



LBMA 负责任白银供应链尽职调查
Due Diligence on LBMA Responsible
Silver Supply Chain

风险缓解策略
Risk Mitigation Strategy

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郴州市金贵银业股份有限公司 发布（第一版）
Issued by Chenzhou City Jingui Silver Industry Co., Ltd. (Version I)

1 适用范围

1 Scope of application

本标准规定了郴州市金贵银业股份有限公司白银供应链尽职调查过程中针对已识别的风险采取的风险缓解策略的规定。

The Standard specifies the rules on adopted risk mitigation strategy for recognized risks during the silver supply chain due diligence process of Chenzhou City Jingui Silver Industry Co., Ltd.

2 引用文件

2 References

LBMA 负责任白银指南（第一版 2017 年 9 月发布）

LBMA Responsible Silver Guidance (first edition, released in September 2017)

经济合作与发展组织关于来自受冲突影响和高风险区域的矿石的负责任供应链尽职调查指南 第二版

Guidelines on Responsible Supply Chain Due Diligence for Mineral from Conflict-Affected and High Risk Areas for Organization for Economic Co-operation and Development Version II

3 定义

3 Definitions

高风险供应链：本文件中规定的各项不可接受的风险

High-risk supply chain: unacceptable risks specified in the Document

非高风险供应链：除高风险供应链以外的供应链

Non-high risk supply chain: supply chain other than high-risk supply chain

风险缓解策略：设计并实施一项针对已识别风险响应的管理策略

Risk mitigation strategy: design and implement a management strategy for identified risk response

4 高风险供应链和风险管理

4 High-risk supply chain and risk management

4.1 与矿产开采、运输、或贸易有关的严重侵权行为：

4.1 Serious infringements related to mineral product mining, transportation, or

trade:

- 在受冲突影响和高风险区域开展采购或经营活动时，我们既不会容忍也不会以任何方式获利于、帮助、协助或便利任何一方实施；
- In the conduct of procurement or business activities in conflict-affected and high-risk areas, we will neither tolerate nor in any way benefit from, assist, help or facilitate the implementation by any party of:
 - 任何形式的酷刑，残忍、不人道和有辱人格的待遇；
 - Any form of torture, cruel, inhuman and degrading treatment;
 - 任何形式的强迫或强制劳动。强迫或强制劳动是指以惩罚作为威胁榨取的任何个人的、并非该人自愿提供的劳动或服务；
 - Any form of forced or compulsory labor. Forced or compulsory labor refers to any individual's labor or service which is not voluntarily provided by that person and which is extracted under the threat of punishment;
 - 最恶劣形式的童工；
 - The worst forms of child labour;
 - 其他严重侵犯和践踏人权的行爲，如普遍的性暴力行爲；
 - Other serious violations and abuses of human rights, such as widespread sexual violence;
 - 战争罪或其他严重违反国际人道主义法的行爲，反人类罪或种族灭绝罪。
 - War crimes or other serious violations of international humanitarian law, crimes against humanity or genocide.

对严重侵权行为的风险管理

Risk management on serious infringements

- 如果有合理理由认为该风险存在，即上游供应商正从实施第 4.1 条所规定的严重侵权行为的任何一方进行采购或与该方有关联，我们将立即中止或中断与该供应商的合作。
- If we have reasonable grounds to believe that the risk exists, that is, the upstream supplier is purchasing from or associated with any party who implements the serious infringement specified in Article 4.1, we will immediately suspend or interrupt the cooperation with the supplier.

4.2 关于直接或间接支持非国家武装团体

4.2 On direct or indirect support for non-state armed groups

4.2.1 我们不会容忍任何通过矿产开采、运输、贸易、处理或出口为非国家武装团体提供直接或间接的支持。通过矿产开采、运输、贸易、处理或出口为非国家武装团体提供“直接或间接的支持”包括且不限于从非国家武装团体或其关联方购买矿产，向其进行付款，或以其他方式为其提供后勤支援或设备等。这些武装团体或关联方：
4.2.1 We will not tolerate any direct or indirect support for non-state armed groups through mineral mining, transportation, trade, processing or export. Providing “direct or indirect support” to non-state armed groups through mineral mining, transportation, trade, processing or export includes but is not limited to purchasing minerals from non-state armed groups or their related parties, making payments to them, or providing logistics support or equipment to them in other ways. The armed groups or related parties will:

- 非法控制矿址，或以其他方式控制运输路线、矿产交易点以及供应链的上游行为主体；
- Illegally control the mine sites, or control other transportation routes, mineral trading points and the upstream actors of the supply chain;
- 在矿址入口、运输路线沿线或矿产交易点非法征税或者勒索钱财或矿产；
- Illegally levy taxes or extort money or minerals at the entrance of a mine site, along a transportation route or at a mineral trading point;
- 对中间商、出口企业、或国际贸易者非法征税或勒索。
- Illegally levy taxes or extort money from the middlemen, export enterprises or international traders.

