

Compilation by the D-EITI Secretariat on “Gender in Mining” in the context of the EITI implementation in Germany

Legal obligations for companies

1. As part of the implementation of the CSR Directive 2014/95/EU (Corporate Social Responsibility Directive) into German law with the legislation to strengthen the non-financial reporting of companies in their management and group management reports (CSR Directive Implementation Act) of April 11, 2017 (BGBl 2017 I 802), a sustainability reporting obligation was introduced in Germany for certain larger companies in accordance with §§ 289b ff. of the German Commercial Code (HGB) - with effect for fiscal years beginning on or after January 1, 2017 (so-called CSR reporting). The so-called non-financial declaration according to §289c (2) no. 2 HGB relates, among others, to matters of employees, whereby the information can, for example, relate to the measures taken to ensure gender equality. – see 5th D-EITI report, chap. 7.3.h.
2. Legal requirements regarding the appointment of management positions in Germany (see, for example, information on FöPoG II at <https://www.bmfsfj.de/bmfsfj/service/gesetze/zweites-fuehrungspositionengesetz-fuepog-2-164226> - see data on the share of female supervisory- and executive board members in the 5th D-EITI report, chapter 7.3.f

Publications of the Federal Government

3. The Federal Government publishes annual information on the share of women in executive positions - see 6. Annual information from the Federal Government on the development of the share of women in executive positions: <https://dserver.bundestag.de/btd/20/053/2005340.pdf>

Measures of the EITI implementation in Germany

4. D-EITI uses gender-sensitive language in all D-EITI documents, the D-EITI report and all other publications.
5. During the validation period, the chapter “Employment and Social Affairs” was developed in 2019 as part of a working group under the leadership of IG BCE (Minutes of the 14th meeting, April 10, 2019) and was therefore, for the first time, included into the second D-EITI report. It was last updated for the fifth report by the MSG. Among others, gender-disaggregated employment figures and further gender-related information are published - see chapter. 7.3.a, d, f.
6. Since December 2019, D-EITI is represented by a female special representative.
7. The special representative took part in two webinars on the topic *Gender in Mining*, presented D-EITI activities and addressed the potential for thematic reforms in the extractive sector (see [D-EITI News](#)).
8. The MSG’s rules of procedure have been updated and address the topic of diversity in the composition of MSG members.

Aspects in the reporting of D-EITI companies (examples)

9. In addition to disaggregated employment figures, the annual report of K+S AG also contains training figures as well as information on matters of equality and equal pay. See [kpluss fee transparency report 2022](#)
10. Wintershall DEA AG addresses the topic of equality and inclusion, e.g. equal pay, in its Sustainability Report 2022, see <https://wintershalldea.com/de/woran-wir-glauben/nachhaltigkeit/2022-nachhaltigkeitsbericht>
11. Furthermore, Wintershall Dea AG was the first energy company to be awarded the global equal salary certificate, see <https://wintershalldea.com/de/newsroom/lohngleichheit-wintershall-dea-als-equal-salary-arbeitgeber-global-zertifiziert>
12. The companies participating in D-EITI and supporting EITI, Neptune Energy and ExxonMobil, were certified to fulfill requirement 9 (Publish a commitment and/or policy on gender diversity (<https://eiti.org/documents/expectations-eiti-supporting-companies>) certified – see [2023 Assessment of EITI supporting companies | EITI](#)