



Background & Glossary

for the Human Rights Index (HRI)
and Child Labour Index (CLI)

Version 1.0

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Preface to the Human Rights Index and Child Labour Index

Acknowledgements: The Child Labour Index (CLI) and Human Rights Index (HRI) have been developed through a participatory process led by [Levin Sources](#) on behalf of the Global Battery Alliance since January 2021. This index has been drafted by Levin Sources on behalf of, in close consultation with, and with significant contributions from the Human Rights and Child Labour Working Group (HRCL WG).

The development of this publication would not have been possible without the input and support of the members of the Global Battery Alliance Human Rights and Child Labour Working Group, and their associates. The GBA gratefully acknowledges the following contributors:

BASF, Battery Associates, Cobalt Institute, Eurasian Resources Group, Everledger, Freyr Battery, GIZ, Glencore, IndustriALL Global Union, Natural Resources Canada, Pact, RCS Global, Renault Group, Responsible Business Alliance, Responsible Mica Initiative, Tesla, Umicore, UNICEF, and Volkswagen. The following historical contributors are also gratefully acknowledged: IMPACT, the London Metal Exchange, SAFT, The Good Shepherd International Foundation, and Volvo Group.

Alliance for Responsible Mining, RCS Global, Systemiq (on behalf of the Battery Pass Project), The International Institute for Sustainable Development, The Centre for Child Rights and Business and an anonymous audit firm employee, also provided invaluable guidance to the indices' development by "stress testing" each index against the themes of auditability, ASM responsiveness, child rights responsiveness, gender responsiveness and EC regulatory alignment.

Scope of the HRI and CLI: The GBA Battery Passport's Human Rights and Child Labour indices are applicable at site level to every enterprise that wishes to use the Battery Passport and is involved in the production, trade or transportation of goods to be used as components of a battery or battery pack or in battery manufacturing. In practice this means any business in any battery value chain from mine or recycler through to Original Equipment Manufacturer and end-of-life recycling may use it or find itself in scope through its supply chain relationships. See note on ASM below.

It is highly recommended that any company wishing to complete the CLI do the HRI first, as the human rights due diligence process codified in the HRI is foundational for doing effective child labour due diligence. Were a company to do the CLI in isolation, they would not be effectively managing their child labour risks and impacts.

The GBA continues to work on a range of matters that will influence the ultimate content and form of these Indices. Members of the HRCL WG have debated a number of key issues amongst themselves and proposed interim suggestions ready to be taken to piloting and consultation.

The proposed indices should therefore be considered as a first proposal, not a reflection of unanimous consensus, with future iterations expected resulting from continued engagement and inputs from GBA members, experts and the wider public.

The scope and structure of the Battery Passport will continue to evolve in 2023 and beyond following the proof of concept and subsequent piloting. This will consolidate and rationalise how the issues are organised in the passport with a view to maximise efficiency for participating companies on the one hand (including reducing the overall length of the passport), and impact for battery sector stakeholders on the other. Changes to structure and scope will help evolve the current form and content of the Child Labour and Human Rights Indices.

The HRI and CLI include expectations for controlling risks and driving positive impacts in supply chains, but do not comprise a set of comprehensive responsible sourcing expectations, which will be developed as part of a future index focused on responsible sourcing provisions.

The current version of the human rights and child labour indices are not tailored for ASM producers for whom the development of a dedicated index has been recommended by the working group. Enterprises sourcing from ASM or adjacent to ASM (e.g. LSM) will report into the battery passport.

Additionally, given the importance of using scoring to incentivise companies to address matters of the most urgency and priority first, a greater discussion around a scoring logic suitable for qualitative indicators needs to take place. Questions on quality assurance and data validation will be in focus in 2023. As a result, the indices use dummy scoring in their present version and are not assured or validated for the purpose of establishing the proof-of-concept Battery Passport.

The GBA also intends to enable automatic scoring in the passport through equivalency assessments against existing standards and certifications. To test the concept, a number of standards have already been assessed for equivalency in the HRI and CLI. GBA retains the aim to include a larger variety of standards that are applicable, in particular, to downstream companies.

The Human Rights Index

About the Human Rights Index Version 1.0: The Human Rights Index (HRI) is a tool that measures and scores the efforts of companies across the battery supply chain to fulfil their responsibility to respect human rights through the implementation of human rights due diligence in line with the [United Nations Guiding Principles for Business and Human Rights \(UNGPs\)](#) (2012) and drawing on the [OECD Responsible Business Conduct Guidance](#) (2018) and the [OECD Minerals Guidance](#) (2016).

Version 1.0 is a self-reporting tool that assesses and scores an enterprise's efforts to respect human rights in its operations and business relationships, including supply chains. It does this by breaking down the process of human rights due diligence into individual actions that can be assessed as either 'yes' or 'no'. An enterprise's human rights performance is indirectly scored by scoring the company's efforts to know, track and report on the outcomes and thus effectiveness of their human rights due diligence actions, and to adjust their management systems as a result of these insights.

The HRI is a foundational index oriented at scoring processes. The GBA anticipates eventually evolving the HRI into a set of human rights-based management systems indices that will apply to any ESG issue in scope of the Battery Passport, as well as a leaner, more focused HRI. The indicators tagged for evolution into broader management systems indices are marked as 'fundamental' in the index.

The Child Labour Index

About the Child Labour Index Version 1: The Child Labour Index (CLI) is dedicated to supporting the achievement of GBA's 8th guiding principle, "Immediately and urgently eliminating child and forced labour, strengthening communities and respecting the human rights of those employed by the value chain." Consequently, it is designed to support the elimination of child labour, and so is grounded in the responsibility to respect child rights as well as the human rights of caregivers to children.

