

Overview of the Kagem Mining Limited Operational Grievance Mechanism

January 2024

In 2023 Kagem Mining Limited (“**Kagem**”) formally launched an operational grievance mechanism (“**OGM**”). The OGM is established and run in accordance with the United Nations Guiding Principles on Business and Human Rights (“**UNGPs**”); especially the effectiveness criteria for operational-level grievance mechanisms set forth in Guiding Principle 31 (“**Effectiveness Criteria**”).

The OGM was designed in conjunction with Human Level, respected Human Rights Consultants, following extensive stakeholder engagement. Stakeholder engagement was conducted with community members, including traditional and village leadership and with Gemfields and Kagem staff (especially the Kagem Community Liaison Team (“**CLT**”) and service providers. It is also based on learnings from other operational-level grievance mechanisms (based on the UNGPs) and input from other human rights experts. The OGM is governed by a set of procedural rules set out in a formal OGM Protocol (the “**Protocol**”).

The purpose of the OGM, in line with the UNGPs, is to:

- ensure any local community member that has had their human rights negatively impacted by Kagem’s operations and/or the conduct of any of its business relations in their performance of work for Kagem are remediated in line with the principles reflected in the UNGPs;
- provide a source of learning for Kagem so that potential, future negative human rights impacts can be prevented or mitigated; and to
- improve community relations between Kagem and the local communities.

The majority of the local stakeholders consulted expressed a preference for a company-led mediation mechanism. As a result the OGM has been designed to be a company run dialogue-based process with recourse for independent review. The Kagem OGM is run by members of the CLT who are responsible for receiving claims and for investigating and assessing them, with the support of an Investigations Expert. The CLT are also responsible for engaging with the claimant via mediation to mutually resolve the claim, with the support of a Mediation Expert. Following company led mediation, a claimant can request that their case is reviewed by an Independent Ombudsbody. The Independent Ombudsbody will then review the case and determine whether Kagem has appropriately applied the process and principles described in the Protocol. The Ombudsbody may (i) redirect the claim for additional fact-finding and investigation by Kagem; or (ii) determine that Kagem has acted in accordance with the Protocol and that its offered solution stands. If the claim has been referred back to Kagem once, and mediation still does not reach a resolution, a claimant may opt to refer their claim for a final decision by the Independent Ombudsbody.

The OGM has multiple access points including grievance boxes and a toll free line. The OGM was publicised via a public awareness campaign in March 2023. There are continuing ongoing sensitisation activities with local communities.

An Independent Monitor has been engaged, who at regular intervals evaluates the OGM against the Effectiveness Criteria. The outcome of the evaluations, which includes recommendations, will be made public on the Gemfields website.

The OGM process is set out in the below diagram:

Gemfields Kagem OGM process

