



Cease, prevent and mitigate impacts in Artisanal and Small-scale Mining

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The DiliCHANCE project

The Challenge

The European Union perceives due diligence as crucial to its economic and sustainability goals. It is needed to secure critical raw materials, support the green and digital transition, and promote sustainable practices that reduce societal and environmental harm.

Our Approach

DiliCHANCE improves due diligence in mineral value chains and responsible business conduct by (a) raising awareness and knowledge of human rights and environmental due diligence (HREDD) among corporate actors, (b) identifying gaps in HREDD implementation in policy and industry, (c) enhancing due diligence operations with better tools and new solutions, and (d) promoting multi-stakeholder engagement and capacity building.

for more details please visit

www.DiliCHANCE.eu



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1. Artisanal and Small Scale Mining

MINING HAS THE POTENTIAL TO BOOST ECONOMIC PROSPERITY FOR MINERS AND THEIR COMMUNITIES, BUT HUMAN RIGHTS RISKS ARE LOOMING: Around the world there are up to 45 million people directly employed in artisanal and small-scale mining (ASM).¹ It is an important part of the rural economies in which it operates, providing livelihoods to around 315 million people.² ASM makes up an important part of global (critical) mineral supply chains. Approximately, 25% of global tantalum and tin supplies, 20% of gold as well as 12% of cobalt derives from ASM operations. About half of the ASM workforce works in gold mining.³ Many miners, both industrial and small-scale, risk staying trapped in the poverty cycle. A lack of health and safety equipment and operating under the threat of mineshafts collapsing are a part of many miners' daily experiences.

With on the one hand massive sustainable development opportunities and on the other hand equally massive human rights (and environmental) risks, it is no wonder that due diligence in ASM is a hot topic. This DiliCHANCE *deep dive* gives insight into human rights due diligence in ASM. Chapter 1 (Human Rights in ASM) and 2 (Human rights due diligence in ASM) describe the state of play in ASM. Chapter 3 explains the application of a gender lens in due diligence. Chapter 4 provides guidance on OECD Step 3: cease, prevent and mitigate impacts. All too often companies do not take into account the negative human rights impact of immediately ending business relationships.

1.1. Human rights in ASM

ASM operations vary significantly in form, ranging widely in technological sophistication, labor intensity, and capital investment. According to the European Partnership for Responsible Minerals, "ASM targets a variety of different resources and deposits, ranging from alluvial to hard-rock. [A]SM operations may be run by individuals or small teams, backed up by financiers or supporters and operating informally, but can also be larger, operating as formal companies or cooperatives and involving up to thousands of workers."⁴ Although this variety in characteristics means that the human rights impact also varies, EPRM still sees three overarching dimensions that connect and cut across the global ASM sector:

- **"(In)formality:** While legal ASM operations exist (with formal concession titles), the majority of ASM operations take place informally
- **Socioeconomic embeddedness:** ASM is embedded in broader political and economic processes.
- **Dynamic nature:** ASM has a highly dynamic character, marked by the ability to quickly set up or draw down operations in response to political and market developments as well as by the swift uptake of new technologies."⁵

These dimensions set the scene for the following human rights and environmental impacts of ASM:

Environmental impacts: ASM is typically linked to negative environmental impacts, ranging from the disturbance and toxic pollution of land and water bodies to negative health effects due to high-level dust production or the use of toxic substances. ASM operations account for the largest share of mercury consumption globally due to its role in gold processing. Cyanide is also increasingly appearing in gold processing activities.

Social and governance issues: Inequalities in terms of gender relations and age, exclusion of specific groups, occurrences of child labour, or its association with various forms and scales of (violent) conflict are among the most commonly referred to negative social impacts of ASM. In fact, the role of minerals produced from ASM in fuelling violent conflicts was the main reason for the adoption of the EU RMR and the establishment of the EPRM. Due to its often informal nature, ASM operations can create a political economy characterised by smuggling and illicit financial flows. With expanding operations, there is also an increasing likelihood of conflictive interactions with large-scale mining operations or other economic activities.