The CLI therefore incorporates the expectations specified in six foundational texts as well as leading practice articulated by child rights practitioners and NGOs:

- [UNICEF 2012 Children's Rights and Business Principles, specifically Principles 1-4 and Principle 10](#) (based on the UNGPs and relevant UN and ILO conventions)
- [UNICEF 2013 Children's Rights in Impact Assessments Tool](#) (based on the CRBPs)
- [ILO 2014 Checkpoints for companies: Eliminating and preventing child labour](#)
- [ILO-IOE 2016 Child Labour Guidance Tool](#)
- [OECD 2016 Minerals Guidance](#)
- [OECD 2017 Practical Actions for companies to identify and address the worst forms of child labour in minerals supply chains](#)

Version 1.0 of the CLI is a self-reporting tool that assesses and scores an enterprise's efforts in its operations and business relationships, including supply chains to address and support the elimination of child labour in line with the foundational texts. It does this by breaking down the process of child labour due diligence into individual actions that can be assessed as either 'yes' or 'no'. This includes special focus on the root causes of child labour and the effectiveness of an enterprise's risk management systems. An enterprise's child labour performance is indirectly scored by scoring the company's efforts to know, track and report on the outcomes and thus effectiveness of their child labour due diligence actions, and to adjust their management systems as a result of these insights.

The CLI is a human rights issue index that belongs in the Social category of the Battery Passport. As other issue indices are developed, certain performance expectations will move into these new indices (e.g. decent work, contribution to economic development, etc.) The CLI will become leaner and more focused, whilst the other indices will include a child rights orientation. The indicators that will eventually move are tagged as 'Move' in the index.

The CLI is organised into three distinct sets of performance expectations¹.

- **Core expectations** apply to any enterprise and its supply chains, regardless of where they operate or do business.
- **Additional expectations** apply either to enterprises where child labour has been identified as a salient issue in an enterprise's operations and/or business relationships, including their supply chains or enterprises operating in or sourcing from areas where the risk of child labour is medium or high according to whichever is higher of the Workplace Index and the Community Index of the [UNICEF Children's Rights Atlas](#)². The additional expectations are to be implemented only for those sites, suppliers and provenances that have been assessed as medium- or high-risk for child labour. If an enterprise is medium or high risk for child labour in its operations, but not its supply chains, it should do ID1 only. If an enterprise is medium or high risk for its supply chains, but not its operations, it should do ID#2 and the supply chain management systems indicators within ID#1, namely A.1.1.4, A.1.1.5, A.1.3.2, A.1.3.3, A.1.3.5, A.2.1.1, A.3.1.11, A.6.1.1.
- **Incident expectations** apply to enterprises that have caused, contributed to or are linked to an incident of child labour, whether in their operations, supply chains or other business relationships

¹ It is anticipated that all issue indices of the Battery Passport will follow this same structure.

² If a jurisdiction is not listed in the UNICEF Child Rights Atlas, the company should treat it as a high risk context for child labour.

Key Features of the GBA Qualitative Indices

The HRI and CLI have been designed to maximise impact by balancing **feasibility** (the ease with which any enterprise can complete each index) with **effectiveness** (the likelihood that implementation of the action will reduce the a.) likelihood of the risk materialising and b.) the severity of the impacts of a materialised risk on people or nature). These goals underpin key features of the indices, which are described in this section.

Scope

The indices are organised into two impact domains. Impact Domain 1 indicators score performance in an enterprise's own operations, including its direct business partnerships that are under its control, e.g. sub-contractors, and business relationships over which it may have some influence. Impact Domain 2 indicators score performance in an enterprise's supply chain for any good or service it may purchase or use but which is not within its control. Impact Domain 2 indicators apply to medium- and high-risk supply chains, save for the core indicators of the CLI which apply to all supply chains.

Ambition: Leading Practice

The HRI and CLI seek to align with the major international conventions and frameworks that govern leading practice in the management of human rights and specifically child labour risks and impacts. They also seek to build upon the performance levels presently achievable within a suite of voluntary industry standards that allow companies to be assured for their ESG efforts. Within the HRI and CLI you will therefore find indicators that:

1. Support compliance with existing and emerging regulation, such as the EC Battery Regulation and Corporate Sustainability Due Diligence Directive, [regulatory compliance]
2. Support compliance with existing and emerging voluntary standards, [voluntary compliance]
3. Support conformance with the major industry principles, guidelines and guidances that set expectations for business on what constitutes leading practice, [beyond compliance] and
4. Further the major industry principles, guidelines and guidances by provide greater detail or specificity on their expectations captured in #3. [leading practice]

#3 and #4 together constitute the 'leading practice' indicators in the HRI and CLI.

The HRI and CLI thus also include indicators that score companies for going beyond these existing industry standards and allow them to be scored for those leading practices that bridge the gap to a.) more fully supporting achievement of companies' responsibility to respect human rights and to more meaningfully reducing b.) the likelihood of human rights violations, like child labour, occurring and c.) the severity of their impacts when they do occur. These 'leading practice' indicators are indicated within each index.

Leveraging compliance

In order to stimulate participation in the GBA's Battery Passport, it is important to reduce the burden of participation. The CLI and HRI have been designed to allow companies to be automatically scored for their existing assurances and certifications. These first versions of the HRI and CLI include indicative standards equivalencies for the Initiative for Responsible Mining Assurance (IRMA) Standard for Responsible Mining, the Responsible Minerals Assurance Process (RMAP) Global Responsible Sourcing Due Diligence Standard for Mineral Supply Chains (All Minerals) Standard, and an interim draft of the revised Responsible Minerals Initiative (RMI) Risk Readiness Assessment, dated April 2022. Bilateral engagement with standard setters took place between October 1st-18th on the basis of Standard Equivalency Assessment determinations for version 0.3 of the HRI and 0.4 of the CLI (dated September 30th 2022). A number of changes have since taken place that have not been accounted for in the Standard Equivalency Assessment determinations, nor have these been reviewed by Standard Setters. As such, the

standards equivalency icons in these draft versions of the indices should be read to be *indicative* and not *definitive*. Going forward, more standards may be assessed and included for the purpose of automatic scoring, and those that are already included will be updated as they and the indices evolve.

