ERM

Consultation Report
Consolidated Mining Standard Initiative

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Consultation Report

Consolidated Mining Standard Initiative
0753529

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Disclaimer: This publication, prepared by Environmental Resources Management, Inc. (ERM) on behalf of the Consolidated Mining Standard Initiative (CMSI), is intended to summarise and provide associated detail of feedback received during the 2024 CMSI public consultation process and does not represent professional recommendations associated with the CMSI Draft Standard, Draft Assurance Process or Draft Governance Process. No representation or warranty (express or implied) is given as to the accuracy or completeness of the information contained in this publication; and, to the extent permitted by law, ERM and CMSI, their members (if applicable), employees, partners and agents do not accept or assume any liability, responsibility or duty of care for any consequence of anyone acting, or refraining to act, in reliance on the information contained in this publication or for any decision based on it. The CMSI aims to bring together the best aspects of four well-established standards – The Copper Mark, Mining Association of Canada's Towards Sustainable Mining (TSM), World Gold Council's Responsible Gold Mining Principles and ICMM's Mining Principles – into one, global standard that reduces complexity and clarifies responsible practices for mining companies of all sizes, across all locations and commodities. ERM was hired to support public consultation via the development of an online portal, analysis of feedback received and preparation of a public-facing consultation report.

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ACRONYMS AND ABBREVIATIONS

Acronym	Description
ASM	Artisanal and small-scale mining
CAHRA	Conflict-affected and high-risk area
CMSI	Consolidated Mining Standard Initiative
CSO	Civil Society Organisation
CSRD	Corporate Sustainability Reporting Directive
DEI	Diversity, equity and inclusion
EITI	Extractive Industries Transparency Initiative
ERM	Environmental Resources Management, Inc.
ESIA	Environmental and social impact assessment

Acronym	Description
FPIC	Free, Prior and Informed Consent
GHG	Greenhouse gas
GISTM	Global Industry Standard on Tailings Management
GRI	Global Reporting Initiative
ICMM	International Council on Mining and Metals
ICoCA	International Code of Conduct Association
IFC	International Finance Corporation
ILO	International Labour Organisation
IRMA	Initiative for Responsible Mining Assurance
ISO	International Organization for Standardization
KBA	Key biodiversity area
LPRM	Local procurement reporting mechanism
LSM	Large-scale mining
MAC	Mining Association of Canada
NGO	Nongovernmental organisation
OECD	Organisation for Economic Co-operation and Development
RAP	Resettlement action plan
TCFD	Task Force on Climate-Related Financial Disclosures
UN	United Nations
UNDRIP	United Nations Declaration on the Rights of Indigenous Peoples
UNEP	United Nations Environment Programme
UNESCO	United Nations Educational, Scientific and Cultural Organization
UNGP	United Nations Guiding Principles
VPSHR	Voluntary Principles on Security and Human Rights

EXECUTIVE SUMMARY

The Consolidated Mining Standard Initiative (CMSI) is a joint effort between The Copper Mark, International Council on Mining and Metals (ICMM), the Mining Association of Canada (MAC) and World Gold Council to consolidate their individual responsible mining Standards into one global Standard and multi-stakeholder oversight system. The CMSI aims to reduce complexity within the responsible mining standards landscape and clarify 'responsible practices for mining companies of all sizes, across all locations and commodities'[1]. To support achieving the CMSI's purpose of reducing the complexity of the current standards landscape and meet the needs of a wide range of stakeholders and drive improved performance on responsible mining at scale, the CMSI will undergo two rounds of public consultation guided by ISEAL's Codes of Good Practice.

The CMSI retained Environmental Resources Management, Inc. (ERM) to develop an online portal to support the public consultation process, analyse feedback received and produce this consultation report.

CONSULTATION PROCESS

A first round of public consultation on the draft Consolidated Standard was undertaken between 16 October and 16 December 2024. A CMSI public consultation portal[2] was developed to provide stakeholders an accessible means to provide feedback on four draft documents: 1) the Consolidated Mining Standard (CMS); 2) the Governance Model; 3) the Assurance Process; and 4) the Reporting and Claims Policy. Comments were reviewed and categorised (or recategorised as needed) to ensure they accurately reference the relevant CMSI draft documents, including the document, Section, Performance Level, and Requirements, as applicable. To further assist in the CMSI's review of submitted feedback, comments were also categorised by position (e.g. challenging, supporting, technical), type (e.g. substantive, general, specific), suggestions for alternative text, questions and/or requests for clarification and actionability and the potential need for follow-up with submitter. Categorisations were vetted with the CMSI prior to use.

The CMSI conducted stakeholder outreach supported by a communications strategy aimed at raising awareness of the public consultation. The consultation press release received over 1.2 million reviews, and the CMSI was mentioned in over 800 publications. Direct stakeholder outreach included 4 virtual public webinars, over 40 direct briefings with stakeholders and rights holders, 7 dedicated engagements with Indigenous Peoples and Indigenous Peoples organisations and 16 in-person engagements at public events in 7 countries. For more details, see Section 3.2, Stakeholder and Rights Holder Outreach and Engagement.

The CMSI Partners will update the draft documents based on feedback received and release new drafts for a second consultation later in 2025.

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[1] Source: https://miningstandardinitiative.org/
[2] Source: https://miningstandardinitiative.org/consultation

STAKEHOLDER RESPONSE DATA

A total of 192 stakeholders from 25 countries responded during the consultation period. Feedback was received in five languages (English, Spanish, Portuguese, Japanese and French), and the countries with the most respondents included Canada (23 percent), the United Kingdom (15 percent) and the United States (14 percent). Of the 192 stakeholders, 180 stakeholders submitted comments and/or uploaded a feedback document, and 162 stakeholders responded to general questions developed by the CMSI. Note that in some cases, multiple stakeholders may have contributed to a submission; however, entries were counted as a singular stakeholder based on the registration details disclosed.

> **192 stakeholders responded to the public consultation process, 180 of which submitted 4,673 comments during the first 2-month consultation period in 2024.**

Comments were received on all four draft documents (see Figure 1). Upstream Mining Industry stakeholders submitted 25 percent of all comments on the draft documents. Consultancy stakeholders and nongovernmental organisation / civil society organisation (NGO/CSO) stakeholders each submitted approximately 16 percent of all submitted comments. Consultancies represented the largest group of participating stakeholders at 20 percent. Performance Areas receiving the most comments from all stakeholder types included the following areas: Performance Area 4: New Projects, Expansions and Resettlement (295 comments); Performance Area 1: Corporate Requirements (281 comments); and Performance Area 14: Indigenous Peoples (251 comments). In all, the Consolidated Standard received the most responses, with 87 percent of all comments. In comparison, the remaining 13 percent of comments were submitted on the Governance Model, the Assurance Process and the Reporting and Claims Policy.

FIGURE 1 NUMBER OF COMMENTS BY DRAFT DOCUMENT
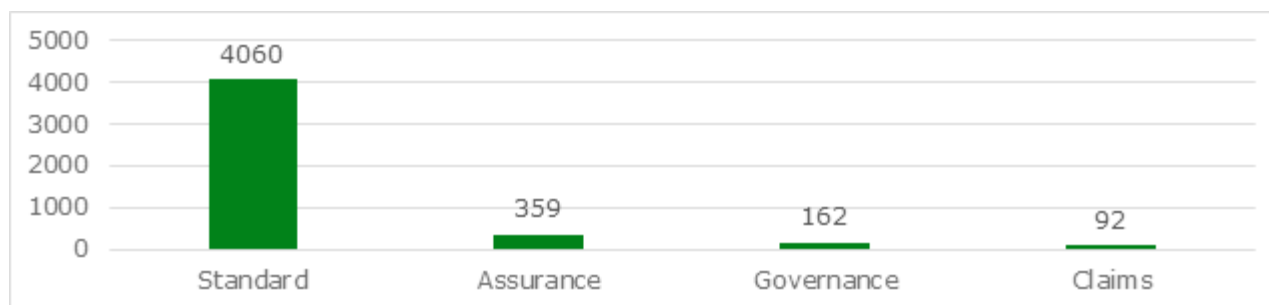
RESPONSE TO QUANTITATIVE QUESTIONS

Draft Documents Generally Meet, Exceed or Significantly Exceed Expectations

Quantitative feedback was based on seven overarching questions to understand the respondents' overall reception of the draft documents. A majority of respondents indicated that the draft documents met, exceeded or significantly exceeded expectations. For questions on all documents, Upstream Mining Industry stakeholders had the highest rate of responses indicating meets, exceeds or significantly exceeds, while NGO/CSO stakeholders had the lowest rate of meets, exceeds or significantly exceeds expectations responses.

TABLE 1 SUMMARY OF GENERAL QUESTION RESPONSES FOR ALL STAKEHOLDER TYPES

Note: '+' indicates combined Meets Expectations, Exceeds Expectations, and Significantly Exceeds Expectations responses and '-' indicates combined Below Expectations and Significantly Below Expectations responses.

