs content), and are largely dependent on the characteristics of the ore that was processed and on the materials which were deposited at the site and can persist over time. Violating limits of pollutants allowed could affect operations of the undertakings through significant penalties, compliance costs, delays in production, or higher costs related to mine closure.

Coal

Coal activities are one of the anthropic causes of soil degradation and pollution, resulting in the erosion and sterility of soil, this is due to the construction of roads and routes as well as the clearance of land for coal operations. Violating limits of pollutants allowed could affect operations of the undertakings through significant penalties, compliance costs, delays in production, or higher costs related to mine closure.

E2: Substances of concern

In particular mercury and synthetic graphite

Mining

Mining operations can have extensive impact on the environment. For this reason, undertakings shall disclose and take into account multiple factors when designing a mine. These factors shall include whether the mine could be designed to be underground rather than open-pit, what happens after its life, the productivity of it and the time of year it is productive. Further to this, in mining processes certain substances are used that can have an impact on the environment and human health. This covers impacts from carcinogenic, mutagenic or reprotoxic substances (CMRs), persistent, bioaccumulative

and toxic substances (PBTs); very persistent and very bioaccumulative substances (vPvBs); endocrine disrupting substances (EDs); immunotoxicants; neurotoxicants, respiratory sensitisers; substances having specific organ toxicity (STOT) with chronic effects; persistent, mobile and toxic substances (PMTs) and very persistent and very mobile substances (vPvMs); as well as other substances having a chronic effect on human health or the environment (emphasizing on mercury) and substances hampering recycling for safe and high quality secondary raw materials.

Coal

Coal operations and the use of certain substances have an impact on the environment and human health. This topic covers impacts from carcinogenic, mutagenic or reprotoxic substances (CMRs), persistent, bioaccumulative and toxic substances (PBTs); very persistent and very bioaccumulative substances (vPvBs); endocrine disrupting substances (EDs); immunotoxicants; neurotoxicants, respiratory sensitisers; substances having specific organ toxicity (STOT) with chronic effects; persistent, mobile and toxic substances (PMTs) and very persistent and very mobile substances (vPvMs); as well as other substances having a chronic effect on human health or the environment (emphasizing on mercury) and substances hampering recycling for safe and high quality secondary raw materials (specially focusing on synthetic graphite). Mercury release during coal burning operations can have a detrimental effect mainly on marine ecosystems, thus on human health. The production of synthetic graphite can be obtained from coal char, which could be a substitute material of graphite.

The coal industry presents several hazards which companies must prevent and address. Some examples include: ground or strata failure, fires or (methane) explosions, inundation or inrush of any substance, and others. It is therefore critical that risk management plans are put in place, along with related remedial actions for workers, communities, and the environment. Appropriate tailings management plays an important role in deminimising the risk for industrial hazards occurring. Underground mining can suffer from dust explosions, inundation, mining corridor collapses or others. Open pit mining can suffer from landslides, water inbursts, machinery failures and others. Other causes for industrial hazards relate to tailings management. Failures can result from inadequate water management, overtopping, foundation or drainage failure, erosion, and earthquakes.

E2: Industrial hazards

The coal and mining industry presents several hazards which companies must prevent and address. Some examples include: ground or strata failure, fires or explosions, inundation or inrush of any substance (including from mine tailings dam failures), and others. Underground mining can suffer from dust explosions, inundation, mining corridor collapses or others. Open pit mining can suffer from landslides, water inbursts, machinery failures and others. Other causes for industrial hazards relate to tailings management. Failures can result from inadequate water management, overtopping, foundation or drainage failure, erosion, and earthquakes. It is therefore critical that risk management plans are put in place (amongst others for tailing dams, to avoid ruptures or spillovers), along with related remedial actions for workers, communities and the environment. Appropriate tailings management plays an important role in deminimising the risk for industrial hazards occurring.

E2: Pollution of living organisms and food resources

Common coal, mining and mineral processing activities that contribute to noise pollution include overburden removal, drilling and blasting, excavating, crushing, loading and unloading, vehicular traffic, and the use of generators. Noise generated by mining operations is often of higher intensity than natural noise, and mining operations can occur throughout the night. Noise pollution can have a direct and lasting impact on workers, nearby communities and biodiversity.