Human Rights Index Alignment	UNGP Assurance and Interpretative Guidance	
ID1 Alignment Scoring Only	# indicators	%age indicators
Aligned beyond (Leading Practice)	17	30%
Aligned	39	70%

Human Rights Index Standards Equivalency	RMI All Metals - Global Standard		RMI ESG Standard for Minerals Supply Chains		IRMA Mining Standard		RMI Risk Readiness Assessment	
	# indicators	%age indicators	# indicators	%age indicators	# indicators	%age indicators	# indicators	%age indicators
ID1 Equivalency Scoring Only								
Equivalent	9	16%	31	53.5%	39	71%	39	68.4%
Partially equivalent+	34	60%	18	30.3%	14	25%	15	26.3%
Not equivalent*	13	23%	8	14.2%	2	4%	3	5.3%
ID1 + ID 2 Equivalency Scoring								
Equivalent	23	23%	N/A	N/A	N/A	N/A	N/A	N/A
Partially equivalent	57	56%						
Not equivalent	22	21%						

The RMI's ESG standard is meant to be a companion standard to RMAP All Minerals Due Diligence Standard and these should be considered jointly.

Joint Equivalency of RMI ESG and Global Standard	# indicators	%age indicators
Equivalent	29	52.7%
Partially equivalent+	21	38.2%
Not equivalent*	5	9.1%

Child Labour Index Alignment	UNICEF Impact Assessment Toole	
ID1 Alignment Scoring Only		
Aligned beyond (Leading Practice)	23	45%
Aligned	28	55%

Child Labour Index Standards Equivalency	RMI All Metals - Global Standard		RMI ESG Standard for Minerals Supply Chains		IRMA Mining Standard		RMI Risk Readiness Assessment	
ID1 Equivalency Scoring Only	# indicators	%age indicators	# indicators	%age indicators	# indicators	%age indicators	# indicators	%age indicators
Equivalent	1	2%	9	17.6%	22	45%	22	43%
Equivalent, but not specific to children's rights	3	6%	3	5.8%	5	10%	3	6%
Partially equivalent+	12	24%	14	27.4%	23	43%	17	33%
Not equivalent*	35	69%	26	50%	1	2%	10	20%
ID1 + ID 2 Equivalency Scoring								
Equivalent	4	4%	N/A		N/A		N/A	
Equivalent, but not specific to children's rights	3	3%						
Partially equivalent	18	20%						
Not equivalent	72	73%						

The RMI's ESG standard is meant to be a companion standard to RMAP All Minerals Due Diligence Standard and these should be considered jointly.

Joint Equivalency of RMI ESG and Global Standard	# indicators	%age indicators
Equivalent	10	19.6%
Equivalent (but not specific to child labour or children's rights)	4	7.8%
Partially equivalent+	16	31.3%
Not equivalent*	22	43.1%

Indicator Typology

As the priority qualitative indicators of the Battery Passport’s proof of concept, the HRI and CLI have been developed as precursors to a more comprehensive indicator framework that will include the necessary parameters to measure and report on efforts to scale sustainable, responsible and circular battery value chains. The complete indicator framework will be developed in 2023 and is anticipated to include a rationalised structure of fundamental management systems indices and ESGE+ issue specific indices. This would allow for greater efficiency for participants, contribute to lessening burden and so lowering the participation threshold and allowing the Battery Passport to be more accessible, feasible and thus scalable, whilst achieving its impact goals. This may include:

- **Fundamental indicators** could be moved into specified Management System Indices (MSI), that could potentially be the ‘G’ of ESGE+.
 - These capture processes companies institutionalise to control risk.
 - MSI may include: Policy ; Risk identification and assessment; Prioritisation, prevention and mitigation; Tracking effectiveness (includes assurance); Transparency and reporting; Remedy; Participation (includes stakeholder engagement); Responsible Sourcing.
 - The MSI may be expanded to be human rights based, but applicable to any ESGE+ issue.
 - The ‘ESGE+’ Issue indices (like water management, child labour, corruption) may retain a fundamental indicator pair adapted to the issue. For example, the CLI retains 5.1 on engaging stakeholders for all aspects of child labour due diligence.
- **Horizontal indicators** are indicators that will likely be repeated in many or all of the issue indices, but adapted to that specific issue. For example, engaging with issue experts in the development of robust policy and processes.
- **Specific indicators** are indicators that are unique to that index. For example, having a statement on the minimum age for employment in the CLI.
- **Issue indicators** are indicators that belong in another Issues Index (e.g. KPI on Decent Work) but are relevant to elimination of child labour as a root cause issue. They are thus in the CLI as a placeholder until the relevant KPI will be developed.

A number of cross-cutting issues are likely to feature in all indices. For example, inclusion and enablement of SMEs, informal and less mature enterprises such as artisanal and small-scale mining and start-ups; special consideration of vulnerable groups; and impact monitoring. This sometimes takes the indices over and above what is captured in the foundational texts, but ensures alignment with emerging regulation and regulators’ supportive measures for achieving policy priorities.

	Child Labour Index		Human Rights Index	
	# Performance expectations	# indicators	# Performance expectations	# indicators
Fundamental	2	4	38	68
Horizontal	22	42	15	27
Specific	18	24	1	2
Move	18	34	2	4
Total	60 performance expectations	104 total indicators	56 performance expectations	99 total indicators

Applicability to Artisanal and Small-Scale Enterprises

The HRI and CLI are written for professional enterprises; artisanal and small-scale mining enterprises are in scope where GBA Battery Passport users source from them (e.g. a minerals processor or smelter) or operate adjacent to them (e.g. an industrial mine), but not as producers. GBA anticipates developing a strategy for greater inclusion of artisanal and small-scale miners in the Battery Passport in the future. The HRCL WG has recommended the development of an Artisanal and Small-scale Mining Index. Special consideration will also need to be given to artisanal and small-scale recyclers.