Question	*	% All Respondents
From your perspective, does the **Consolidated Standard system** (including Assurance, Governance, Reporting and Claims) **meet expectations for driving performance improvement** across the industry at a global scale?	+	**63**
	-	37
Does the **scope, content, and narrative style** of the Consolidated Standard meet your individual expectations and the **collective industry expectation for responsible production practices**?	+	**67**
	-	33
Do the **requirements meet your expectations** for being **sufficiently clear** to support consistent and **practical implementation** and to achieve necessary performance improvement?	+	**56**
	-	44
From your perspective, does the **three-level performance structure** (Foundational, Good, Leading) of the Consolidated Standard meet your expectations for providing an **effective on-ramp** and clear articulation of good practice and effective path to **continuous improvement**?	+	**66**
	-	34
From your perspective, does the **Assurance process** meet your expectations of **a robust, credible, replicable and transparent approach**?	+	**70**
	-	30
The **governance principles** that guided the development of the governance model are **inclusive, effective, credible, impact-driven, pragmatic and efficient.** From your perspective, does the proposed governance model meet expectations for consistency with these principles?	+	**72**
	-	28
Does the proposed **governance model** ensure no single group is able to **unduly influence decisions**?	Yes	**31**
	No	**11**

FEEDBACK OVERVIEW

A. Tiered Performance Structure is Supported but Requires a Stronger Foundational Practice Level

The Consolidated Standard was structured around three Performance Levels (Foundational, Good and Leading Practice). Feedback across all stakeholders generally approved of the three Performance Levels structure; however, feedback on the Foundational Practice Level varied. While general comments on the structure indicated that the Foundational Practice Levels could be a sufficient industry baseline or on-ramp, especially for smaller operators or facilities with limited resources, comments across the Performance Areas frequently indicated that Requirements at the Foundational Practice Level are below expectations. Specific feedback within Performance Levels note where the Foundational Practice Level could be strengthened to comply to other Standards, industry expectations and sometimes legal Requirements, as well as concerns about the ability of this level to advance industry practices. Stakeholders also

asked for clarity on how nonconformance or lack of achievement of the Foundational Practice Level would be reported and communicated.

Stakeholders expressed the need for clarity and alignment in the Performance Level tiers across Performance Areas for consistency and to drive improvement. Feedback noted a lack of alignment on the Foundational, Good and Leading Practices between Performance Levels, and there were requests for further clarity on how Requirements build upon actions from each lower Performance Level.

Feedback also included suggestions for moving Requirements to a higher or lower Practice Level. The Consolidated Standard included 512 Requirements, including 147 Foundational Practice Requirements, 264 Good Practice Requirements and 151 Leading Practice Requirements. Of the 512 Requirements, 201 (39 percent) received at least one suggestion to move to a different Performance Level.

B. Clarity and Consistency are Needed Across Requirements

Comments across the Performance Areas, Sections and Requirements include requests for clarification on specific phrases and wording choices, definitions and timelines. Feedback requested clearer guidance and stronger language to support auditability and consistent implementation by highlighting undefined, unclear or subjective descriptors, such as 'significant' or 'where applicable'.

Feedback noted opportunities for consistent application of certain aspects across Performance Areas, such as requiring implementation of plans, practices and policies at the Foundational Level, stakeholder and rights holder engagement at the Good Practice Level and consistent application of grievance mechanisms and mitigation hierarchy across relevant Performance Areas.

C. Alignment with and References to Key International Standards is Expected

Feedback on the Introduction to the Standard included the need for further information on potential equivalency assessments with other Standards.

Across Performance Areas, feedback included suggestions for alignment with other standards, especially at the Foundational Practice Level, as well as suggested references to clarify or streamline Requirements and reporting expectations. Common Standards referenced by respondents include the United Nations Guiding Principles on Business and Human Rights (UNGPs), the Organisation for Economic Co-operation and Development (OECD) Guidelines for Multinational Enterprises on Responsible Business Conduct, the International Finance Corporation (IFC) Performance Standards, United National Declaration of the Rights of Indigenous Peoples (UNDRIP), International Labour Organisation (ILO) Conventions and Global Initiative Reporting (GRI) Requirements.

D. Indigenous Peoples Rights and Gender-inclusive Approaches Emerged as a Crosscutting Themes

Indigenous Peoples rights was a consistent theme in feedback across all documents and most Performance Areas. The word 'Indigenous' appears in 484 comments, or approximately

10 percent of all comments. Comments related to Indigenous Peoples were provided on all 4 documents and on 17 of 24 Performance Areas. Feedback consistently noted the need to align with the UN Declaration on the Rights of Indigenous Peoples and to incorporate principles of free, prior and informed consent (FPIC) and specify engagement and co-design of plans with Indigenous Peoples.

The need for gender-responsive approaches and gender-sensitive language was a consistent theme in feedback across most Performance Areas. The word 'gender' appears in 110 comments and 'women' appears in 88 comments, together representing approximately 4 percent of all submitted comments. Comments containing 'gender' or 'women' were provided on the Assurance Process, Governance Model and Standard documents, including 20 of the 24 Performance Areas. Feedback includes requests to incorporate a comprehensive gender-sensitive approach to the Consolidated Standard and/or emphasise the importance of meaningful engagement with marginalised or vulnerable groups, including women and girls, across Performance Areas.

E. Support of the Governance Model

Sixty-seven stakeholders submitted comments on the Governance Model, including 13 consultancy stakeholders, 12 NGO/CSO stakeholders and 11 Upstream Mining Industry stakeholders.

There was almost unanimous support of the governing principles highlighted in the Governance Model document, with some suggested additions such as gender equality and decision-making authority.

There were conflicting opinions regarding the makeup of the Board. Some stakeholders suggested it was industry-dominated and would be skewed towards industry supporters because three of the four founding organisations are industry associations. In contrast, other respondents stated the role of industry would be diminished and the evolution of the Consolidated Standard and its governance would lose sight of the need for practicality that would be best articulated through direct industry experience.

The basic structure proposed for balance between commercial and non-commercial interests and between value chain and mining interests was not called into question by respondents; however, the extent to which the structure reflected a true balance of interest was raised by some stakeholders. Respondents provided suggested alternatives for how the Board seats could be selected and renewed. Stakeholders also expressed concern that the four CMSI Partners would select the independent chair, who is in turn is charged with overseeing the formation of the Board, potentially resulting in a biased selection process.

The role of Indigenous Peoples and FPIC was raised by several stakeholders, stressing the importance of alignment with UNDRIP. Feedback indicated that Indigenous Peoples are rights holders with inherent authority over lands and not merely stakeholders. Recommendations included involvement beyond advisory roles, ensuring that decisions impacting their lands and communities reflect their input in relevant jurisdictions.

F. Improvements to the Assurance Process

Eighty-two stakeholders provided feedback on the Assurance Process, including 18 consultancy stakeholders, 17 upstream industry stakeholders and 11 NGO/CSO stakeholders.

There were many comments regarding the process of identifying, notifying and engaging with stakeholders during the audit process. The draft Assurance Process requires the facility to use established communication channels to notify stakeholders and rights holders about the Assurance Process. Respondents noted this could be seen as potential conflict of interest, and concerns were raised that facility-led initial notifications with assurance providers' direct contact details provided could deter stakeholder participation due to fears of reprisal. The specific role of Indigenous Peoples was a focus for several respondents who suggested the engagement process could be better aligned with UNDRIP.

Auditor qualifications and accreditation received numerous comments, including a lack of clarity on training and/or competency, auditor oversight and selection. Several respondents stated the Secretariat, and not the facility, should select the auditor. Accreditation was suggested to be at the enterprise level and not the individual auditor level, with International Organization for Standardization (ISO) 17021 on conformity assessment being a preferred process. Diversity, equity and inclusion (DEI) training for auditors was also mentioned as being a mandatory component of auditor readiness. There are opportunities to strengthen the clarity for the role of technical experts, with terms such as 'demonstrate technical expertise' being too vague.

The audit dispute resolution and grievance mechanisms were commented on, with the latter focused on lack of alignment to UNGPs and its associated focus on remedy. Comments suggested these processes should be moved to the Governance Model rather than the Assurance Process.

Comments on the level of transparency of the audit process included the need for more detailed public audit reports and transparency around nonconformity and corrective action.

Feedback on the timelines associated with the Assurance Process included ensuring there would be adequate time for notification, reporting and continual improvement planning.

G. Varied Feedback and Alternative Reporting and Claims Suggestions

Forty-three stakeholders submitted feedback on the Reporting and Claims Policy, including 10 upstream industry stakeholders, 8 consultancy stakeholders and 8 NGO/CSO stakeholders.