E3: Water use

Mining and quarrying

Mining operations, depending on their geographical and geological location, must manage water consumption, flood risks, water quality and other issues. Environmental factors and climate contribute to the complexity of developing a mine water management system. In dry climates, an undertaking may need to focus more on conservation, collecting, storing, and reusing contact water from the tailing's storage facility, seepage, open pit, and/or underground mine. For wet the greatest challenge is rather managing flood events and eliminating the risks of spilling, erosion, and infrastructure failure. Undertakings in cold climate regions must consider the large quantity of water generated from snow melt and ice thaw and manage the impacts of permafrost on drainage facilities. Each mine site requires a tailored and holistic solution. Risks related to water use and management are also linked to the social license to operate and wider community well-being, ensuring availability and good quality of water to nearby communities.

Coal

Coal operations, depending on their geographical and geological location, must manage water consumption, flood risks, water quality and other issues. Environmental factors and climate contribute to the complexity of developing a water management system which is mainly necessary to heat water to create a steam and generate electricity. In dry climates, an undertaking may need to focus more on conservation, collecting, storing, and reusing contact water. For wet the greatest challenge is rather managing flood events and eliminating the risks of spilling, erosion, and infrastructure failure. Undertakings in cold climate regions must consider the large quantity of water generated from snow melt and ice thaw and manage the impacts of permafrost on drainage facilities. Risks related to water use and management are also linked to the social license to operate and wider community well-being, ensuring availability and good quality of water to nearby communities.

E3: Habitat degradation and intensity of pressure on marine resources

Coal and Mining activity produces large volumes of waste, formed by the non-processed rock from overburden or access tunnels and shafts, and by the processed tailings. Traditionally, tailings are stored in land dams, but the lack of land availability, potential risk of dam failure, geological instability, and topography in coastal areas in certain countries makes consideration of disposal of tailings into marine systems, a process usually known as Deep-Sea Tailings Disposal. DSTD can have lasting impacts on biodiversity, ocean ecosystems as well as on fishing communities.

Other impacts that mining can have is around waste disposal in costal ecosystems, which must be carefully managed. Finally, some undertakings are currently exploring deep-sea bed mining however it is worth noting that no agreement by the International Seabed authority has yet been reached on this, and whether it is deemed a safe practice.

E4: Impacts on the extent and condition of ecosystems

The development, operation, closure, and remediation of mines can have a range of impacts on biodiversity, such as alterations of landscape, vegetation removal, and impacts to wildlife habitats. Acid rock drainage is a particularly significant risk: it is highly acidic water, rich in heavy metals, formed when surface and shallow subsurface water come into contact with mining overburden. Acid rock drainage can have harmful effects on humans, animals, and plants. Similarly tailings management will play an important role. Biodiversity impacts of mining operations can affect the valuation of reserves and create operational risks. The environmental characteristics of the land where reserves are located could increase extraction costs due to increasing interest in the protection of ecosystems. Undertakings could also face regulatory or reputational barriers to accessing reserves in ecologically sensitive areas. This

may include new protection status afforded to areas where reserves are located. Metals and mining undertakings face regulatory risks related to reclamation after a mine is decommissioned, per applicable regulatory requirements to restore mined property according to a prior, approved reclamation plan. Material costs may arise from removing or covering refuse piles, meeting water treatment obligations, and dismantling infrastructure at the end of life. Furthermore, ongoing mining operations are subject to laws protecting endangered species. Undertakings that have an effective environmental management plan for different stages of the project lifecycle may minimize their compliance costs and legal liabilities, face less resistance in developing new mines, and avoid difficulties in obtaining permits, accessing reserves, and facing delays in project completion.

E4: Direct impact drivers of biodiversity loss

Mining and quarrying

Mining operations make substantial impacts on the earth and nature around them. Operation not only pollute and contribute to climate change, it is a direct exploitation of the land and changes the use of the land. This has a severe impact on biodiversity in the area of mining operations.