Structural barriers: The lack of financial resources, limited skills, geological knowledge and capacities, difficult access to land, the absence of legal status and formal government approval, uncertain social legitimacy, and criminalisation pose further challenges to developing and managing professional operations with minimal negative impacts.

COPIED FROM: EPRM (2025), FOSTERING RESPONSIBLE ARTISANAL AND SMALL-SCALE MINING FOR RELIABLE MINERAL SUPPLY CHAINS, P. 8, ONLINE: [EUROPEANPARTNERSHIP-RESPONSIBLEMINERALS.EU/ATTACHMENT/ENTITY/91FB9670-E4BC-4998-BBE4-343277DFBBBE](https://europeanpartnership-responsibleminerals.eu/attachment/entity/91fb9670-e4bc-4998-bbe4-343277dfbbbe)

1.2. Why should a company conduct due diligence in ASM?

If the human rights issues in ASM can be so severe, why should a company even consider investing in ASM? Isn't it better to stay away from those risks? Powerful arguments to not turn your back on the millions of artisanal and small-scale miners are provided by the OECD, in its guidance on *Responsible Supply Chains in Artisanal and Small-Scale Gold Mining*:⁶

“There may be commercial reasons, such as securing diverse and new sources of supply and responding to increasing consumer interest in materials and products that benefit producer communities. Companies sourcing ASM gold and carrying out adequate due diligence also help drive positive change in global supply chains. In producing countries, responsible production and sourcing of ASM gold has the potential to foster sustainable economic development in mining communities, increase public revenues, reduce the share of gold that finances conflict, human rights abuses and illicit activities of armed groups, criminal networks and terrorist organisations, and promote broad-based development.”

These arguments are not limited to gold mining. It also applies to other metals and minerals. Especially to the minerals required for the energy transition. As argued by an editor in *Forbes*:⁷

“The economic case for investing in ASM is clear. Artisanal small scale mining is both the sweet spot and the choke point for industrial supply to meet the demand for precious metals and rare earth elements. Investment in upgraded technology, professionalism and working conditions would build the capacity that creates commercially desirable outcomes: elevated commodity output, quality control, enhanced supply chain predictability, stabilized contingent liabilities and costs.”

ASM is therefore both a business opportunity as well as a business risk. How to navigate this while making decisions that profit both the company, the affected people in the value chain and the environment? With due diligence.

2. Human rights due diligence in ASM

ASM DUE DILIGENCE IS AN ON-GOING, PROACTIVE AND REACTIVE PROCESS: Mining companies should foster genuine and inclusive sustainability by ensuring the voices of miners, workers and communities are effectively integrated into decision-making, while fundamentally strengthening civil society and upholding gender and social inclusion as core principles.

2.1. Mandatory due diligence

This is enshrined in regulations. The Corporate Sustainability Due Diligence Directive (CSDDD) of the European Union aims to hold companies operating in the EU accountable for the adverse human rights and environmental impacts of their operations and the impacts in their value chains. This Directive requires companies to identify, prevent, mitigate, and account for these adverse impacts. In other words, to conduct due diligence.

The CSDDD is not the first due diligence legislation for human rights. The "Conflict Minerals" Regulation, in force since 2021, mandates due diligence for companies sourcing tin, tungsten, tantalum, and gold (3TG) to prevent conflict financing. Similarly, the US Dodd Frank Act (since 2010) legally obligates US Exchange-trading companies involved in 3TG supply chains from the Democratic Republic of the Congo and neighboring countries to implement due diligence measures.⁸

Where many businesses struggle in their due diligence is “the doing”: step 3 (“prevent, cease and mitigate”) of the OECD 6 steps.⁹ This is primarily true in cases where the business isn’t causing the (potential) impact itself, but is connected to it through business relationships, such as in the supply chain. Preventing and addressing potential harms in the supply chain requires collaboration with others to exercise leverage and get the right actors in the room to address the harms.