Feedback regarding the Percent Claims methodologies varied. Some stakeholders agreed with the 80 percent model, while some stakeholders either stated agreement or disagreement with the 75/75 model. A larger number of stakeholders felt anything less than 100 percent would be misleading or create critical performance gaps in areas such as human rights or child and forced labour, while still enabling a claim of Good Practice. Several alternative approaches were suggested such as establishing mandatory critical Requirements within each Performance Area. Others pointed out there was no model for Leading Practice achievement included in the Claims Policy.

Feedback highlighted that a Participant Claim seemed like greenwashing, as no level of performance was yet assured.

There was concern over the lack of a process for misuse of claims and a focus on immediate corrective action.

The continued use of metal marks was confusing to some respondents who questioned if this was a legacy feature to be either eliminated or expanded upon with other commodities.

CONCLUSION

Overall, feedback was supportive of the CMSI, the structure of the Consolidated Standard and Performance Levels and the governing principles of the Governance Model. Feedback on the individual Performance Areas focused on detailed, constructive changes to the subject matter content such as proposed additions; changes in the Performance Level of specific Requirements; suggested phrasings, terminology, and definitions; and clarifying questions. Feedback on the Assurance Process suggested more independence, particularly relating to stakeholder engagement and more rigour for auditor qualification and conduct. With the Reporting and Claims Policy, comments focused on gaining clarity around the required Performance Levels to enable market claims, with a particular concern that the participant level may give a false impression of conformity.

Following the CMSI's consideration and potential integration of feedback, a second round of consultation on a revised Consolidated Standard and accompanying documents is planned for later in 2025.

1.   INTRODUCTION

The Consolidated Mining Standard Initiative (CMSI) is a joint effort between The Copper Mark, International Council on Mining and Metals (ICMM), the Mining Association of Canada (MAC) and World Gold Council to consolidate their individual responsible mining Standards into one global Standard and multi-stakeholder oversight system. The CMSI aims to reduce complexity and clarify 'responsible practices for mining companies of all sizes, across all locations and commodities'[3]. To support achieving the CMSI's purpose of reducing the complexity of the current standards landscape, meet the needs of a wide range of stakeholders and drive improved performance on responsible mining at scale, the CMSI will undergo two rounds of public consultation guided by ISEAL's Codes of Good Practice.

The CMSI retained Environmental Resources Management, Inc. (ERM) to develop an online portal to support the public consultation process and analyse feedback received.

2.   METHODOLOGY

To support public consultation, ERM developed an online consultation portal and assisted with the development of a registration survey and quantitative questionnaire. To prepare for the CMSI's consideration and potential integration into the draft documents, ERM reviewed and categorised all submitted comments, identifying general and overarching feedback, compiling detailed comments and related trends, as well as facilitating public disclosure of the comments submitted. ERM also reviewed comments for accuracy with respect to the referenced CMSI draft documents, adding, as appropriate, content-related categorisation to assist in the CMSI's further analysis and incorporation of feedback. More details on content-related categorisation are provided in Section 3.3, Categorisation and Analysis.

Comments that were submitted in languages other than English were translated into English by a third-party translation service. Feedback submitted as an uploaded document was assessed and categorised as singular or multiple comments depending on the nature of feedback (e.g. comments referring to one section versus multiple sections of a document). Comments submitted through the portal clearly indicating feedback on multiple, separate sections of a document were divided into multiple comments, as needed, for clarity in the categorisation process.

For reporting purposes, a respondent is defined as an individual, group of individuals, organisation or group of organisations that submitted comments and responses to survey questions through the consultation portal or uploaded a document of feedback under a single email and/or user identification number; therefore, groups of individuals and/or organisations that submitted letters or compiled feedback with multiple signatories are counted as a single respondent in this analysis.

3.   CONSULTATION PROCESS

The CMSI held a public consultation period from 16 October to 16 December, 2024, during the first draft of the CMS, Governance Model, Assurance Process and Reporting and Claims Policy

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[3] Source: https://miningstandardinitiative.org/

documents. ERM developed an online portal to provide stakeholders an accessible platform for submitting feedback on the draft documents, including qualitative and quantitative feedback.

Through the portal design, the consultation process enabled stakeholders to provide general comments on each document; comments on specific Performance Areas, Sections, Performance Levels and/or Requirements; responses to prepared questions on whether each document met various expectations; or upload a document containing feedback. Submissions received via email were also accepted and uploaded to the portal. Following closure of the first comment period, ERM categorised and analysed submissions to enable reporting on the feedback submitted.

The CMSI Partners held several calls and an in-person meeting with Indigenous Peoples Organisations to solicit feedback on the consultation documents. Meeting minutes were shared with participants, and with their consent, they were submitted to the consultation portal system. For more information, please refer to Section 3.2.

A second round of consultation on a revised Consolidated Standard and accompanying documents is planned to take place in 2025.

3.1   CONSULTATION PORTAL

The consultation portal website prompted stakeholders to choose their preferred language and create an account, which enabled the opportunity to save feedback, return to review, add additional comments and submit feedback at a later time. Stakeholder demographic, organisational and disclosure preferences were also captured.

The draft documents and several options for providing feedback were hosted in a central table on the portal. For each CMSI draft document, stakeholders had the option to provide 'Specific Feedback', answer 'General Questions' or download a PDF copy of the document to review it offline. To provide specific feedback, stakeholders clicked 'View/Edit' to open the document of choice. The left side of the screen displayed the 'Table of Contents' for navigation through the document. The right side of the screen provided users the option to leave a 'General Comment'. Users could also provide specific comments tagged to a specific subsection of the document, such as a Performance Area. Users could view and manage their comments on an open document at any time on the right side of the screen.

Stakeholders could choose to answer general questions prepared by the CMSI for each document. Selecting 'View/Edit' under 'General Questions' led stakeholders through a series of prompts, including a scaled response and open text box responses. The portal also provided the option for stakeholders to bypass or supplement section-by-section comments by uploading a feedback document. After completing and reviewing their feedback and responses, stakeholders clicked a submission button under the central table.

Respondents selected their stakeholder type during portal registration. For the purposes of the analysis and this report, those respondents who selected 'Other' as their stakeholder type have been categorised into the closest related stakeholder type. Additionally, 'consultancy', 'other standard-setting bodies' and 'individual' stakeholder types were incorporated later in the consultation period. Some stakeholder types were adjusted for clarity in this report (e.g. a self-selected submission as 'ESG consultancy', was recategorised as 'consultancy' for the purposes of

this report) or were assigned due to their submission being made outside of the portal (e.g. via email). All original stakeholder type data has been preserved.

3.2   STAKEHOLDER AND RIGHTS HOLDER OUTREACH AND ENGAGEMENT

Disclaimer: Section 3.2 of this report was drafted by the CMSI team.

The CMSI Partners undertook outreach and engagement prior to and during the public consultation to encourage broad and diverse participation, as well as to ensure accessibility in the public consultation process.

The CMSI public consultation engagement was guided by a plan, grounded on the following principles discussed with the stakeholder and industry advisory groups: Inclusive, broad reach (proactive), transparency and specific.

Principles and high-level overview of the CMSI public consultation engagement plan:

Inclusive. To be achieved through targeted outreach to and engagements with stakeholder and rights holder groups (e.g. Indigenous Peoples). In addition, the four documents for public review were made available in all UN languages (i.e. Arabic, Chinese, English, French, Russian and Spanish, in addition to Brazilian Portuguese and Japanese). While the primary channel to share feedback was an online platform, consultees had the option to 'upload' their own file on the system. Additionally, submissions made via email were also accepted.

Broad reach (proactive). In addition to targeted outreach, to be achieved through a communications campaign and complementary public explanatory webinars.

Transparency. In line with ISEAL, after the consultation ends, the CMSI Partners committed to publish a consultation report explaining the consultation process through sharing key themes and insights from the feedback (this report). In addition and for full transparency, the Partners committed to make all verbatim submissions with respondents' consent publicly available on the CMSI website.

Specific. Blend of qualitative and some quantitative data, including basic demographic data to ensure all voices are heard and understood. The online platform allowed for specific comments (line-by-line), in addition to general comments and quantitative questions (e.g. 'In your view, does the scope and content of the Consolidated Standard meet your expectations for responsible production practices'? with a response choice using a defined scale from 1 to 5).

The plan was executed with the following results:

✓ The Partners hosted 4 virtual public webinars delivered in 3 languages to an audience of over 250 people. These sessions enabled participants to hear an overview of the documents and pose questions. Questions unanswered during the sessions due to time constraints were responded to in writing and published on the CMSI website, here.

✓ The Partners conducted over 40 direct briefings to a wide range of stakeholders and rights holders, including CSOs, government representatives and policymakers, downstream customers, investors and others. This was in addition to numerous on-demand and bilateral engagements.