Coal

Impact drivers of biodiversity loss and degradation and remedial action for impacts on biodiversity and eco-systems

Coal operations can have a range of impacts on biodiversity. Surface mining and mountaintop removal can alter the landscape, removing vegetation and wildlife habitats. Acid mine drainage is particularly significant: it is highly acidic water, rich in heavy metals, formed when surface and shallow subsurface water comes into contact with coal mining overburden, and can have harmful effects on humans, animals, and plants. Similarly tailings management will play an important role. Biodiversity impacts of coal operations can affect the valuation of reserves and create operational risks. The environmental characteristics of the land where reserves are located could increase extraction costs as a result of increasing awareness and protection of ecosystems. undertakings could also face regulatory or reputational barriers to accessing reserves in ecologically sensitive areas, such as the designation of areas where reserves are located as protected areas. Coal operations undertakings face regulatory risks related to reclamation after a mine is decommissioned, per applicable regulatory requirements to restore mined property according to a prior, approved reclamation plan. Material costs may arise from removing or covering refuse piles, fulfilling water treatment obligations, and dismantling infrastructure at the end of life. Furthermore, ongoing coal operations are subject to laws protecting endangered species. Undertakings that have an effective environmental management plan for different stages of the project lifecycle may minimise their compliance costs and legal liabilities, face less resistance in developing new mines, avert delays in project completion, and avoid difficulties in obtaining permits and accessing reserves.

E5: Resources inflows, including resource use

Mining and quarrying

Mining operators are increasingly supporting applications and facilitating efforts towards recovery and re-use of minerals. This includes choices made by product designers and engineers (e.g., material and process technology selection) which can ultimately have significant influence on a product's overall environmental impact. Resource productivity, conserving energy and water, and preventing environmental health and safety risks improves the financial performance of mining operations and helps secure their continued license to operate.

Coal

Depletion of non-renewable resources and regeneration of renewable resources and ecosystems.

Estimates suggest that coal undertakings may be unable to extract a significant proportion of their coal reserves if greenhouse gas (GHG) emissions are to be controlled to limit global temperature increases to two degrees Celsius per the Paris Agreement. Stewardship of capital resources while taking into account medium-to long-term trends, particularly related to climate change mitigation actions, is critical in order to prevent asset impairment and maintain profitability and creditworthiness. Globally, regulations and policies are and may continue to be put into place to limit GHG emissions from coal-fired power plants - the customers of coal undertakings - thus lowering the demand for, and subsequently the prices of, coal. Coal demand is also being affected by regulations governing other harmful air emissions that apply to coal-fired power plants. An expansion of GHG-mitigation regulations may increase the magnitude of potential financial impacts in the medium to long term. Along with improved competitiveness of alternative energy technologies, this poses a long-term risk for the reserves and capital expenditures of coal operations undertakings.

E5: Waste

Waste Mining and quarrying

The Mining sector generates large volumes of mineral processing and smelting wastes, including slags and tailings, some of which may be hazardous or chemically reactive. Impoundments for tailings can cover large areas of land. This can present a significant threat if the impoundments burst, collapse, or leak, leading to the loss of life or damage to property and ecosystems. Mineral waste is also often stored in-pit, using abandoned open pit surface mines. Such storage can create the potential for groundwater contamination and could affect the stability of active mines in the area. Some mining activities can take place in coastal or deep sea ecosystems, which can result in pollution of marine ecosystems if the waste processing is not accordingly managed. Undertakings that reduce and recycle waste streams while implementing policies to manage risks related to the integrity of tailings facilities may enjoy lower regulatory and litigation risks, remediation liabilities, and costs. Additionally, tailings can contain hazardous chemical residues from extraction and processing operations. Undertakings' ability to manage the sourcing, transport, use, and disposal of mineral processing waste and by-products can reduce associated risks.

Coal

Handling of solid rock and clay waste, process refuse, and liquid coal waste containing hazardous substances like mercury, arsenic, and cadmium poses operational and regulatory challenges for coal operations undertakings. Coal slurry or tailings ponds can present a significant threat if the impoundments burst, collapse, or leak, leading to destruction of lives, property, and ecosystems, with associated financial impacts that may include regulatory penalties, compensation payments, and remediation or compliance obligations. Permitting of coal mining operations may be affected, lowering an undertaking's revenue or requiring additional expenditures prior to approval. undertakings' ability to lower the number and size of tailings ponds and ensure the structural integrity of impoundments can help minimize such impacts.

S1: Working conditions - Own workforce time and work-life balance

Coal and mining operations are often located outside of city centre and in areas where people don't live. As a result workers are often on mine sites for long periods of time and can be flown in and out of

the mine site. This may result in an unbalanced work-life and extensive amounts of working time without time for family, recreation and leisure.