2.2. Due diligence tools

The [DiliCHANCE project knowledge base](#) offers a comprehensive resource that enhances understanding of the tools, regulatory and standards landscape by providing companies with targeted insights and practical guidance on how these can effectively support sourcing from ASM. Especially, to comply with regulations and dig beyond the first tier of their supply chain, there are several tools that can support due diligence for ASM:

- The **ASM Knowledge sharing archive** is an open-source knowledge-sharing platform with resources for and about ASM.¹⁰
- The **CRAFT Code** is a framework that supports ASMs in meeting international due diligence standards, improving mining practices, and accessing responsible supply chains through a step-by-step approach that enables progressive risk mitigation, alignment with industry standards, and the development of direct connections with responsible buyers.¹¹

- The **LBMA Artisanal and Small-Scale Mining (ASM) Toolkit v6** provides refiners and suppliers with practical due diligence guidance to responsibly source ASM gold and integrate it into formal supply chains. Structured around OECD principles, it categorizes actions into minimum requirement, progressive improvement, and best practice across areas such as legal compliance, site assessments, worker rights, environmental and social governance, supply chain transparency, transport logistics, and fiscal obligations. The toolkit is designed to strengthen traceability, reduce risks of child labor and environmental harm, and promote continuous improvement, enabling ASM actors to participate more credibly and sustainably in global gold markets.¹²
- **DELVE** is a global online data and knowledge platform for artisanal and small-scale mining (ASM), designed to address the persistent lack of accurate, reliable, and aggregated information about this sector, which provides livelihoods for millions worldwide yet is often poorly understood and under-researched. One of DELVE's strengths is its ambition to bridge the global data gap by pooling resources from multiple stakeholders, offering both raw and visualized data, and supporting country-specific profiles that highlight ASM's development contributions. However, its effectiveness is limited by the sector's inherent data scarcity, the challenge of collecting and verifying information in often remote or informal settings, and the reliance on voluntary contributions.¹³
- **Fairmined** is an assurance label that certifies gold from empowered responsible artisanal and small-scale mining organizations who meet world leading standards for responsible practices.¹⁴
- Another certification standard is Fairtrade: "The **Fairtrade Standard for Gold** aims to create opportunities for artisanal and small-scale miners and their communities, by promoting the formalisation of the artisanal and small-scale mining (ASM) sector through establishing membership-based artisanal and small-scale mining organisations (ASMO)." This standard is for gold and associated precious metals and also applies to traders buying and selling precious metals produced by ASMOs.¹⁵

3. Gender

An important issue in mining due diligence is gender. Female miners are often invisible: the mining sector still has a long way to go in terms of inclusion and equity. Especially women experience different challenges and impacts within the sector, affecting their access to resources, decision-making power, and economic benefits. For example:

- Women in ASM often face greater barriers such as limited access to land, credit, technology, and training compared to men.
- Gender disparities influence health and safety risks, with women frequently exposed to more hazardous conditions.¹⁶

Recognizing gender dynamics is crucial for designing inclusive policies and interventions such as human rights and environmental due diligence that can reduce risks for affected groups and promote equitable participation and improve livelihoods. Due diligence should uncover the daily reality faced by women miners. Decision-making should prioritize equity, safety and inclusion in the ASM sector.

3.1. Gender-responsive due diligence

The State of the Artisanal and Small-Scale Mining Sector 2023 report by Delve¹⁷ reveals a persistent global challenge: women miners are largely invisible in occupational health and safety systems. Training materials are rarely adapted to their actual roles, and their exposure to dust, chemicals, physical strain and gender-based violence remains poorly addressed. Moreover, institutional responses often fail to consider the structural inequalities and limited civic space that restrict women's participation and recognition in the sector.

These women are rightsholders whose skills, labor and resilience are essential to local economies and the broader mineral value chain. But as the World Bank 2023 report highlights, recognizing their contribution is only the starting point. Advancing gender equality in ASM requires:¹⁸

- Inclusive legal frameworks that recognize women's roles in the sector;
- Training tools co-designed with women, in formats that are visual, practical and locally relevant;
- Targeted strategies to address gender-specific risks in health and safety; and
- Mechanisms to ensure women have a voice in decision-making and a fair share of value.