Structure of the Human Rights Index

PROVISION	CRITERIA	# Indicators	
		OPERATIONS	SUPPLY CHAIN
1: Human Rights policy & commitment	1.1 Content The enterprise has a policy and public commitment to respect human rights.	6	5
	1.2 Dissemination and communication The enterprise disseminates its human rights policy to all relevant stakeholders, including managers, employees, suppliers, subcontractors and the public.	3	1
	1.3 Development and approval Development of the policy and commitment involves staff in key internal functions, such as procurement and human resources, as well as relevant human rights and gender expertise from inside and outside the enterprise, where possible, to ensure incorporation of leading practice from within the enterprise's sector. The involvement of senior leadership in approving the commitment helps signal its importance.	5	2
	1.4 Embedding: Accountability, resources and decision-making The enterprise has assigned sufficient resources to the implementation of the policy and supporting procedures, invests in training and capacity building, and ensures leadership is accountable for oversight and implementation.	5	4
	1.5 Purchasing Practices, including economic inclusion The enterprise takes measures to ensure its human rights due diligence processes do not inadvertently disadvantage SMEs and marginal producers in its supply chains.	3	2
2: Risk & impact assessment	2.1 Risk and impact assessment There is a process in place to identify and assess human rights risks and impacts within the enterprise's operations and supply chain.	7	7
3: Prioritisation, prevention & mitigation	3.1 Prioritisation, prevention and mitigation The enterprise strengthens and integrates human rights within relevant enterprise functions and takes actions to prevent and address impacts	7	7
4: Monitoring effectiveness	4.1 Monitoring, performance tracking and verification The enterprise monitors its human rights impacts and tracks its performance related to the effectiveness of its efforts to reduce human rights issues.	6	6
5: Reporting	5.1 Reporting and communication The enterprise communicates about its efforts to prevent and mitigate human rights issues, including concerns raised relating to potentially affected stakeholders. Enterprises that may be involved in severe human rights impacts report formally on their efforts.	6	4
6: Remediation	6.1 Grievance mechanism The enterprise has a grievance mechanism aligned with requirements in the UN Guiding Principle on Business and Human Rights.	4	2
	6.2 Remediation The enterprise has a strategy in place to provide for or participate in remedy where it causes or contributes to a human rights impact.	3	3
TOTAL NUMBER OF INDICATORS		55	44

Structure of the Child Labour Index

PROVISION	CRITERIA	# Indicators		
		Core	Additional	Incident
1: Policy commitment on the right of children to be free from child labour	1.1 Content The enterprise has a policy and public commitment to respect human rights, including children's right to be free from child labour.			
	1.2 Dissemination and communication The enterprise disseminates its child labour policy to all relevant stakeholders, including managers, employees, suppliers, subcontractors and the public.			
	1.3 Development and approval Development of the policy involves staff in key internal functions, such as procurement and human resources, as well as relevant gender, children's and wider labour rights expertise from inside and outside the enterprise, where possible, to ensure incorporation of leading practice from within the enterprise's sector. The involvement of senior leadership in approving the commitment helps signal its importance.			
	1.4 Embedding: Accountability, resources and decision-making In order to take effective action, the right internal decision-making structures need to be in place. The people in the enterprise whose decisions or actions can affect the management of child labour impacts also need to be engaged.			
2: Risk and impact assessment	2.1 Risk and impact assessment There is a process in place to identify and assess risks and impacts related to underage workers, i.e. to identify where and how children may be at risk of child labour, within the enterprise's operations and value chain.			
	2.2 Root Causes The enterprise identifies the root causes of its actual or potential child labour risks and impacts.			
3: Prioritisation, prevention & mitigation	3.1 Prioritisation, prevention and mitigation The enterprise strengthens and integrates child labour risk controls within relevant enterprise functions and takes actions to prevent and address child labour impacts.			
	3.2 Address root causes The enterprise addresses the root causes of child labour through the fulfilment of children's rights more broadly.			
4: Monitoring effectiveness & reporting	4.1 Monitoring, performance tracking and verification The enterprise monitors and tracks its performance related to the effectiveness of its actions intended to eliminate child labour.			
	4.2 Reporting and communication The enterprise is prepared to communicate about its efforts to prevent and mitigate child labour, including concerns raised relating to potentially affected stakeholders. Enterprises that may be involved in severe child labour impacts report formally on their efforts.			
5: Stakeholder engagement	5.1 Engaging all relevant stakeholders for all aspects of child labour due diligence. Enterprises engage with relevant stakeholders about their efforts to prevent and mitigate child labour, including engagement about potential child labour risks and impacts. There is a special focus on engaging vulnerable or marginalised groups that may be impacted by an enterprise's operations, business relationships or supply chains.			
	5.2 Engaging potentially affected stakeholders The enterprise engages with people who are or may be impacted by their operations, business relationships or supply chains.			
6: Remediation	6.1 Remediation The enterprise has a strategy in place to provide for or participate in remedy where it causes or contributes to a child labour impact.			
	TOTAL INDICATORS	10	78	15

Glossary

Term	Definition
Addressing human rights issues	Includes ceasing, preventing, mitigating, and remediating human rights risks and impacts. For example, in the context of an autocratic state, putting in place measures that can improve access to the perspectives of affected rights holders. See 'eliminating human rights'.
Artisanal and small-scale mining	"Formal or informal mining operations with predominantly simplified forms of exploration, extraction, processing, and transportation. ASM is normally low capital intensive and uses high labour intensive technology. 'ASM' can include men and women working on an individual basis as well as those working in family groups, in partnership, or as members of cooperatives or other types of legal associations and enterprises involving hundreds or even thousands of miners." ³
Blind spots	Blind spots are points within an operation or along the supply chain where there is an information deficit and/or lack of independent data.
Business partner	Business partners are referenced in Impact Domain #1 and include "entities with which a company has some form of direct and formal engagement for the purpose of meeting its business objectives." ⁵ This may include "vendors, franchisees or licensees, business customers, clients, governments, suppliers, contractors, and consultants." ⁶ For the purposes of these indices business partners are those entities with whom the enterprise has a contractual relationship, excluding joint ventures, which require special consideration and will be brought into scope for GBA indices at a future date.
Business relationships	"The relationships a company has with business partners, entities in its value chain and any other State or non-State entity directly linked to its operations, products or services. They include indirect business relationships in its value chain, beyond the first tier" ⁶ but for the purposes of these indices excludes joint ventures which require special consideration and will be brought into scope for GBA indices at a future date. This definition is more expansive than business partners, and includes entities over which the enterprise may have weaker leverage.
Cause, contribute or directly linked to human rights impacts through business relationships	<p>There are three ways an enterprise may be linked to an adverse human rights impact:</p> <ul style="list-style-type: none"> • Cause the impact through its own activities • Contribute to the impact through its own activities (directly or through another entity, such as business or government) • Directly linked to an impact caused by an entity with which it has a business relationship and is linked to an enterprise's own products, goods or services.⁷ <p>Each level of involvement dictates the approach by which an enterprise has a responsibility to prevent, mitigate, cease or remedy an adverse human rights impact.</p>
Checks, verifies, requires	<p>The index sets expectations for enterprises to check, verify, or require things of suppliers in accordance with the following definitions in order of lessening rigour:</p> <ul style="list-style-type: none"> • requires is an expectation that something is done as a condition of doing business and so is included in a supplier code of conduct and/or contract; • verifies is having sight of evidence that the supplier has the necessary document or has done the necessary action; • checks is receiving written affirmation (e.g. warranty) from supplier that something is in place or has been done.
Child	"Anyone under the age of 18 years is considered a child, according to the United Nations" ⁸
Child labour	"Child labour is work that children should not be doing because they are too young, or if they are old enough to work, because it is dangerous or unsuitable for them. Whether or not work performed by children is defined as child labour depends on the child's age, the hours and type of work and the conditions in which the work is performed." ⁶
Conflict minerals	Based on the US Dodd-Frank Act, "conflict minerals" commonly refers to tin, tantalum, tungsten and gold, and their ores. ⁹