✓ The Partners proactively undertook seven dedicated engagements with Indigenous Peoples and Indigenous Peoples organisations, both in the lead-up to and during the public

consultation. The advance targeted notice to Indigenous Peoples representatives and organisations was important to help ensure these groups had sufficient time to engage during the 60-day public consultation period. In addition to virtual engagements, the Partners hosted an in-person meeting on the sidelines of the UN Forum on Business and Human Rights in Geneva, Switzerland. This meeting provided Indigenous leaders and representatives the opportunity to give verbal feedback on the consultation documents. The feedback was documented, reviewed by attendees and formally submitted.

✓ Furthermore, 16 in-person engagements at public events were undertaken in 7 different countries across 4 continents, reflecting the global nature of the Initiative. This included public panels, roundtables and proactive participation at international events such as the International Mining and Resources Conference (i.e. IMARC) in Sydney, Australia; the United Nations (UN) Biodiversity Conference (i.e. CBD COP16) in Cali, Colombia; and the UN Climate Change Conference (i.e. UNFCCC COP29) in Baku, Azerbaijan.

The Partners' outreach and engagement efforts were supported by a communications strategy aimed at raising awareness of the public consultation and by encouraging participation. CMSI's consultation launch press release received over 1.2 million views, with the Initiative mentioned in over 800 publications across the globe. Additionally, the CMSI LinkedIn page received over 550,000 impressions during the consultation period.

In line with the Initiative's commitment to an open and constructive dialogue, the Partners publicly responded to a briefing published by CSOs, providing clarification and addressing concerns while encouraging formal participation in the public consultation, available here.

All formal outreach was reinforced by the ongoing support provided to interested parties and respondents through replies to comments, emails and phone calls, fostering and facilitating participation in the public consultation process. More than 110 enquiries were received and responded to through the CMSI website contact form.

3.3   FEEDBACK CATEGORISATION AND ANALYSIS

Comments were reviewed and categorised (or recategorised, as needed) for accuracy to the referenced CMSI draft documents, including the document, Section, Performance Level, and Requirements, as applicable. To assist in the CMSI's review of submitted feedback, comments were also categorised by position, type, suggestion of alternative text, questions and/or requests for clarification, actionability and the potential need for follow-up with the submitter (categories were vetted with the CMSI prior to their use and are described in the table below).

TABLE 2 CATEGORISATION CATEGORIES AND DEFINITIONS

Categorisation Group	Category	Definition
Position	Challenging	Comment challenges the text as written or overall feasibility

Categorisation Group	Category	Definition
	Supporting	Agreement with text as written, supportive offer to assist with information, analysis, or references
	Inquiring or general	Asking for specific changes, additions or deletions; seeking justification for certain Requirements or their absence; questioning specified processes, asking for clarification or guidance on text or a translation as written
	Technical	Questions technical parameters, referenced methodologies or Performance Level structure
Type	Substantive or fundamental	Related to fundamental structure or intent of content of the CMSI; overall industry-wide or global considerations
	General	General input on broad topics, multiple documents or Sections
	Specific	Specific concerns, additions, deletions or detail-specific feedback on a specific Requirement, Performance Area or subject matter topic
	Request for clarification	Request for clarification on intent or language-as-written in a document
	Format or grammar	Feedback on formatting or grammatical issues in document
Alternative Text	Provided with justification	
	Provided without justification	
	Not Provided	
Actionability	Actionable	Comment contains feedback that could clearly be implemented, such as specific edits or additions. *Does not indicate endorsement of implementing feedback.*
	May be actionable	Comment contains feedback that may be able to lead to a potential action, such as broad suggestions or questions. *Does not indicate endorsement of implementing feedback.*
	Not actionable	Comment contains feedback not directly related to a potential action or implementation, such as agreement with current text or high-level / summary observations

Categorisation Group	Category	Definition
Flag for Follow-up	Yes	Flag as potential follow-up required with submitter for further clarity
	No	No follow-up needed; comment is clear in intent and content

4.   RESPONDENT ANALYSIS

Comments and question responses were received from 192 respondents in 25 countries and in 5 languages: English, Spanish, Portuguese, Japanese and French. Of the 192 respondents, 180 respondents submitted comments and/or uploaded a feedback document, and 162 stakeholders responded to the general questions.Approximately 23 percent of all stakeholders submitted from Canada, followed by 15 percent and 14 percent from the United Kingdom and the United States, respectively.