This means that due diligence should include a gender lens. The platform for Gender-Responsive Due Diligence developed a tool for this: "Gender-Responsive Due Diligence (GRDD) applies a gender lens to each step of the due diligence process to minimise the adverse business impacts on women and contribute to gender equality."¹⁹ The following cases from Peru and Ghana describe how this can be done.

For other cases: visit the websites of *Women's Rights and Mining* and *Awima Africa*.²⁰

3.1.1. Safety challenges of Women Workers in Peru's Artisanal Gold Recovery

The need for gender-responsive due diligence is clearly reflected in Peru, where recovery of gold from discarded ore through manual selection takes place largely in informal conditions within artisanal mining sites. Solidaridad describes how those female miners (called pallaqueras) often work without formal recognition, protective equipment or safe infrastructure, and are excluded from basic labour protections. According to the study “Pallaqueras: Entre Piedras y Oro” (2025), although 90% of these women use helmets, most cannot afford or access other essential personal protective equipment (PPE), such as gloves, masks or goggles. ASM operations typically do not assume responsibility for the safety of pallaqueras, leaving them outside the scope of workplace protections.²¹

3.1.1.1. Empowering Women in Pallaqueo: A Practical Health and Safety Guide

Responding to these challenges, Solidaridad and RNM-MAPE (the National Network of Women in Artisanal and Small-scale Mining) launched a campaign rooted in grassroots leadership and the lived experiences of pallaqueras. Through participatory field assessments and dialogue with women’s associations in Arequipa and Ayacucho, they developed a practical occupational health and safety guide tailored to the conditions and realities of women working in pallaqueo.²²

The guide provides clear guidance on:²³

- The correct use of PPE and safe body movements;
- Navigating unstable work areas safely;
- Incorporating active breaks and safe handling of tools;
- Reducing exposure to common risks such as dust, mercury and prolonged sun;
- Establishing internal safety roles within organizations to encourage collective care and mutual accountability.

Designed in collaboration with the women who will use it, the guide is delivered in visual, practical and accessible formats, ensuring usefulness and relevance across diverse literacy levels and working environments.

The guide was introduced through peer-led workshops in mining communities, where pallaqueras also received protective gear such as lumbar belts, shin guards and knee pads. These spaces encouraged dialogue, mutual learning and the strengthening of women’s agency to adopt and advocate for safer working conditions—building the foundation for sustained and systemic change.

To amplify the campaign’s impact, RNM-MAPE launched a social media initiative that shared four short videos across Facebook and TikTok. These videos simplified and localized the guide’s key messages.

According to Solidaridad, this initiative offers a valuable example of how co-creating knowledge with marginalized actors—particularly informal women workers—can begin to address entrenched

inequities. This, in turn, supports more inclusive, gender-responsive and sustainable mineral value chains. While not a systemic solution in itself, it demonstrates how context-sensitive tools and grassroots-led efforts can contribute meaningfully to broader change.

3.1.1.2. Building Safer, Inclusive ASM Communities: Peer-Led Workshops and Social Media Drive change

Promoting safety for pallaqueras goes beyond technical fixes. It is also about recognizing rights, increasing visibility and strengthening the role of women within the ASM sector—essential steps toward more equitable and inclusive value chains. Actors in mineral supply chains can mitigate their risks by contributing to such projects. For example, Solidaridad’s partnership with *TraceAbility Premium* by Swiss refiner Argor-Heraeus will reach new miners’ associations, establish alliances with local mining companies, and expand towards a phase of formalization and business implementation.²⁴

See this video on YouTube²⁵ or this documentary *Entre Polvo y Sueños (Between Dust and Dreams)* for more info on the work of Solidaridad in Peru.²⁶