对向非国家武装团体提供直接或间接支持的风险管理：

Risk management of direct or indirect support to non-state armed groups:

如果我们有理由认为，上游供应商从向非国家武装团体提供直接或间接支持的任何一方进行采购或与之存在关系，我们将立即中止或中断与该供应商的合作。

If we have reason to believe that the upstream supplier purchases from or has a relationship with any party that provides direct or indirect support to non-state armed groups, we will immediately suspend or interrupt our cooperation with that supplier.

4.3 关于公共或私人安全武装

4.3 On public or private security force

- 杜绝向非法控制矿址、运输路线以及供应链上游行为主体，在矿址入口、运输路线沿线或矿产交易点非法征税或索要钱财或矿产，或者向中间商、出口企业或国际贸易者非法征税或进行勒索的公共或私人安全武装提供直接或间接支持。
- It is forbidden to provide direct or indirect support to the public or private security forces who illegally control the mine site, transportation route and the upstream of the supply chain, illegally levy taxes or ask for money or minerals at the entrance of the mine site, along the transportation route or at the mineral trading point, or illegally levy taxes or extort money or minerals from middlemen, export enterprises or international traders.
- 我们认可，矿址及/或其周边地区以及/或运输道路沿线的公共或私人安全武装的作用仅是维护法治，包括保障人权、保护矿工、设备和设施安全、保护矿址或运输路线以使合法的开采和贸易不受干扰。
- We recognize that the role of public or private security forces at the mine site and/or its surrounding areas and/or along transport roads is only to uphold the rule of law, including the protection of human rights, the safety of miners, equipment and facilities, and the protection of the mine site or transport routes so that legitimate mining and trade are not disturbed.
- 在我们或我们供应链上的任何企业与公共或私人安全武装签订了合约的情况下，我们承诺或者将规定，在与这类安全武装进行合作的过程中将遵守《安全与人权自愿原则》的规定。尤其是，我们将会支持或采取

措施运用筛查政策，确保已知的实施过严重侵犯人权行为的个人或安全武装单位不被录用。

- In the event that we or any enterprise in our supply chain has entered into a contract with public or private security forces, we promise or will stipulate that in the process of cooperating with such security forces, we will abide by the provisions of the *Voluntary Principles on Security and Human Rights*. In particular, we will support or take measures to apply the screening policy to ensure that individuals or armed security institutions known to have committed serious human rights violations are not recruited.
- 我们将支持或采取措施与中央或地方政府、国际组织和民间组织开展合作，共同为如何提高公共安全武装安保费用的透明度、相称性和问责性找到可行的解决方案。
- We will support or take measures to cooperate with central or local governments, international organizations and civil society organizations to find feasible solutions to improve the transparency, proportionality and accountability of the security costs of public security armed forces.
- 我们将支持或采取措施与当地政府、国际组织和民间组织开展互动，避免或最大限度地降低公共或私人安全武装驻扎在矿址给弱势群体带来的负面影响，尤其是对小作坊矿工的负面影响，在这种情况下，供应链上的矿产是通过小作坊或小规模采矿的方式开采出来的小作坊。
- We will support or take measures to interact with local governments, international organizations and civil society organizations to avoid or minimize the negative impact of the presence of public or private security forces at the mine site on vulnerable groups, especially on small-scale miners. In this case, the minerals in the supply chain are mined by small workshops or small-scale mining.