S1: Health and safety

Coal and Mining operations can be both strenuous and dangerous and can therefore lead to a high risk of injuries at the workplace; thus, this sustainability matter covers the disclosure from an undertaking of undertakings policies regarding fair labour and terms of work, Occupational Health and Safety, Community Health and Safety, employment practices health and safety, critical incident risk management, employment practices, training, skills and capability, workforce inclusion and diversity, as well as workforce health, wellbeing, and safety. Additionally, in some cases, the areas of extraction of minerals can be in Conflict-Affected or High-Risk Areas. This Due to the high risk at the workplace results in of mines this topic also covering covers security arrangements, asset integrity and critical incident management. Moreover, considering the recent covid-19 pandemic, the sustainability matter also covers pandemic preparedness and the undertakings response within its value chain.

S1: Equal treatment Adequate wages and opportunities secure employment

Coal and Mining undertakings often acquire workers through procurement and suppliers which increases the risk of low wages and unsecure employment practices. This is particularly material for all — Own workforce the mining sector given the amount of artisanal and small-scale mining within the industry who, due to their small scale, don't have the governance structure and protection in place to ensure their worker's rights.

The Secure employment is also particularly material for the mining industry as the closure of mine sites can lead to mass unemployment for the local community.

S1: Freedom of association and collective bargaining

The Coal and Mining sector has traditionally had a strong presence of trade unions and collective agreements, however, there is a risk that these rights are not enforced in locations where these are not guaranteed by national legislation, especially when the workers are employed through a supplier. This sustainability matter includes not only the undertakings work to ensure freedom of association for its workers, but also its actions to ensure this for the local community.

S1: Training and skills development

Coal and Mining operations can be both technically difficult and dangerous and it is therefore imperative that the workers are properly trained and have the skills and capabilities to handle the security risks that working in the mine entails.

Mines may be placed in the middle or close to active conflict, they may also be the subject of controversy which leads to the necessity of security personal. This sustainability matter includes training of security personal in human rights and humanitarian law.

S1: Measures against violence and harassment in the workplace

Due to the Coal and Mining industry being a male dominated industry there is a risk for sexual harassment and other gender-related violence in the workplace. It is important that undertakings have a clear policy on these aspects and proper reporting mechanisms that properly deal with cases when they are presented.

S1: Diversity, including gender equality and equal pay for work of equal value

The coal and mining industry has traditionally been a male-dominated industry, with few women in the workforce. Ensuring workforce inclusion, diversity, and that women and other minorities have equal opportunities is therefore an important aspect of sustainability within the mining industry.

S1: Other work-related rights – Own workforce

~~Due to the presence of coal operations in countries where the enforcement of human rights is low, there is a higher risk in this sector of/~~**S2: Child labour, forced labour**

~~Coal and modern slavery. This topic covers the efforts carried by the company to tackle these risks and practices, and to provide with non-discrimination and equal opportunities to all employees. In addition to this, this particular situation would also apply to the workers' right of freedom of association and collective bargaining. This sector has traditionally had a strong presence of trade unions and collective agreements, however, there is a risk that these rights are not enforced in locations where these are not guaranteed. Moreover, considering the different locations where coal operations can take place and with the recent covid-19 pandemic, the topic would also cover the pandemic preparedness and response of the undertaking.~~

S2: Working conditions – Workers in the value chain

~~Coal Mining operations commonly involve many business relationships from a wide range of suppliers, sometimes some of them and are based often in countries where human and workers' rights may have been known to not be enforced. In addition to this, these can also be poor enforcement rates. This includes in particular artisanal and small-scale mining suppliers. This topic covers the undertaking's There is therefore a higher risk for child labour in their operations and supply chain. This sustainability matter therefore includes the undertaking's efforts to tackle these risks, the organization's supply chain management and whether it ensures that it is ethical, sustainable, and ensures protection of all their suppliers' rights.~~

S1/S2: Forced labour

~~Coal and Mining operations commonly involve many business relationships from a wide range of suppliers and are often in countries where human and workers' rights may have poor enforcement rates. This includes in particular artisanal and small-scale mining suppliers. There is therefore a higher risk for forced labour in their operations and supply chain. This sustainability matter therefore includes the undertaking's efforts to tackle these risks, the organization's supply chain management and whether it ensures that it is ethical and, sustainable, protecting and ensures protection of all their suppliers' rights.~~