3.1.2. Kering in Ghana: Access to credit to enhance economic independence

Another case of gender-sensitive due diligence comes from Ghana, where luxury group Kering and Solidaridad Ghana partnered to enhance the economic independence of artisanal and small-scale women gold miners in communities in Ghana, with a focus on access to credit. Solidaridad delivered a pilot project that mobilised 130 women into five savings groups, to test whether the introduction of a revolving fund to these savings groups would bolster the group members’ ability to access more credit, in turn strengthening their mining related and non-mining enterprises.²⁷

Women are often excluded from the potentially lucrative and poverty-alleviating opportunities that small-scale mining could offer, due to lack of access to credit and training, as well as cultural beliefs and norms. The Village Savings and Loans Associations²⁸ has greatly increased financing opportunities, an invaluable asset for women looking to set up or expand their own micro-enterprises. This helps to strengthen existing women-led enterprises and allows for others to get started.²⁹

This empowerment has a ripple effect, evidenced by the Bibiani women's cooperative securing land for gold mining after meetings with mine management and local officials, with the Minerals Commission committed to supporting their licensing and operations. As Yaw Britwum Opoku of Solidaridad notes, involving women in the fund's management will promote a community of women entrepreneurs who will use their financial and collective strength to impact their local environment and decision-making, with leaders from nearby towns already inquiring about extending the programme.³⁰

A follow-up project of Kering and Solidaridad equips young women in Ghanaese mining communities with practical skills and technical knowledge so that they are able to access better-paying jobs and build long-term careers in the mining industry. The project supported the women through hands-on

training in operating heavy-duty machinery, including dump trucks and excavators. Additionally, the curriculum covered occupational health and safety practices and key skills for work in mining environments.³¹



Solidaridad Ghana: An excited Nora Ankomah is ready to take charge during her training.

4. Responsible disengagement

RESPONSIBLE DISENGAGEMENT: disengagement is understood to be the process of terminating a business relationship based on the risks identified in the due diligence process. To disengage responsibly, companies must not automatically end a business relationship after identifying a risk or adverse impact.¹

4.1. Disengagement: a last resort

According to OECD Step 3, companies are required to cease, prevent and mitigate impacts. Companies must take responsibility for problems, particularly those they contributed to. However, if the due diligence process reveals risks or actual adverse impacts, a company should not automatically respond by disengaging from the supplier or the affected area.

The concept of responsible disengagement is well embedded in international standards, such as the UNGPs and OECD MNE Guidelines.

Disengagement according to The OECD Guidelines for Multinational Enterprises: “Appropriate responses with regard to the business relationship may include continuation of the relationship with a supplier throughout the course of risk mitigation efforts; temporary suspension of the relationship while pursuing ongoing risk mitigation; or, as a last resort, disengagement with the supplier either after failed attempts at mitigation, or where the enterprise deems mitigation not feasible, or because of the severity of the adverse impact. The enterprise should also take into account potential social and economic adverse impacts related to the decision to disengage.”

Source: OECD (2023), OECD Guidelines for Multinational Enterprises on Responsible Business Conduct, OECD Publishing, Paris, <https://doi.org/10.1787/81f92357-en>

4.1.1. What is responsible disengagement?

There might, however, be a point where disengagement is the only solution. If the risks cannot be mitigated and the impacts cannot be remediated, a company will have no option but to end the relationship.

Responsible disengagement therefore takes place when:

1. It is used as a **last resort**, either because:
 - a. it follows failed attempts at mitigation
 - b. it happens where mitigation is not feasible

¹ This chapter is a summary of: Theeuwes, B., Vieira, C. and Hoex, L. (2023), Due Diligence and the Risk of Disengagement: Experiences from the mineral sector and a way forward for the CSDDD, IPIS and Solidaridad, online: <https://www.solidaridadnetwork.org/wp-content/uploads/2023/12/Due-Diligence-and-the-risk-of-Disengagement.pdf>

- c. it happens due to the severity of the adverse impact
- 2. It is conducted **taking into account potential new adverse impacts** related to the decision to disengage.