对公共或私人安全武装的风险管理：

Risk management of public or private security forces:

如果我们发现在一定程度上存在此类风险，将根据企业在供应链上所处的具体位置，立即制定、采用和实施上游供应商及其他利益相关方风险管理计划，从而使第五段中所述的为公共或私人安全武装提供直接或间接支持的风险得到遏制或降低。如果风险管理计划实施六个月未起作用，我们将暂时停止或中断与上游供应商的合作。

If we find that such risks exist to a certain extent, we will immediately formulate, adopt and implement risk management plans for upstream suppliers and other interested parties according to the specific position of the enterprise in the supply chain, so as to contain or reduce the risks of providing direct or indirect support for public or private security forces mentioned in Paragraph 5. If the implementation of the risk management plan does not work for six months, we will temporarily stop or interrupt the cooperation with upstream suppliers.

4.4 关于行贿受贿及矿产原产地的欺诈性失实陈述、关于洗钱、关于向政府支付的税收、费用及特许费

4.4 Fraudulent misrepresentation of bribery and mineral origin, money laundering,

taxes, fees and royalties paid to the government

- 我们不会提出、承诺、进行或索要任何贿赂，并且抵制诱惑，不会为了掩盖或伪造矿产原产地，虚报矿产开采、贸易、处理、运输、出口等活动应向政府缴纳的税收、费用和特许开采费而行贿。
- We will not propose, promise, carry out, or ask for any bribery and resist the temptation and will not bribe in order to cover up or falsify the origin of minerals, falsely report the taxes, fees and royalties that should be paid to the government in mining, trade, processing, transportation, export and other activities.
- 如果我们有理由认为，存在因开采、贸易、处理、运输或出口在矿址入口、运输路线沿线、或上游供应商矿产交易地进行非法征税或勒索而得的矿产所引起或与之相关的洗钱风险，我们将支持或采取措施，为有效消除洗钱行为做出贡献。
- If we have reason to believe that there exist the money laundering risk arising from or related to the mining, trading, processing, transportation or export of minerals obtained by illegal taxation or extortion at the entrance of the mine site, along the transportation route, or at the mineral trading place of the upstream supplier, we will support or take measures to contribute to the behaviors to effectively eliminate the money laundering.
- 我们将确保向政府支付所有与受冲突影响和高风险区域矿石开采、贸易、出口相关的合法税收、费用和特许费，并且承诺根据企业在供应链上所处位置依照《采掘行业透明度行动计划》（EITI）中的各项原则对此类支付进行披露。
- We will ensure that all legitimate taxes, fees and royalties relating to the mining, trading and export of mineral in conflict affected and high-risk areas are paid to the government, and we promise to disclose such payments in accordance with the principles of the *Extractive Industries Transparency Initiative* (EITI), based on the position of the enterprise in the supply chain.

对行贿受贿及矿产原产地的欺诈性失实陈述、洗钱及向政府支付的税收、费用、特许费的风险管理：

Risk management of bribery and fraudulent misrepresentation of mineral origin, money laundering and taxes, fees and royalties paid to the government:

根据企业在供应链上所处的具体位置，我们承诺与供应商、中央或地方政府机关、国际组织、民间社会以及受影响的第三方酌情进行合作，本着在合理的时间跨度内采取显著措施防范或降低有负面影响的风险之目的，对绩效进行改善或跟踪。风险降低措施未起作用的，我们将暂时停止或中断与上游供应商的合作。

According to the specific location of the enterprise on the supply chain, we promise that we will cooperate with supplier, central or local government institutions, international organizations, folk society, and affected third party in appropriate and improve or track the performance in line with the reasonable time span to take significant measures to prevent or reduce the risk of negative impact. If the risk reduction measures do not work, we will temporarily stop or interrupt

the cooperation with upstream suppliers.

5 风险缓解策略

5 Risk mitigation strategies

考虑实施以下降低风险的建议措施，或者通过协会、联合评估小组、或以其他适宜方式开展下列活动：

It is required to consider implementing the following recommended risk reduction measures, or carrying out the following activities through associations, joint assessment teams, or other appropriate means:

供应链政策——安全及相关问题

Supply chain policy- security and relevant problems

- 就供应链上发生的侵权和剥削行为向相关中央政府机关（如矿产部）发出警报；
- Send the alarm to relevant central government institutions (such as Mineral Department) about the infringements and exploitation on the supply chain;
- 存在对矿产进行非法征税或勒索情况的地区，立即采取措施确保上游中间商和批发商向下游或公众披露其为了获取公共或私人安全武装提供的安全保障而向其支付的款项；
- Immediately take the measures to ensure that upstream middlemen and wholesalers disclose to downstream or the public the payments that they make to them in order to obtain the security provided by public or private security forces in the area of illegal taxation or extortion of minerals;
- 与中间商和批发商合作，帮助他们进行能力建设，记录安全武装提供的安全保障及向其支付的款项；
- Cooperate with middlemen and wholesalers to assist the capacity establishment and record the security provided by the security forces and the payments made to them;
- 在以小作坊及小规模的方式采矿（“ASM”）的地区进行采购时，与民间社会和国际组织酌情开展合作，支持 ASM 群体、当地政府以及公共或私人安全武装之间就安全部署问题达成正式的约定，确保所有支付均是自愿且与提供的服务相称，并阐明参与原则符合《安全与人权自愿原则》、《联合国执法人员行为守则》和《联合国执法人员使用武力和火器的基本原则》之规定；
- Cooperate with the civil society and international organizations in the procurement of small workshops and small-scale mining (“ASM”) areas, as appropriate to support the formal agreements on security deployment between ASM groups, local governments and public or private security forces, ensuring that all payments are voluntary and commensurate with the services provided, and stating that the principle of participation is consistent with the *Voluntary Principles on Security and Human Rights*, the *United Nations Code of Conduct for Law Enforcement Officials* and the *United Nations Basic Principles on the Use of Force and Firearms by Law*

Enforcement Officials;

- 支持建立社区论坛，分享和交流信息；
- Support the establishment of Community forum to share and communicate the information;
- 支持在适当情况下建立信托基金或其他类似形式的基金，通过这一形式向安全武装支付其服务费用。
- Support the establishment of trust funds or other similar forms of funds, where appropriate, through which the security forces are paid for their services.
- 酌情与国际组织或民间社会组织建立伙伴关系，为安全武装的能力建设提供支持，使其在矿区的行为与《安全与人权自愿原则》，以及《联合国执法人员行为守则》或《联合国执法人员使用武力和火器的基本原则》相一致。
- Establish partnerships with international organizations or civil society organizations, as appropriate, to support the capacity-building of security forces, so that their conduct in mining areas is consistent with the *Voluntary Principles on Security and Human Rights*, as well as the *United Nations Code of Conduct for Law Enforcement Officials* or the *United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials*.

供应链政策——行贿受贿及矿产原产地的欺诈性失实陈述

Supply chain policy- bribery and fraudulent misrepresentation of mineral origin

- 通过与协会、评估小组合作，或其他适宜方式建设供应商能力，尤其是中小企业（SMEs）的能力，从而开展受冲突影响和高风险区域矿石负责任供应链尽职调查。
- Build the capacity of suppliers, especially small and medium-sized enterprises (SMEs) through cooperation with associations, assessment teams, or other appropriate ways to carry out due diligence of responsible supply chain of minerals in conflict affected and high-risk areas.

供应链政策——洗钱

Supply chain policy- money laundering

- 建立供应商、客户、交易的示警信息，以识别可疑行为和活动；
- Establish the warning information of supplier, customer, and transaction to identify suspicious action and activities;
- 对所有供应商、商业伙伴、客户的身份进行识别和核实；
- Identify and verify the identification of all suppliers, commercial partners, and customers.
- 向当地、国家、地区及国际执法机构举报涉嫌从事违法活动的行为；
- Report suspected illegal activities to local, national, regional and international law enforcement agencies;

供应链政策——向政府缴纳的税收、费用、以及特许费的透明度

Supply chain policy- transparency of taxes, fees and royalties paid to the government

- 支持实施《采掘行业透明度行动计划》；
- Support the implementation of *Extractive Industries Transparency Initiative*;

- 支持在细分的基础上，公开披露所有以受冲突影响和高风险区域矿石的开采、贸易和出口为目的向政府缴纳的税收、费用、特许费等信息。
- Support the public disclosure of all taxes, fees, royalties and other information paid to the government for the purpose of mining, trading and exporting minerals in conflict affected and high-risk areas on the basis of segmentation.
- 就税务征缴和监督过程中可能存在的薄弱环节知会相关地方和中央政府机关；
- Notify relevant local and central government institutions of the potential weak links during the tax collection and monitoring process;
- 为这些机关的能力培养提供支持，使之有效履行职责。
- Provide the support for the capacity training of the institutions to effectively execute the responsibilities.