FIGURE 2 WORLD MAP OF ALL RESPONDENTS
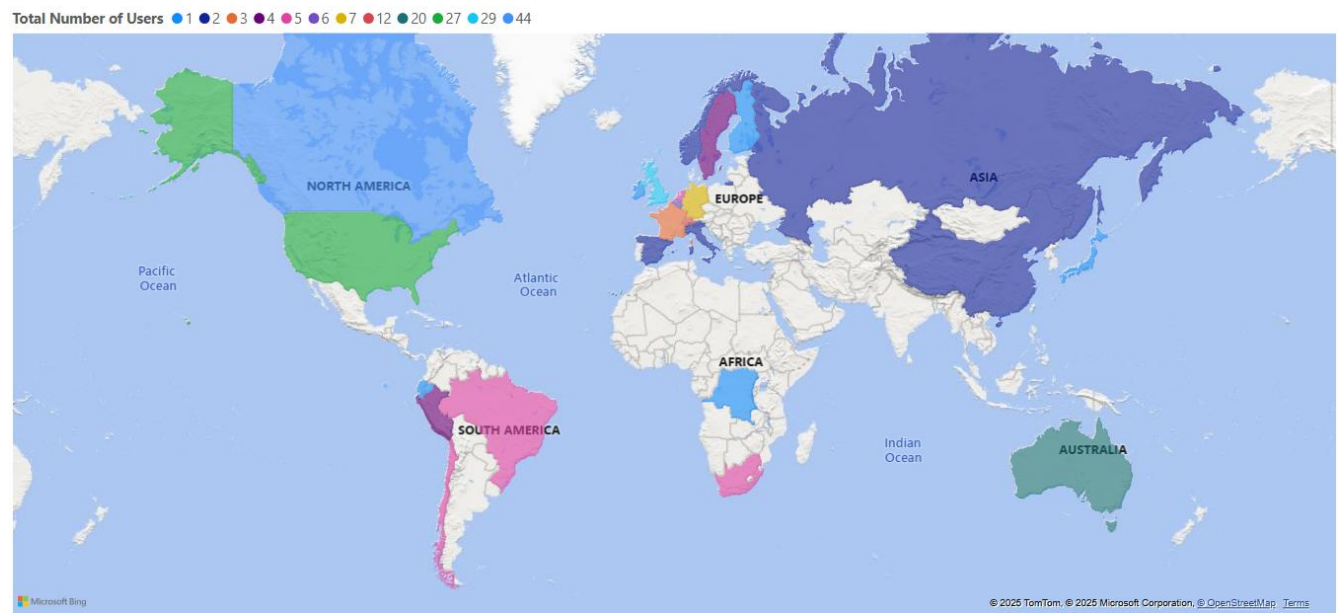
FIGURE 3 ALL RESPONDENTS BY COUNTRY
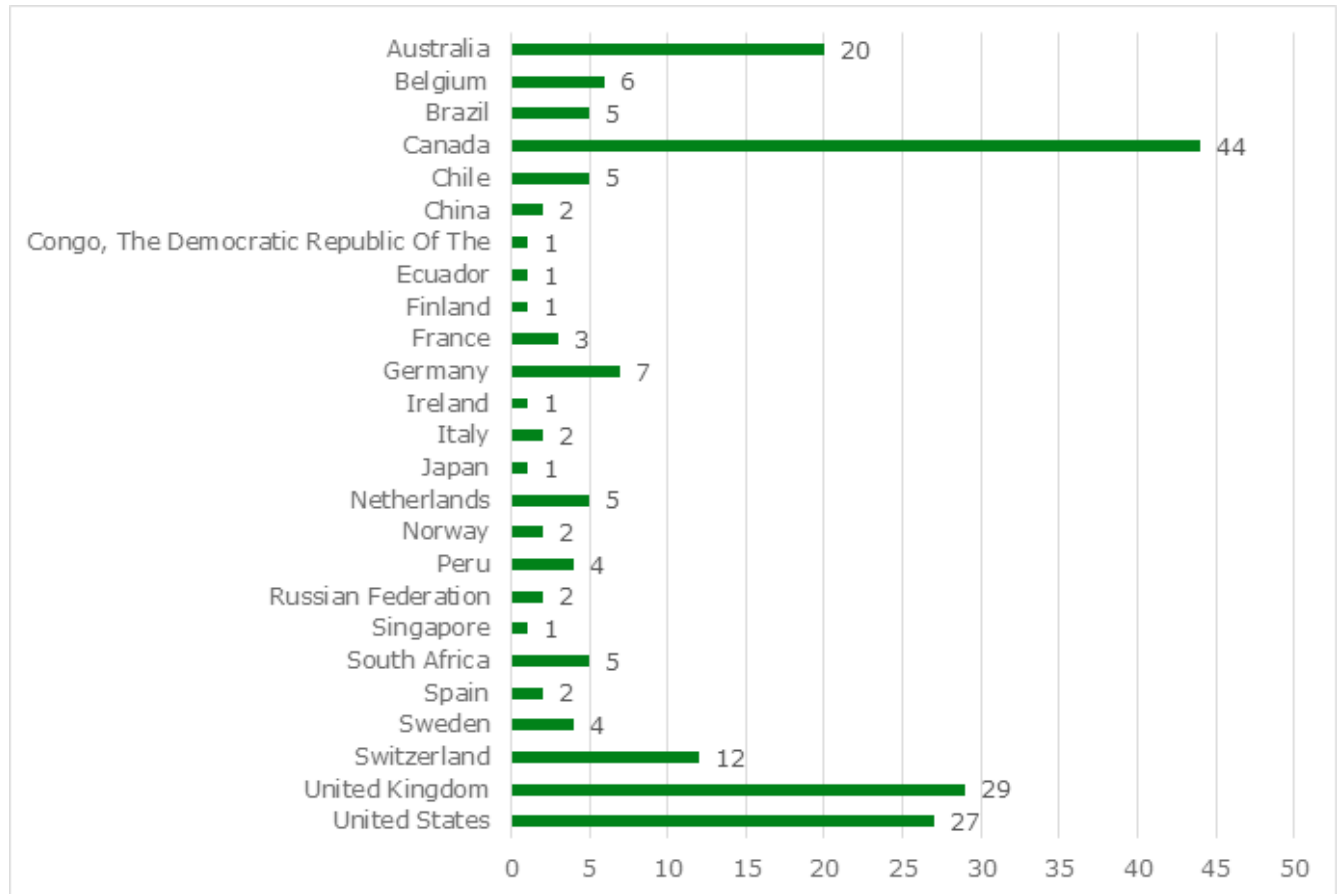
FIGURE 4 NUMBER OF STAKEHOLDERS BY STAKEHOLDER TYPE
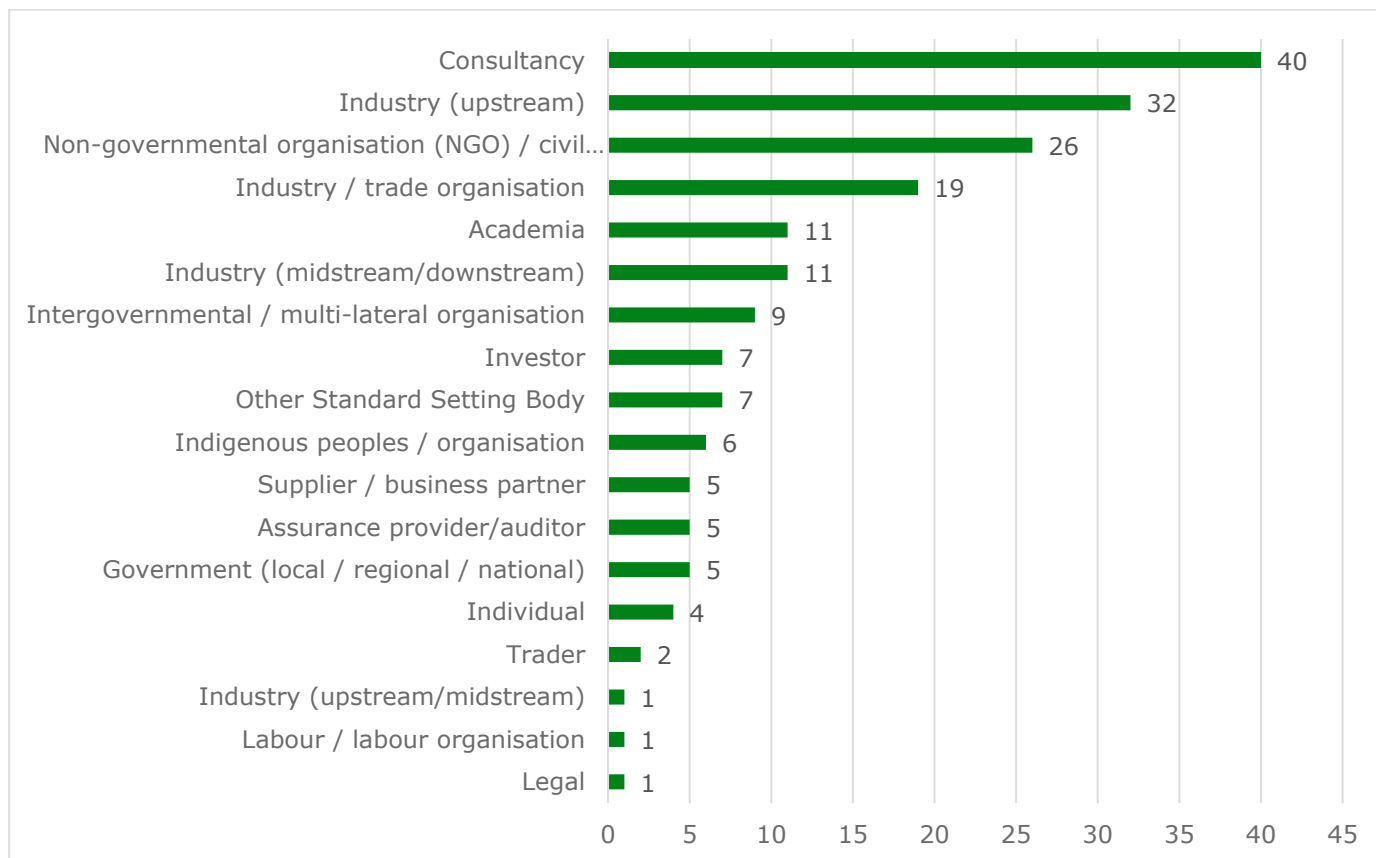
5. GENERAL QUESTION ANALYSIS

The CMSI incorporated seven general questions on how well aspects of the draft documents aligned with stakeholder expectations to support a clearer quantitative analysis of respondents' overall reception of the draft documents.

Stakeholders could respond to six questions on a rating scale from '1: Significantly below expectations' to '5: Significantly exceeds expectations' and to one question by choosing 'yes', 'unsure' or 'no'. Stakeholders could provide additional context on their response through an optional text box.

Responses were provided by 162 respondents across 7 quantitative questions (see Table 1). Note that respondents were not required to select an answer for all questions; therefore, nonresponses have been filtered from the dataset.

For all questions, most respondents indicated that the proposed documents meet, exceed or significantly exceed expectations. The Governance Principles and Model received the highest rate of meets, exceeds or significantly exceeds expectations responses at 72 percent, while the Clarity and Applicability of Requirements received the lowest rate of meets, exceeds or significantly exceeds expectations at 56 percent.

TABLE 3 SUMMARY OF GENERAL QUESTION RESPONSES FOR ALL STAKEHOLDER TYPES

Note: '+' indicates combined Meets Expectations, Exceeds Expectations, and Significantly Exceeds Expectations responses and '-' indicates combined Below Expectations and Significantly Below Expectations responses.

Question	*	% All Respondents
From your perspective, does the **Consolidated Standard system** (including Assurance, Governance, Reporting and Claims) **meet expectations for driving performance improvement** across the industry at a global scale?	+	63
	-	37
Does the **scope, content, and narrative style** of the Consolidated Standard meet your individual expectations and the **collective industry expectation for responsible production practices**?	+	67
	-	33
Do the **Requirements meet your expectations** for being **sufficiently clear** to support consistent and **practical implementation** and to achieve necessary performance improvement?	+	56
	-	44
From your perspective, does the **three-level performance structure** (Foundational, Good, Leading) of the Consolidated Standard meet your expectations for providing an **effective on-ramp** and clear articulation of good practice and effective path to **continuous improvement**?	+	66
	-	34
From your perspective, does the **Assurance process** meet your expectations of **a robust, credible, replicable and transparent approach**?	+	70
	-	30
The **governance principles** that guided the development of the governance model are **inclusive, effective, credible, impact-driven, pragmatic and efficient.** From your perspective, does the proposed governance model meet expectations for consistency with these principles?	+	72
	-	28
Does the proposed **governance model** ensure no single group is able to **unduly influence decisions**?	Yes	31
	No	11

Table 2 highlights the percentage of responses that indicate meets, exceeds or significantly exceeds expectations, as well as the responses that indicate below or significantly below expectations for stakeholder types that had 10 or more respondents.

