

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

Legal Obligations for Companies

1. In the course of the implementation of the CSR Directive 2014/95/EU (Corporate Social Responsibility Directive) into German law with the Act to strengthen non-financial reporting by companies in their management and group management reports (CSR Directive Implementation Act) of 11.4.2017 (BGBl. 2017 I 802), a sustainability reporting obligation (so-called CSR reporting) was introduced in Germany for certain large companies according to §§ 289b et ff. HGB - effective for fiscal years beginning on or after 1.1.2017. The so-called non-financial statement according to §289c (2) No. 2 HGB relates, amongst others, to employee matters, whereby the disclosures may relate, for instance, to measures taken to ensure gender equality (see 5.D-EITI Report, ch. 7.3.h.).
2. Legal requirements on the occupation of management positions in Germany (see e.g., information on FÜPoG II at <https://www.bmfsfj.de/bmfsfj/service/gesetze/zweites-fuehrungspositionengesetz-fuepog-2-164226> (see data on the proportion of female supervisory board members and board members in the 5th D-EITI Report, chap. 7.3.f)

Publications of the German Government

3. The federal government publishes annual information on the proportion of women at management levels (see 6. annual information from the federal government on the development of the proportion of women at management levels: <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, D-EITI reports as well as all other publications.
5. During the validation period, the chapter "Employment and Social Affairs" in 2019 was developed by a working group under the leadership of IG BCE (minutes of 14th meeting, 10.4.19) and, thus, for the first time included in the 2nd D-EITI Report. It was last updated by the MSG for the 5th report. Published information includes gender-disaggregated employment data as well as other gender-related information (see Ch. 7.3.a, d, f.)
6. Since December 2019, the D-EITI is represented by a female special representative.
7. The special representative participated in two webinars on gender in mining, where she presented D-EITI activities and addressed potentials on sectoral reforms in the extractive sector (see D-EITI News).
8. The MSG Rules of Procedure were updated and is now addressing diversity issues in the composition of MSG members.

Aspects in the Reporting of D-EITI Companies

9. In addition to disaggregated employment data, the annual report of K+S AG also includes numbers of trainees as well as information on aspects of equality and equal pay. See [kpluss-entgelttransparenzbericht-2022](#)
10. The Wintershall Dea AG Sustainability Report of 2022 addresses the topic of equality and inclusion, e.g. equal pay. See <https://wintershalldea.com/en/what-we-believe/sustainability/2022-sustainability-report>
11. Wintershall Dea AG was also the first energy company to be awarded the global Equal Salary Certificate in 2022. See <https://wintershalldea.com/en/newsroom/equal-pay-wintershall-dea-globally-certified-equal-salary-employer>
12. The companies participating in the D-EITI and the EITI-supporting companies Neptune Energy and ExxonMobil were certified to comply with requirement 9 (Publish a commitment and/or policy on gender diversity (<https://eiti.org/documents/expectations-eiti-supporting-companies>)). See [2023 Assessment of EITI supporting companies | EITI](#)