S1/S2: Equal treatment Adequate housing, including water and opportunities for all – Workers sanitation

~~Coal and Mining operations are often located in remote locations and as a result workers are often flown in for weeks at a time. While working the value chain mining company provides accommodation and this sustainability matters pertains to the quality of living standards in these accommodations, including access to water and sanitation.~~

~~The mining industry has traditionally been a male-dominated industry, with few women in the workforce. Ensuring that women and other minorities have equal opportunities is therefore an important aspect of sustainability within the mining industry.~~

S1/S2: Privacy

When working on mine sites and living in provided accommodation the employee has little control over it's privacy. This sustainability matter therefor includes how the undertaking is ensuring the workers right to privacy, both from a physical perspective and a digital perspective.

S3: Infrastructure. Including adequate housing, adequate food, water and sanitation and power.

Coal and Mining operations are interlinked with the location and communities in which these take place. This affects the employment and economic performance in the area, as well as potentially exposing the local community hazardous substances if operations are not handled with the proper care. Due to impact on the local communities, this sustainability matter includes, but is not limited to; the living infrastructures of the local communities; its economic impacts; the communities access to adequate food, the operations land-related impacts, their impact on families, children, and community as a whole; smell, light, noise, and vibration pollution; and their access to water and sanitation.

S3: Land-related impacts

Coal and Mining is a land-intensive sector, whose impacts can materialize when land is acquired to develop a project, but also when environmental pollution, ongoing deforestation, access restrictions among others, further impede the capacity of indigenous and local communities to access, cultivate lands or benefit from forests. Those have the potential to infringe on communities' right to livelihood.

S3: Security-related impacts

Coal and Mining operations can be located in or near areas of active conflict, or could be a source of local conflict. They therefore can have an impact on the security and potential conflicts in the area.

There has also been a history of sex-work in and around mining operations and the mining industry therefore has a high risk of sexual exploitation of women and children in the communities where it operates. This sustainability matter therefore also includes the risks of sexual violence and human trafficking in the affected community.

S2: Other work-related rights – Workers in the value chain

S3: Freedom of expression and freedom of assembly

Due to the presence of coal and mining operations in countries where the enforcement of human rights is may be low, there is a higher risk in this sector of child labour, forced labour and modern slavery in suppliers from an undertaking. This topic covers the efforts carried by the company to tackle these risks and practices, and to provide with non-discrimination and equal opportunities to all employees. In addition to this, this particular situation would also apply to the workers' right of freedom for violations of association and collective bargaining. This sector has traditionally had a strong presence of trade unions and collective agreements, however, there is a risk that these rights are not enforced in locations where these are not usually guaranteed. Moreover, considering the different locations where coal operations can take place and with the recent covid-19 pandemic, the topic would also cover the pandemic preparedness and response of the undertaking and its suppliers.

S3: Communities' economic, social and cultural rights

Coal operations are interlinked with the location and communities in which these take place, affecting the employment and economic performance in the area, as well as exposing them in case the operations or some of the produced hazardous substances are not handled properly. Due to the effect

of the operations on the local communities, this topic covers the living infrastructures of the local communities, its economic impacts, adequate food access, land-related impacts, family, children and community; smell, light, noise and vibration pollution; as well as security and conflict.

S3: Communities' the civil and political rights

Due to among the presence of coal operations in countries where the enforcement of human rights is low, there is a higher risk in this sector of its undertakings employees and local communities of not having these rights guaranteed. This topic covers if workers and member of the local communities have sustainability matter includes, but is not limited to, freedom of expression and freedom of assembly. It will also cover if in that community or location the presence of a Human Rights Defender exists, which will inform if these rights are met and enforced.

S3: Impacts on human rights and environmental defenders

Research shows that the mining industry is one of the most dangerous sector for Human Rights and environmental defenders with several hundred attacks globally in addition to continuous threats and abuse. Ensuring the rights and protection of Human Rights Defenders is therefore of the utmost importance in the mining industry.