TABLE 4 SUMMARY OF GENERAL QUESTION RESPONSES FOR STAKEHOLDER TYPES WITH TEN OR MORE QUESTION RESPONDENTS

Note: '+' indicates combined Meets Expectations, Exceeds Expectations, and Significantly Exceeds Expectations responses and '-' indicates combined Below Expectations and Significantly Below Expectations responses.

Note: Percentages may not equal 100 percent due to rounding.

	*	% Consultancy	% Midstream/ Downstream Mining Industry	% Upstream Mining Industry	% Industry/ Trade Organisation	% NGO/CSO
Ability of Standard to Improve Performance	+	63	57	92	67	14
	-	38	43	8	33	86
Scope, Content and Narrative of Standard	+	63	89	88	75	26
	-	38	11	12	25	74
Clarity and Applicability of Requirements	+	50	13	81	64	28
	-	50	88	19	36	72
Three-Level Performance Structure	+	63	38	92	64	33
	-	38	63	8	36	67
Assurance Process Approach	+	68	43	96	71	38
	-	32	57	4	29	62
Governance Principles and Model	+	78	71	88	89	35
	-	22	29	12	11	65
Governance Decision- Making	Yes	21	10	59	21	23
	No	5	10	10	0	23

For all questions, 50 percent or more of Consultancy, Upstream Mining Industry and Industry/trade Organisation respondents indicated that the proposed documents met, exceeded or significantly exceeded expectations. For all questions, a majority of NGO/CSO respondents indicated that the proposed documents are below or significantly below expectations. Notably, 86 percent of NGO/CSO respondents indicated that the Ability of the Standard to Improve Performance did not meet expectations.

A majority of Midstream and Downstream Mining Industry respondents indicated that the Clarity and Applicability of Requirements, Three-Level Performance Structure, and Assurance Process Approach did not meet expectations. In contrast, Upstream Mining Industry stakeholders indicated

that the same aspects met, exceeded or significantly exceeded expectations at 81 percent, 92 percent and 96 percent, respectively.

The chart below details the share of the responses to each question, excluding nonresponses. The most common response to all 6 scaled questions was 'Meets Expectations', at 42 to 48 percent for all questions.

FIGURE 5 QUANTITATIVE QUESTIONNAIRE RESULTS
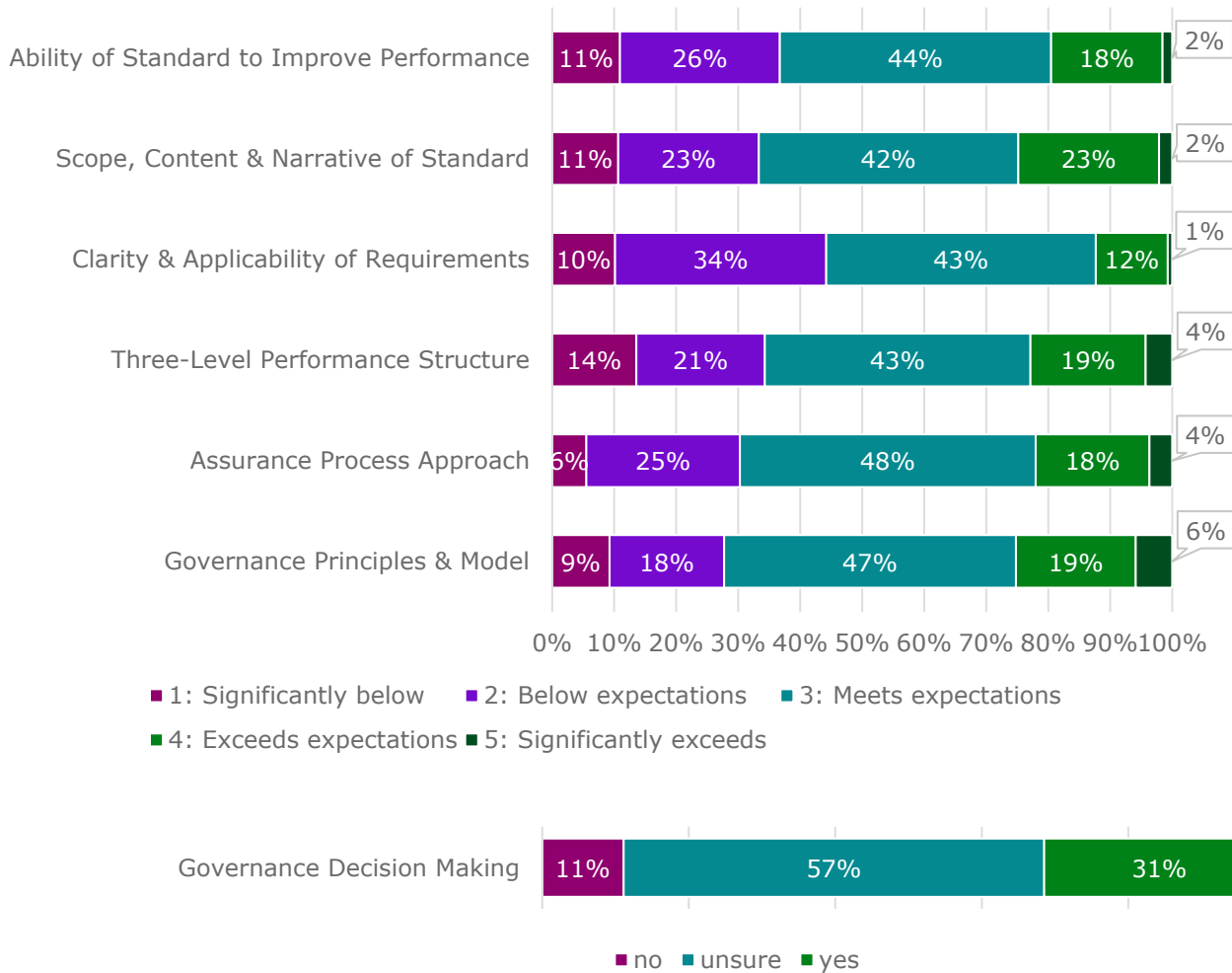
5.1 GENERAL QUESTION FEEDBACK DETAILS

The following section provides an overview of optional text responses to each of the quantitative questions.

From your perspective, does the Consolidated Standard system (including Assurance, Governance, Reporting and Claims) meet expectations for driving performance improvement across the industry at a global scale?

Response	Total Responses	Number of Optional Text Responses	Summary of Optional Text Responses
Significantly exceeds expectations	2	1	CMSI is a foundational path forward due to a true continuous improvement philosophy and specific, detailed Requirements.
Exceeds expectations	23	6	CMSI will yield tangible benefits by enabling companies to focus on performance, advance resource stewardship, and engagement with outside stakeholders. Comments noted some concerns related to the Claims policies, adoption by the industry, and additional management or monitoring needs.
Meets expectations	56	15	CMSI framework and intent meets expectations pending improvements shared in the consultation period. Further attention needed on the technical quality of the documents, clarity on timelines for implementation, streamlining executive and Board accountability, embedding sustainability metrics into decision-making, further developing stakeholder engagement frameworks, and examples of quantifiable measures.
Below expectations	33	19	Further clarity and specificity needed across the CMSI. Lack of alignment with international Standards and global applicability of CMSI. Three comments expressed concern that the Foundational Practice Level is not sufficient and/or there should be a zero qualification level. Requests for clarity on specific topics include tailings management, closure, artisanal and small-scale mining (ASM) and large-scale mining (LSM), Environmental, Social and Governance assessments, responsible security management, conflict sensitivity, and respect for international humanitarian law.
Significantly below expectations	14	9	Five comments expressed concern that the CMSI is less stringent than or misaligned with other Standards such as Initiative for Responsible Mining Assurance (IRMA), IFC, UNGPs, Corporate Sustainability Reporting Directive (CSRD), GRI, and OECD guidance, lack of alignment with international laws related to human rights, child labour, and Indigenous Peoples. Lack of incentive for companies to move beyond the Good Practice Level and/or that the Foundational Practice Level is insufficient. Two comments expressed that the overall CMSI system gives too much control to the industry, particularly in the Assurance Process and Governance Model.

Does the scope, content, and narrative style of the Consolidated Standard meet your individual expectations and the collective industry expectation for responsible production practices?

Response	Total Responses	Number of Optional Text Responses	Summary of Optional Text Responses
Significantly exceeds expectations	3	0	Not applicable.
Exceeds expectations	32	7	Comprehensive scope and content exceeds expectations for responsible production practices through easy-to-follow style and concise but complete coverage of material topics. Narrative structure could more clearly present links between Performance Areas.
Meets expectations	59	7	Scope and content are generally comprehensive but require further coverage of specific topics such as FPIC, deforestation, prevention of greenwashing and industrial hygiene, among others. Further review of language and potential Requirement consolidations needed.
Below expectations	32	12	Inadequate detail for consistent implementation and lack of alignment with international Standards such as UNGPs, OECD Guidelines, IFC Performance Standards, and ILO Conventions. Implementation challenges due to additional reporting, process, and review burdens.
Significantly below expectations	15	4	Lack of rigorous, measurable criteria for effective implementation and auditing. Foundational and Good Practice Levels fall short of other international Standards.