³ OECD (2016) OECD Due Diligence Guidance for Responsible Mineral Sourcing from Conflict-Affected and High-Risk Areas (Third Edition).

⁵ UN Guiding Principles Reporting Framework (n.d.) Salient Human Rights Issues. At <https://www.ungpreporting.org/resources/salient-human-rights-issues/>

⁶ UN Guiding Principles Reporting Framework (n.d.) Salient Human Rights Issues. At <https://www.ungpreporting.org/resources/salient-human-rights-issues/>

⁷ United Nations Office of the High Commissioner for Human Rights (2012).

⁸ The Shifting Gears Report: An Assessment of Human Rights Risks & Due Diligence in the Automotive Industry, page 24, Investors Advocates for Social Justice (2020) https://iasj.org/wp-content/uploads/IASJ_ShiftingGearsReport_F.pdf

⁹ Securities and Exchange Commission (n.d.) Fact Sheet: Disclosing Conflict Minerals. At <https://www.sec.gov/opa/Article/2012-2012-163htm---related-materials.html>

Term	Definition
Conflict-affected and high-risk areas (CAHRAs)	“Conflict-affected and high-risk areas are identified by the presence of armed conflict, widespread violence or other risks of harm to people. Armed conflict may take a variety of forms, such as a conflict of international or non-international character, which may involve two or more states, or may consist of wars of liberation, or insurgencies, civil wars, etc. High-risk areas may include areas of political instability or repression, institutional weakness, insecurity, collapse of civil infrastructure and widespread violence. Such areas are often characterised by widespread human rights abuses and violations of national or international law.” ¹⁰
Contractual relationships	Contractual expectations may include: <ul style="list-style-type: none"> • informing the enterprise of all relevant business relationships, including with other suppliers, subcontractors and associates • promptly addressing issues of non-conformance related to human and child rights as and when they arise; • participating in any child-focused human rights and social compliance monitoring organized by the company.¹¹
Day-to-day business processes	Activities that an enterprise and its employees engage in on a daily basis.
Decent work	“Decent work sums up the aspirations of people in their working lives. It involves opportunities for work that is productive and delivers a fair income, security in the workplace and social protection for families, better prospects for personal development and social integration, freedom for people to express their concerns, organize and participate in the decisions that affect their lives and equality of opportunity and treatment for all women and men.” ¹² Decent working conditions are the conditions that make decent work possible.
Eliminating human rights issues	Eliminating human rights issues involves getting rid of the hazards that generate a threat to people or increase the likelihood of infringements upon their human rights. Addressing root causes of human rights violations supports their elimination. For example, improving democracy and governance or reducing poverty will reduce the likelihood of human rights violations; addressing children’s rights will reduce the likelihood of child labour; implementing free, prior and informed consent will protect the rights of indigenous peoples and local communities. Business can contribute to the elimination of human rights issues by ceasing or preventing actions that generate or enhance risk, and by working with other actors to address root causes.
Enterprise	Enterprise refers to the organisation manufacturing or using the battery, and/or purchasing or producing products, components, materials (e.g. metals, minerals) that are contained in the battery.
Expert	Individual with the special skill or knowledge representing mastery of a particular subject derived from training or experience. ¹³
Factual circumstances	Based on the OECD Minerals Guidance, mapping the factual circumstances of an enterprise’s supply chains is a necessary precursor to identifying risks because, “any reasonable inconsistency between a factual circumstance and a standard should be considered a risk with potential adverse impacts.” ¹⁴ <p>Mapping factual circumstances involves first knowing the provenance of a material (e.g. is it mined at an industrial or artisanal scale or recycled? Where does production take place (jurisdiction or geography)) and then establishing the <i>activities</i> and <i>relationships</i> of all upstream suppliers, including clarifying “the chain of custody and identify(ing) the locations and qualitative conditions of the extraction, trade, handling and export of the mineral,”¹⁵ and undertaking “an in-depth review of the context of all red-flagged locations and the <i>due diligence practices</i> of any red-flagged suppliers.”¹⁶ In sum, one must find out the where, what, who, how of the supply chain in terms of what the enterprise can control and what influences it is subjected to by its operating environment. This means understanding each “entity’s location, structure, ownership and governance, mode of production, [extraction, trade, handling, export/import, transport] and means of controlling ... risk.”¹⁷</p> <p>The HRI and CLI apply this same approach to an enterprise’s operations and business relationships broadly, including its supply chains.</p> <p>Additional guidance can be found in the OECD Minerals Guidance Appendix: Guiding Note for Upstream Company Risk Assessment.¹⁸</p>

¹⁰ OECD (2016).

¹¹ UNICEF, Children’s Rights in Impact Assessments, 2013.

¹² Investors Advocates for Social Justice (2020).