S3: Particular rights of indigenous communities. Including; Free, prior and informed consent; self-determination; and cultural rights

Coal and Mining operations have often taken place in locations that are in close proximity to indigenous communities, having and consequently have an impact both on these communities due to its economic influence on the communities but also on and the environmental consequences from these operations. Examples can be found in disputes and conflicts over land ownerships and absence of good faith in consultation; and also with the potential influx of workers from other areas can result in discrimination toward indigenous peoples regarding access to jobs and opportunities that can further undermine social cohesion, well-being and safety or the increased exposure of indigenous women to risks of prostitution, forced labour or violence. This topic sustainability matter would therefore cover if there has been a free, prior, and informed consent, if of indigenous people and the practice the undertaking has in place to ensure his. It also includes whether land-use rights and, the right to self-determination has been respected, as well as cultural rights. This topic would also cover if the access of water for right has been respected and indigenous communities access to water is guaranteed.

S4: Information-related impacts for consumers and/or end-users

As coal operations cover S4: Access to quality information

Undertakings in the coal and mining sector are often at the start of most value chains as they produce substances that often become a part of everyday products. It is therefore important that they provide detailed and accurate information that covers many sustainability matters where much information is needed to be disclosed, full access to it is essential in order to meet all disclosure requirements relevant not only for end users, but for the communities and civil societies they are a part of. Thus, this topic covers access to information regarding the undertaking organization and the operations, but also privacy and data protection for employees and customers. In addition to this, freedom of expression is also covered in this topic as is it essential for this to be guaranteed in order for transparent communication and information to be disclosed.

ESRS 2: Sustainability governance, management and reporting

In recent years sustainability management and sustainability reporting has become an increasing great part of corporate reporting and undertaking's everyday management. Subsequently that leads to a greater need for internal resources and governance structures to be in place to help manage the increasing requirements. The undertaking's governance structure and strategy to maintain this aspect of their operations is important as it is the underlying factor that will lead to achieving their sustainability goals.

ESRS 2: Risk management and internal control processes

Such tools shall be used in the mining and extractive industry to prevent and / or mitigate significant incidents from occurring. (Risk management is viewed as the process of identifying these possible significant incidents to the undertaking and implementing processes to reduce and / or eliminate material impacts.

G1: Corporate culture (Code of conduct and ethics)

To ensure Ensuring that undertakings have a good and sustainable corporate culture the undertaking needs a clear code of conduct and ethical guidelines ethics that outlines the how the undertaking and it's employees are expected to follow conduct themselves give security and guidance in their everyday work. Coal and Mining operations are often in locations all over the world, including areas considered to be Conflict-Affected and High-Risk Areas (CAHRAs), in which the enforcement of Human Rights is less likely to take place. The existence of a Code of Conduct and Ethics in which the defence of it is therefore important that undertakings within the Coal and Mining sector have a clearly stated code of conduct to ensure that the rights of employees and members of local communities are protected by the undertaking organization with no regard to the location of the operations is therefore important.

G1: Corruption and bribery

Due to the nature of coal mining operations, along with other extractive industries, the Coal and Mining sector has a higher high risk of for corruption and bribery events, as their value chains are often complex with many parties involved and some and are set in Conflict-Affected and High-Risk Areas (CAHRAs), where there have been cases of. As a lower enforcement of result Human Rights and, as well as compliance of to the set process legislative and requirement procedural requirements in coal mining operations, is often neglected. This may lead to a misuse of resources an undertaking taking advantage of the uncertainty in their favour, which consequently damaging damages the environment and has a negative impact on the well-being of employees and local communities. This sustainability matter therefore covers does not only include the efforts carried by an undertaking organization to guarantee that these actions are not happening within it and, the tools used to prevent this from occurring. It also covers the consequences of a breach of policy, potential reprimands for breeches and the whistle blowing systems and protections the undertaking has in place.

G1: Anti-competitive behaviour

Coal and Mining operations are often, along with other extractive industries, operate in locations considered to be Conflict-Affected and High-Risk Areas (CAHRAs), in which, where the enforcement of anti-competitive practices is less likely to occur. As a result undertakings in the industry may take advantage of the lack of enforcement to engage in anti-competitive behaviour in violation of regulation. This sustainability matter covers if includes the regulation enforced in the area in which an undertaking organization operates has a regulation against these practices and whether or not there are risks of monopolies and heavy influence by governments in these matters.