Do the requirements meet your expectations for being sufficiently clear to support consistent and practical implementation and to achieve necessary performance improvement?

Response	Total Responses	Number of Optional Text Responses	Summary of Optional Text Responses
Significantly exceeds expectations	1	0	Not applicable.
Exceeds expectations	16	2	Clear Requirements support consistent and practice implementation and performance improvement. Transition to CMSI is likely supported by ongoing work to comply with

Response	Total Responses	Number of Optional Text Responses	Summary of Optional Text Responses
			international Standards, but additional guidance and accessibility may help uptake for smaller facilities.
Meets expectations	60	10	Further clarification of Requirements needed, including accessible language, logical and systemic organisation, and practical examples of evidence needed for audits.
Below expectations	47	18	Further guidance and specificity needed across the Standard for effective implementation and auditing, including suggested addition of a guidance document. Clarify references to other Standards that could make the Standard more complex to implement.
Significantly below expectations	14	3	Ensure Foundational Level meets minimum existing Requirements and escalation between levels reflects actual improvement. CMSI is below other existing Standards, particularly as related to human rights.

From your perspective, does the three-level performance structure (Foundational, Good, Leading) of the Consolidated Standard meet your expectations for providing an effective on-ramp and clear articulation of good practice and effective path to continuous improvement?

Response	Total Responses	Number of Optional Text Responses	Summary of Optional Text Responses
Significantly exceeds expectations	6	2	Incremental improvement structure works well and can be motivational. Content needs further refinement.
Exceeds expectations	26	3	Three-level structure is an excellent and effective approach, providing entry-level operators with an appropriate Foundational Practice Level achievable with limited resources.
Meets expectations	60	9	Three-level structure supports compliance and continuous improvement. The distribution and descriptions of Practice Levels need some adjustments throughout, and several stakeholders express concern related to companies not meeting the Foundational Level and recognition for moving from Good to Leading Practice Level.
Below expectations	29	16	Current three-level structure does not reflect a true Foundational Practice Level nor actual improvement at Good and Leading Practice Levels. Stakeholders provided conflicting

Response	Total Responses	Number of Optional Text Responses	Summary of Optional Text Responses
			input on reducing or increasing number of Performance Levels and suggestions for renaming the Performance Levels. Other concerns include communication on achieving different Performance Levels and contradiction between Performance Levels across various Performance Areas.
Significantly below expectations	19	8	Foundational Level does not meet minimum expectations and acceptable entry-level Standards, and in certain cases could prevent facilities from moving to the Good Practice Level. A more neutral terminology for the Performance Levels is recommended.

From your perspective, does the Assurance process meet your expectations of a robust, credible, replicable and transparent approach?

Response	Total Responses	Number of Optional Text Responses	Summary of Optional Text Responses
Significantly exceeds expectations	4	2	Excellent, clear assurance process with clear Requirements and expectations to set a path for continuous improvement. Assurance provider screening process should be thorough and controlled.
Exceeds expectations	20	6	Assurance process is comprehensive, replicable, and transparent. Concerns include ambitious external audit and internal review intervals, cost barriers and liability.
Meets expectations	52	12	Assurance process appears comprehensive, robust, and credible. Concerns relate to training, expertise, and certification of assurance providers, documentation, and costs.
Below expectations	27	17	Further clarification and robust Requirements for training and qualification of assurance providers needed, including appropriate subject matter expertise. Assurance process needs more robust public grievance, and reporting processes, clear conformance protocol, and process for dealing with Requirements that are not applicable to facility.
Significantly below expectations	6	3	Clarity needed for practical application of assurance process, citing concerns related to a lack of qualified professions and language on accreditation; provide further Requirements on the assurance process and/or align with other industry Standards and accreditation frameworks.

The governance principles that guided the development of the governance model are inclusive, effective, credible, impact-driven, pragmatic and efficient. From your perspective, does the proposed governance model meet expectations for consistency with these principles?

Response	Total Responses	Number of Optional Text Responses	Summary of Optional Text Responses
Significantly exceeds expectations	7	2	Approach is inclusive and equitable, balancing perspectives of mining companies and other interested parties.
Exceeds expectations	23	3	Comprehensive and inclusive, giving all parties appropriate oversight and input: however, the complexity may result in some inefficiencies and NGO/CSO stakeholders could be further represented in the Model.
Meets expectations	56	6	Model appears to be effective and diverse in principle, but further clarity and guidance is needed on Board member selection process, including value chain representatives, and the role of investors. There are also concerns about balancing inclusivity and effectiveness due to broad structure.
Below expectations	22	10	Multi-stakeholder approach is a positive for credibility and effectiveness, but the composition of the Board must truly balance and reflect all interests, including Indigenous Peoples and Investors.
Significantly below expectations	11	5	Robust, independent oversight is essential to ensure credibility and accountability, but current Board and system do not meet expectations. An Advisory group is insufficient for the level of governance required.

Does the proposed governance model ensure no single group is able to unduly influence decisions?

Response	Total Responses	Number of Optional Text Responses	Summary of Optional Text Responses
Yes	51	2	Support for National Panels.
Unsure	93	16	Clarity is needed on Model's jurisdictional relevance and national legislation, role of national panels, details undecided in the Reporting and Claims Policy, and sufficient support for Secretariat to meet described responsibilities.

Response	Total Responses	Number of Optional Text Responses	Summary of Optional Text Responses
No	18	9	Clarity is needed on the role of National Panels and Board's authority and decision-making role. Conflicting concerns related to industry input, with some concerns that too much industry control will impact the Standard's accountability measures and other concerns that Board does not have enough industry representation.

6.   FEEDBACK ANALYSIS

The consultation portal received 4,673 comments from 180 respondents across the 4 draft documents. Comments were received from stakeholders in 24 countries and in 5 languages: English, Spanish, Portuguese, Japanese and French.

As shown by the chart below, the Consolidated Standard received 4,060 comments, followed by 359 comments on the Assurance Process, 162 comments on the Governance Model and 92 comments on the Reporting and Claims Policy.

FIGURE 6 NUMBER OF COMMENTS BY DOCUMENT
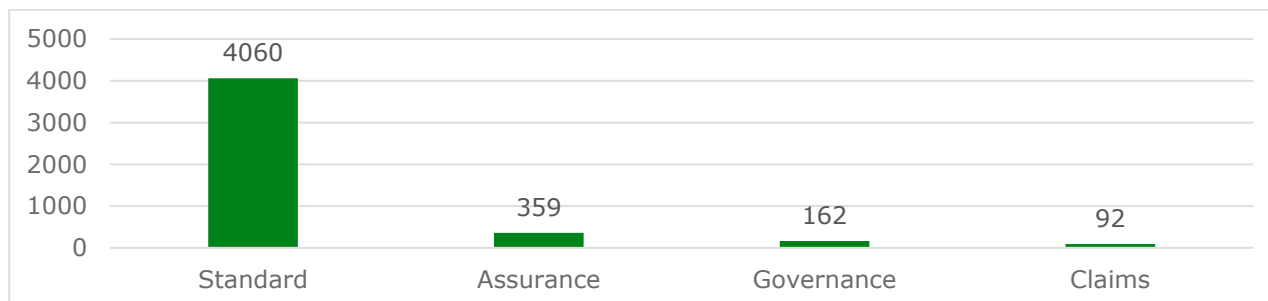
FIGURE 7 NUMBER OF COMMENTS BY STAKEHOLDER TYPE
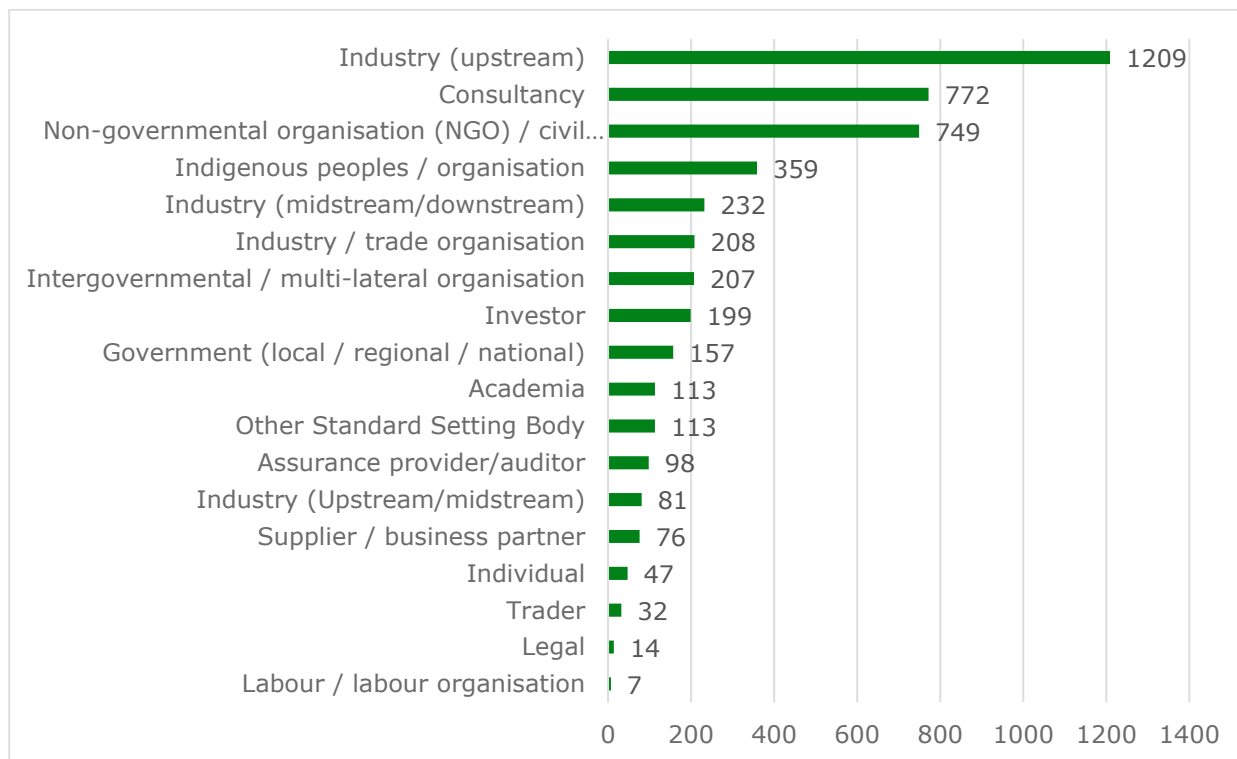
Upstream Mining Industry stakeholders submitted 25 percent of all comments on the draft documents. Consultancy stakeholders and NGO/CSO stakeholders each submitted approximately 16 percent of all submitted comments.