¹³ Merriam Webster Dictionary, at <https://www.merriam-webster.com/dictionary/expert>

¹⁴ OECD (2016), p. 42.

¹⁵ OECD (2016), p. 41.

¹⁶ OECD (2016), p. 80

¹⁷ Based on language from unpublished draft of OECD Handbook on Environmental Due Diligence on Minerals and Metals Supply chains (forthcoming 2023).

¹⁸ OECD (2016).

Term	Definition
Gender-responsive	<p>Gender-responsiveness is the way through which gender equality is actively promoted through policies, management systems, operational design, research, investments, and so on. It is the approach to both examine and address gender norms, roles, and inequalities. It goes beyond gender-sensitivity, since gender-sensitivity implies only gaining a certain awareness to gender differences whereas gender responsiveness means actually implementing specific actions to empower women and other marginalized genders.</p> <p>Gender responsiveness in policies and planning processes often begins with conducting a gender assessment to establish a baseline and from thereon out inform concrete actions that ensure women's rights are respected, protected, and included and women are empowered in their households, livelihoods, communities etc. Gender responsive human rights and child labour due diligence involves considering how each due diligence action (e.g. policy setting, risk assessment, mitigation, reporting, grievance mechanism, remedy, stakeholder engagement) have impacted or will impact marginalized genders (reactive) as well as what specific measures have been taken (proactive) to address gender norms, roles and inequalities in human rights interventions, such as by ensuring inclusion of marginalized genders and their interests.</p>
Hazard/risk	<p>"A hazard is anything that has the potential to cause harm. Risk is the chance or probability that a hazard will actually result in injury or illness along with an indication of how serious the harm could be. Therefore, risk = severity of harm x probability of harm. Even if workers are exposed to the same hazard, risks may be greater for young workers than for adult workers because of high severity (e.g. immaturity of immune system) and high probability (e.g. lack of experience)." ¹⁹</p>
Hazardous work	<p>"Hazardous child labour is work in dangerous or unhealthy conditions that could result in a child being killed or injured/harmed (often permanently) and/or made ill (often permanently) as a consequence of poor safety and health standards and working arrangements." ²⁰</p>
High risk suppliers and supply chains	<p>High risk suppliers and supply chains are those that are high risk either due to location (e.g. located in a conflict-affected or high-risk area (CAHRA) per the OECD definition, or in a location known for high risk of specific or general human rights violations), human rights due diligence capacity (e.g. low ability to do a quality of human rights due diligence that is proportionate to their exposure to risk), or human rights due diligence reputation (e.g. they have a history of human rights violations).</p>
Human rights	<p>The International Bill of Human Rights²¹, comprised of the Universal Declaration of Human Rights (1948)²² and two additional international human rights covenants, the International Covenant on Economic, Social and Cultural Rights (1966) and the International Covenant on Civil and Political Rights (1966), make up what is referred to today as universal fundamental human rights. Human rights are rights inherent to all human beings, regardless of race, sex, nationality, ethnicity, language, religion, or any other status. All are entitled to these rights, without discrimination. The United Nations has developed a complex body of human rights law outlining a range of internally accepted rights²³, including the right to be free from harmful forms of child labour.</p>
Human rights impacts	<p>A human rights impact includes any situation wherein business operations or activities have had an adverse effect on the human rights enjoyment of impacted rights-holders.²⁴</p>
Human rights incident	<p>The materialisation of a human rights risk, which may lead to positive and/or adverse impacts for rights holders. Typically recorded as a 'case' for monitoring and remediation purposes.</p>
Human rights issues	<p>Includes actual or potential human rights risks and impacts</p>
Human rights commitment, policy and/or procedures	<p>The human rights commitment outlines an enterprise's commitment to respect human rights. The human rights policy puts this commitment in the context of the company's vision, mission, values, compliance obligations and existing management systems, including related policies. Human rights procedures outline the structures and processes that direct how the enterprise will implement its human rights policy and through which it may achieve its commitment to respect human rights.</p>
Human rights risks	<p>"A business enterprise's human rights risks are any risks that its operations may lead to one or more adverse human rights impacts. They therefore relate to its potential human rights impact. In traditional risk assessment, risk factors in both the consequences of an event (its severity) and its probability. In the context of human rights risk, severity is the predominant factor. Probability may be relevant in helping prioritize the order in which potential impacts are addressed in some circumstances (see "severe human rights impact" below). Importantly, an enterprise's human rights risks are the risks that its operations pose to human rights. This is separate from any risks that involvement in human rights impact may pose to the enterprise, although the two are increasingly related."²⁵</p>

¹⁹ Investors Advocates for Social Justice (2020)

²⁰ Investors Advocates for Social Justice (2020)

²¹ The International Bill of Human Rights at <https://www.ohchr.org/sites/default/files/Documents/Publications/Compilation11en.pdf>

²² Universal Declaration of Human Rights, General Assembly resolution 217A (III), U.N. Doc A/810 at 71 (1948).

²³ United Nations, Human Rights (no date) at <https://www.un.org/en/global-issues/human-rights>

²⁴ The Danish Institute for Human Rights, "Introduction to human rights impact assessment". Last accessed 27 May 2022: <https://www.humanrights.dk/tools/human-rights-impact-assessment-guidance-toolbox/introduction-human-rights-impact-assessment>

²⁵ United Nations Office of the High Commissioner for Human Rights, The Corporate Responsibility to Protect Human Rights: An Interpretive Guide (2012), at https://www.ohchr.org/sites/default/files/Documents/Publications/HR.PUB.12.2_En.pdf.