G2G1: Political engagement and lobbying activities

~~Coal mining operations are often in locations considered to be Conflict-Affected and High-Risk Areas (CAHRAs), these can result in a higher likelihood of competition and bribery events, anti-competitive behaviour and not a full enforcement of Human Rights. Due to this, this topic covers the systems provided by an undertaking to raise these matters if they are happening and protecting the whistleblower. Coal and Mining operations, along with other extractive industries, are often important sectors within a countries industry and therefore have wide ranging impacts on the communities and countries they operate within. This leads to them often times engaging in politics and lobbying activities to ensure that legislation and political decisions are in their favour. To ensure transparency and create legitimacy the undertaking shall disclose it's political stances and lobbying activities, especially within the area of sustainability management and reporting.~~

~~When operating in CAHRAs, where the democratic safeguards are not necessarily as strong, political engagement and lobbying activities can lead to legislation that are more in the interest of the undertaking rather than interest of that community. Only when both the interests of the undertaking and the interests of the local community are upheld can there be an effective and value creating operation.~~

G1: Management of relationships (including payment practices)

Many sustainability-related issues are complex and thus require collaboration between different stakeholders. Managing relationships with governments, business partners, suppliers and stakeholders is therefore of vital importance for undertakings in the ~~coal~~ mining industry.

Stakeholder engagement can prevent, monitor, and help mitigate any environmental or social risks. For this reason, stakeholder engagement ~~should~~ be integrated into project planning and regular business operations through sharing of decision-making power with interested and affected parties and it ~~should~~ be driven by stakeholders through ongoing consultation and follow-through. As per OECD guidelines on stakeholder engagement in the extractive industries, stakeholder engagement strategies ~~should~~ prioritise engagement with most severely affected stakeholders, rather than most influential stakeholders. This includes, but is not limited to, artisanal and small-scale miners and civil society organizations.

Undertakings must ~~also~~ ensure that all taxes, fees, and royalties related to mineral extraction, trade and export from conflict-affected and high-risk areas are paid to governments and, in accordance with the company's position in the supply chain, we commit to disclose such payments in accordance with the principles set forth under the Extractive Industry Transparency Initiative (EITI). When disclosing data in relation to a specific project, companies are able to also provide more granular information on the government revenues collected from each individual extractive project. ~~Project-level payment data is relevant information to local communities, governments, and investors alike. It enables companies to demonstrate the economic contribution they are making in relation to specific projects, and the communities they affect. Where applicable, companies should disclose the profit-sharing system in place with the local community.~~

Clarity and transparency regarding payments to governments from entities in the ~~coal~~ mining industry sector will contribute to a more efficient management of public funds and corruption. Such payments may be the origin of revenue for local communities and other regions, which may have increased demand for public spending. Project-level payment data is therefore relevant information to local communities, governments, and investors alike. It enables companies to demonstrate the economic contribution they are making in relation to specific projects, and the communities they affect. Where applicable, companies ~~should~~ disclose the profit-sharing system in place with the local community.

G1: Cyber security

The managing of operational sites within the mining, quarrying and coal sector is important for geopolitical reasons as well as sustainability reasons. The consequences of data breaches and other types of cyber security risks could potentially lead to major incidents and spills that could have detrimental impacts on the local environment and community.

Appendix D: NACE Codes Mining, Quarrying and Coal

<u>B.07.10</u>	<u>Mining of iron ores</u>
<u>B.07.21</u>	<u>Mining of uranium and thorium ores</u>
<u>B.07.29</u>	<u>Mining of other non-ferrous metal ores</u>
<u>B.08.11</u>	<u>Quarrying of ornamental and building stone, limestone, gypsum, chalk and slate</u>
<u>B.08.12</u>	<u>Operation of gravel and sand pits</u>
<u>B.08.91</u>	<u>Mining of chemical and fertiliser minerals</u>
<u>B.08.92</u>	<u>Extraction of peat</u>
<u>B.08.93</u>	<u>Extraction of salt</u>
<u>B.08.99</u>	<u>Other mining and quarrying n.e.c.</u>
<u>B.09.90</u>	<u>Support activities for other mining and quarrying</u>
B.05.10	Mining of hard coal
B.05.20	Mining of lignite
C.19.10	Manufacture of coke oven products