4.2. The Risks of De-Risking: How Disengagement from High-Risk Areas Can Harm Vulnerable ASM Communities

Disengaging can create new human rights risks by means of de-risking. De-risking is when a company chooses to avoid current or future sourcing altogether from a high-risk area, sector, or type of supplier, including for example small-scale producers, rather than considering engagement in due diligence and adopting nuanced risk assessment measures. The second condition for responsible disengagement is essential: taking into account potential new adverse impacts because of disengagement.

This happened in the DRC. The 2010 US Dodd-Frank Act, addressing conflict minerals (3TG) from the Democratic Republic of the Congo (DRC) and adjoining countries, led to increased scrutiny on conflict financing. Consequently, most international mineral traders ceased sourcing from the DRC, causing a "de facto embargo." This resulted in severe socio-economic hardships for an estimated 2 million people, including decreased income, increased theft, decline of local trade, and more school dropouts. This example highlights how well-intentioned regulations can negatively impact vulnerable communities, particularly in the artisanal and small-scale mining (ASM) sector.

In a video, the European Partnership for Responsible Minerals (EPRM) highlights the importance of continued corporate engagement in the artisanal and small-scale mining (ASM) sector in the Democratic Republic of Congo (DRC)—specifically within cobalt mining.

Source: EPRM (2025, 2 May), "Why engagement with artisanal mining matters", YouTube, online: www.youtube.com/watch?v=ph4TqPxV50o



Companies must take responsibility to ensure things are done properly.

Sourcing outside the region became a low-cost and low-risk business decision whereas remaining engaged entails significant due diligence, audit and organisational costs.³² Disengagement and de-risking has had many far-reaching implications; risk-averse business decisions can lead to trade going further underground. Opposed to the US Dodd-Frank Act and the EU Conflict Minerals Regulation, the CSDDD does not set any additional requirements for specific geographic zones, which decreases the likelihood of blacklisting a region.

Still, according to IPIS and Solidaridad,³³ companies lack incentives to engage with ASM, as the trend toward stricter sourcing standards encourages de-risking and seeking binary "clean/unclean" supplier answers. This oversimplified approach contradicts the OECD Guidance's spirit of continuous improvement through engagement, favoring compliance instead. Disengagement and de-risking can drive trade underground and undermine the CSDDD's goal that responsible business stimulates

positive socio-economic development. At the same time, we should avoid a situation in which companies are able to systematically cause, contribute or be linked to adverse impacts without ever having to take action to prevent or mitigate them or disengage from the business relationship. Companies should therefore disengage responsibly.

5. Conclusion

Artisanal and Small-Scale Mining (ASM) presents a duality: immense economic potential for the 45 million people involved, but it is also exposed to significant human rights and environmental risks. Responsible sourcing and engagement through robust due diligence is essential. Key lessons for companies are:

- Sourcing responsibly from ASM secures supply chains, meets ethical consumer demand, and drives sustainable development—crucial for energy transition minerals. ASM is a business opportunity, not just a risk.
- Navigating this requires systematic Human Rights Due Diligence (HRDD), which is increasingly regulated by for example the EU's CSDDD.
- Tools like the CRAFT Code, LBMA ASM Toolkit, and DELVE assist artisanal and small-scale miners (ASMs) and buyers in complying with international standards, are valuable mediators for effectively engaging in sourcing in ASM.
- Crucially, HRDD must be gender-responsive, addressing the structural inequality and "invisibility" of female miners.
- The principle of responsible disengagement is paramount. Severing ties is rarely ethical and must be a last resort, as international standards dictate. Risk aversion can worsen human rights risks.

Solidaridad's work in Peru and Ghana demonstrates that participatory, co-created interventions—like safety guides for Peruvian pallaqueras and revolving funds in Ghana—are key to promoting equity, safety, and women's agency. Due diligence drives systemic change.

In summary, due diligence in ASM is an ongoing, proactive commitment demanding a gender lens, the use of available tools, and sustained engagement. This approach allows companies to secure supply chains while meaningfully contributing to the livelihoods and rights of millions of miners.

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