Term	Definition
Impact Domain 1	Impact Domain 1 indicators score performance in an enterprise's own operations, including its direct business relationships that are under its control, e.g. sub-contractors
Impact Domain 2	Impact Domain 2 indicators score performance in an enterprise's supply chain for any good or service it may purchase or use but which is not within its control. Impact Domain 2 indicators apply to medium- and high-risk supply chains, save for the core indicators of the CLI which apply to all supply chains.
Legitimate artisanal and small-scale mining	The assessment of the legitimacy of ASM takes into account "the good faith efforts of artisanal and small-scale miners and enterprises to operate within the applicable legal framework (where it exists) as well as their engagement in opportunities for formalisation as they become available (bearing in mind that in most cases, artisanal and small-scale miners have very limited or no capacity, technical ability or sufficient financial resources to do so). In either case, Artisanal and small-scale mining, as with all mining, cannot be considered legitimate when it contributes to conflict and serious abuses associated with the extraction, transport or trade of minerals." ²⁶
Leverage	"A company's ability to affect change in the behaviour of a third party that is causing or contributing to child labour impacts, or that needs to be part of the solution in order to prevent child labour impacts from continuing or recurring." ²⁷
Light work	"Light work may be permitted for those between the ages of 13 and 15 (or 12 and 14 in developing countries). The Convention No.138 on Minimum Age for Work defines light work for these children as that which is: a) unlikely to be harmful to their health or development b) not such as to prejudice their attendance at school, their participation in vocational orientation or training programmes approved by the competent authority, or their capacity to benefit from the instruction received." ²⁸
Low-, medium- or high-risk country for children's rights	The Child Labour Index expects enterprises to determine the risk status of the jurisdictions where they operate or from which they source as the basis for determining which sites, suppliers and supply chains are in scope of the Additional and Incident Criteria of the CLI. Enterprises may do this in one of two ways: 1. By following the human rights risk mapping, identification, assessment and prioritisation processes of the HRI in order to determine for which operations and business relationships, if any, child labour is a salient issue. 2. By ascertaining whether an area of operation or origin is low, medium, or high-risk in accordance with the geographical boundaries of the UNICEF Children's Rights Atlas, which assigns a risk level based on the prevalence of child labour of a given jurisdiction or country. ²⁹ The Children's Rights Atlas is a free resource by UNICEF. ³⁰
Medium- and high-risk country(ies)	A country determined to be medium or high-risk for a specific human rights issue, further to human rights risk mapping, identification, assessment and prioritisation processes.
Minimum Age Convention, 1973 (No. 138)	"This fundamental convention sets the general minimum age for admission to employment or work at 15 years (13 for light work) and the minimum age for hazardous work at 18 (16 under certain strict conditions). It provides for the possibility of initially setting the general minimum age at 14 (12 for light work) where the economy and educational facilities are insufficiently developed" ³¹
Mitigation	"The mitigation of a negative human rights impact refers to actions taken to reduce the extent of the impact. The mitigation of a human rights risk refers to actions taken to reduce the likelihood that a potential negative impact will occur." ³²
Perspectives	A point of view expressed as a result of tangible review of the relevant information.
Potentially affected people and their legitimate representatives	Potentially affected people are individuals whose human rights may have been affected by an enterprise's operations, products or services. Legitimate representatives, including trade unions, civil society organizations and others with experience and expertise related to business impacts on human rights, have mandate to represent the perspectives of (potentially) affected people. Legitimate representatives may include "reasonable alternatives", where consultation with potentially affected people may not be possible, namely independent experts "including human rights defenders and others from civil society." ³³ This is in comparison to the broader definition of stakeholder, which includes any individual who may affect or be affected by an enterprise's activities.
Prevention	"The prevention of a negative human rights impact refers to actions taken to ensure the impact does not occur." ³⁴

²⁶ OECD (2016) OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas, 3rd edition. (<https://www.oecd.org/daf/inv/mne/OECD-Due-Diligence-Guidance-Minerals-Edition3.pdf>)

²⁷ ILO-IOE Child Labour Guidance Tool For Business, 2015, International Labour Organisation (ILO) and International Organisation of Employers

²⁸ Investors Advocates for Social Justice (2020)

²⁹ UNICEF (no date)

³⁰ 13 Investors Advocates for Social Justice (2020)

³¹ International Labour Standards on Child labour (<https://www.ilo.org/global/standards/subjects-covered-by-international-labour-standards/child-labour/lang-en/index.htm>)

³² International Labour Standards on Child labour (<https://www.ilo.org/global/standards/subjects-covered-by-international-labour-standards/child-labour/lang-en/index.htm>)

³³ United Nations Office of the High Commissioner for Human Rights (2012), Principle 18.

³⁴ International Labour Standards on Child labour (<https://www.ilo.org/global/standards/subjects-covered-by-international-labour-standards/child-labour/lang-en/index.htm>)

Term	Definition
Provenance	Provenance defines the primary origin of a material. Per the OECD Minerals guidance, it includes Artisanal and Small-Scale Mining (ASM), Large Scale Mining (LSM) and recycling. Identifying the provenance means understanding where the mineral originates from (country of origin) and what transport routes it goes through (countries of transit). ³⁵
Red Flags	A Red Flag is a warning of heightened risk ³⁶ that prompts deeper due diligence by the enterprise. For example, list of red flags in relation to child labour include: ³⁷ <ul style="list-style-type: none"> • age of school completion is not the same as the legal working age; • high risk or incidence of child labour in the area, country or region; • high levels of labour migration; • low availability of schooling, low quality of schooling, and low levels of school enrolment and education completion; • poverty and prevalence of informal economy; • weak legal systems, policies and institutions.
Relevant expertise	Relevant expertise means any expertise that can ensure the content and implementation of the human rights or child labour policy and supporting processes is inclusive, fair, effective and aligned with emerging leading practice and lessons from the issue practice area at large. According to the UNGPs, “The level of expertise ... will vary according to the complexity of the business enterprise’s operations. Expertise can be drawn from various sources, ranging from credible online or written resources to consultation with recognized experts.” ³⁸
Regular work	Regular work is work that is done by adults which can also be done by children (from 14 or 15 years old in most countries) but is not hazardous.
Remediation/Remedy	“Refers to both the process of providing remedy for a negative human rights impact and the substantive outcomes that can counteract, or make good, the negative impact. These outcomes may take a range of forms such as apologies, restitution, rehabilitation, financial or non-financial compensation, and punitive sanctions (whether criminal or administrative, such as fines), as well as the prevention of harm through, for example, injunctions or guarantees of non-repetition.” ³⁹
Risk-based approach	A risk-based approach means (a.) prioritising putting attention and resources to those business relationships and tier 1 suppliers identified as high risk based on an enterprise’s human rights risk assessment process, and (b.) ensuring the enterprise’s actions and response are proportionate to the business partner’s risk level, with higher risk business partners requiring more robust risk controls and potentially greater investment, attention, and support.
Risk profile	A description of any set of risks related to the whole organisation, part of an organisation, or an individual programme or project. ⁴⁰
Salient human rights issues	<p>“Those human rights that are at risk of the most severe negative impacts through a company’s activities or business relationships. They therefore vary from company to company.”⁴¹ Salient issues cover both risks and impacts when referenced throughout this document.</p> <p>An enterprise’s processes to identify their salient human rights issues should focus on the most severe potential negative impacts on human rights¹⁹:</p> <ol style="list-style-type: none"> Most severe: meaning those impacts that would be greatest in terms of: <ul style="list-style-type: none"> • their scale: the gravity of the impact on the human right(s); and/or • their scope: the number of individuals that are or could be affected; and/or • their remediability: the ease with which those impacted could be restored to their prior enjoyment of the right(s). Potential (likelihood): meaning those impacts that have some likelihood of occurring in the future, recognizing that these are often, though not limited to, those impacts that have occurred in the past (following the UNGPs, likelihood is weighted to a lesser degree than severity); Negative: placing the focus on the avoidance of harm to human rights rather than unrelated initiatives to support or promote human rights; Impacts on human rights: placing the focus on risk to people, rather than on risk to the business. <p>Further guidance on assessing risk salience and impact severity can be found in the UNGPs Reporting Framework.⁴²</p>
Stakeholder	Any individual or organisation who may affect or be affected by an enterprise’s activities. ⁴³

³⁵ OECD (2016) OECD Due Diligence Guidance for Responsible Mineral Sourcing from Conflict-Affected and High-Risk Areas (Third Edition).

³⁶ Red Flags, International Alert (no date). <https://redflags.info/>

³⁷ UNICEF Child Rights Impact Assessment Tool, 2013.

³⁸ United Nations Office of the High Commissioner for Human Rights (2012). Principle 18.

³⁹ International Labour Standards on Child labour (<https://www.ilo.org/global/standards/subjects-covered-by-international-labour-standards/child-labour/lang-en/index.htm>)

⁴⁰ United National Development Programme (UNDP), UNDP Enterprise Risk Management Policies and Procedures (2019).

⁴¹ International Labour Standards on Child labour (<https://www.ilo.org/global/standards/subjects-covered-by-international-labour-standards/child-labour/lang-en/index.htm>)

⁴² UN Guiding Principles Reporting Framework (n.d.) Salient Human Rights Issues. At <https://www.ungpreporting.org/resources/salient-human-rights-issues/>

⁴³ United Nations Office of the High Commissioner for Human Rights (2012).

Term	Definition
Standard business practice	Business practices that are widely practiced and accepted as conventional and 'normal' for a comparable enterprise.
Suppliers	Suppliers in these Indices means the direct suppliers of the company completing the Index, supplying the materials required to build the battery, as well as suppliers of goods and services required to run the company's operations. Where an Impact Domain 2 (supply chain) indicator references high-risk suppliers, only direct cost suppliers of relevance to product manufacture are in scope, e.g. those involved in handling or processing minerals or components that are used within the battery, but not those supplying the machinery used to do the manufacturing.
Supply Chain	The network of organisations that cooperate to transform raw materials into finished goods and services for consumers. ⁴⁴
Survivor-centred	"A survivor centred approach is one which seeks to empower the survivor by putting their rights, needs and wishes first before all actions. Although this may sound obvious, these needs of an individual can easily be forgotten once aspects such as the potential for further conflict and / or reputational damage arise in the light of safeguarding allegations." ⁴⁵
Tier n	Tier n represents the tier to which an enterprise has visibility up its supply chain.
Value chain	"A company's value chain encompasses the activities that convert input into output by adding value. It includes entities with which it has a direct or indirect business relationship and which either (a) supply products or services that contribute to the company's own products or services or (b) receive products or services from the company." ⁴⁶
Worst Forms of Child Labour Convention, 1999 (No. 182)	"This fundamental convention defines as a "child" a person under 18 years of age. It requires ratifying states to eliminate the worst forms of child labour, including all forms of slavery or practices similar to slavery, such as the sale and trafficking of children, debt bondage and serfdom and forced or compulsory labour, including forced or compulsory recruitment of children for use in armed conflict; child prostitution and pornography; using children for illicit activities, in particular for the production and trafficking of drugs; and work which is likely to harm the health, safety or morals of children. The convention requires ratifying states to provide the necessary and appropriate direct assistance for the removal of children from the worst forms of child labour and for their rehabilitation and social integration. It also requires states to ensure access to free basic education and, wherever possible and appropriate, vocational training for children removed from the worst forms of child labour." ⁴⁷
Youth employment	Youth employment is the employment of youth. The United Nations defines youth as people between the ages of 15 and 24 inclusive. ⁴⁸ For the purpose of this index on child labour, youth employment is the employment of children who are between the ages of 14 and 18. "Not all work done by children under the age of 18 is classified as child labour. Participation in decent work which does not affect a child's health, personal development or education can be a very positive experience for children or adolescents who have reached the required age. Indeed, millions of young workers around the world between the ages of 14 and 18 are desperate to find decent youth employment." ⁴⁹
Young worker	Child between the ages of the legal minimum age for employment and 18 that are engaged in youth employment.

⁴⁴ Business for Social Responsibility (BSR), Supply Chains and the OECD Guidelines for Multinational Enterprises (2010), at <https://www.oecd.org/investment/mne/45534720.pdf>

⁴⁵ Scotland's International Development Alliance (n.d.) Survivor Centered Approach, (<https://www.intdevalliance.scot/how-we-help/safeguarding/safeguarding-practice/survivor-centred-approach>)

⁴⁶ UNICEF (no date)

⁴⁷ International Labour Organisation (ILO) 2016

⁴⁸ United Nations Youth (no date) Definition of Youth. At <https://www.un.org/esa/socdev/documents/youth/fact-sheets/youth-definition.pdf>

⁴⁹ Investors Advocates for Social Justice (2020)