Consistent with the nature of a consultation process, most comments (64 percent) were related to specific feedback on a Requirement or Section, followed by general comments on broader topics (14 percent). Approximately 9 percent of comments included substantive or fundamental feedback on the structure, intent or purpose of the CMSI or substantive feedback on industry-wide or global considerations.

FIGURE 8 SHARE OF COMMENTS BY TYPE
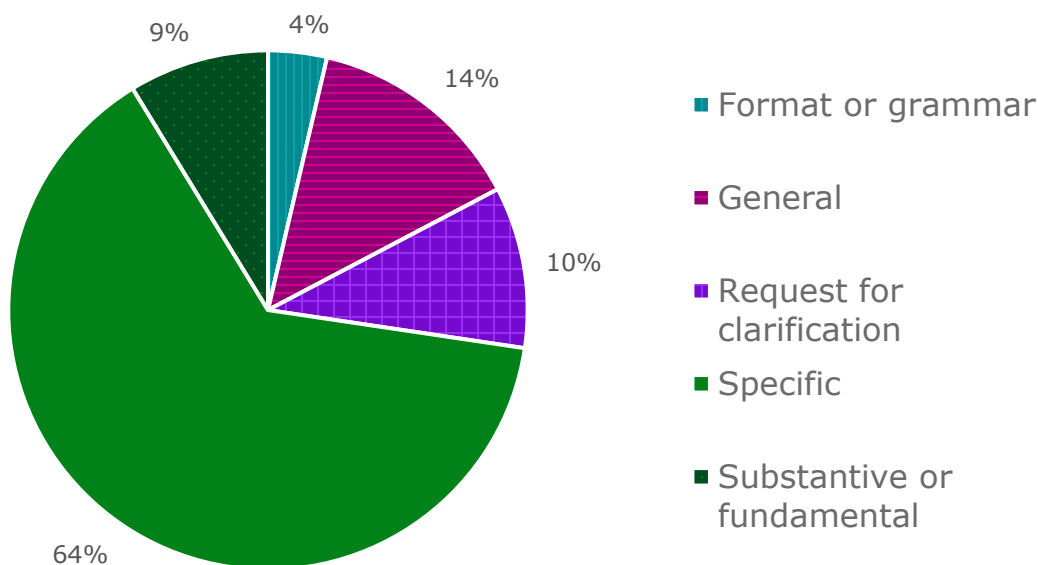
Respondents were also categorised by position, which considers the comment's approach and content. Most comments submitted on the draft documents were inquiring at 73 percent, which includes comments asking for specific changes, additions, or deletions; seeking justification for certain Requirements or their absence; questioning specified processes; or asking for clarification or guidance on text or translation as written. ERM's review of submitted feedback found that a majority of comments included constructive suggestions and clarifying questions on specific Requirements, as detailed in the Performance Area and other document analyses below.

Approximately 19 percent of comments challenged the text of the document as written, followed by 4 percent of comments that challenged specific technical content, such as references, and 3 percent specifically supported the content as written.

FIGURE 9 SHARE OF COMMENTS BY POSITION

Legend:
- ■ Challenging
- ■ Inquiring/General
- ■ Supporting
- ■ Technical
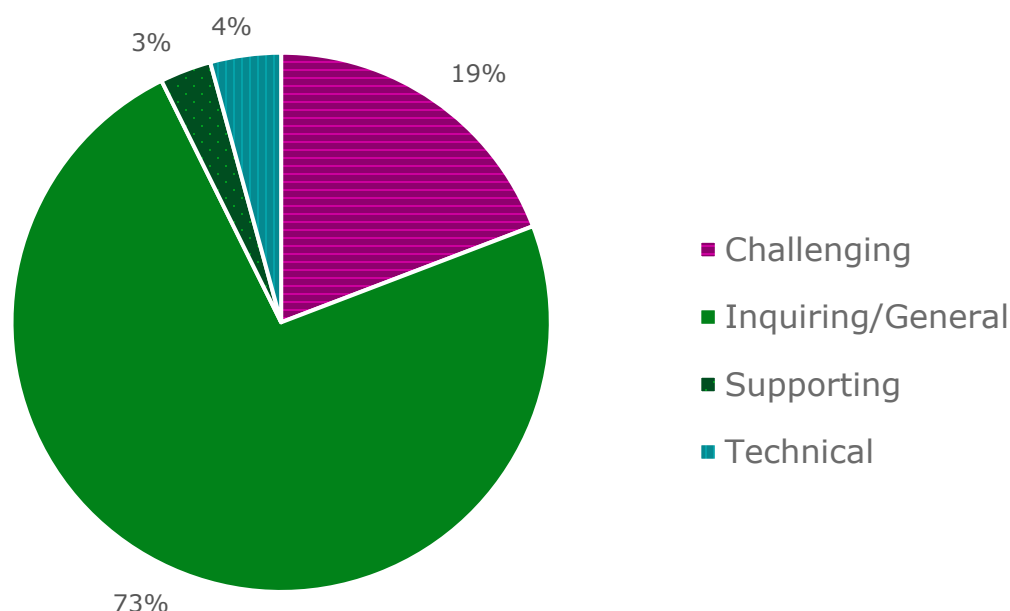
6.1 KEY FUNDAMENTAL AND STRUCTURAL FEEDBACK

6.1.1 THREE-LEVEL STRUCTURE AND THE FOUNDATIONAL LEVEL

Feedback appeared to generally approve of the three-level performance structure while highlighting concerns about the sufficiency of the Foundational Practice Level to advance industry practices, noting areas where the Foundational Level falls short of other Standards, industry expectations and sometimes legal Requirements. Stakeholders also expressed the need for more clarity and alignment in the Performance Level tiers across Performance Areas for consistency and to drive evident improvement.

Overall structure and Performance Level terminology: Many stakeholders fundamentally agreed with the three-level structure in the draft documents. Some stakeholders raised concerns that the terminology of Foundational, Good and Leading may be misleading based on each level's relationship to driving performance improvement, or that the structure could be increased to more tiers or reduced to two tiers.

Foundational Practice Level as minimum threshold: Feedback included concerns that the Foundational Practice Level Requirements are generally below industry expectations or that the Foundational Practice Level does not provide a functional minimum baseline in the scoring of the Consolidated Standard. The Foundational Practice Level also raised questions on language and public reporting of nonconformance or a zero-score, with some requests for adding a distinct tier for nonachievement.

Agreement with Foundational Practice Level: Along with general agreement with the three-tier Performance structure, some stakeholders found that the Foundational Level is a sufficient

industry baseline or on-ramp, especially for smaller operators and/or facilities with limited resources.

Alignment between Performance Levels and Building on Prior Levels: Many stakeholders raised concerns across Performance Areas that there is a lack of alignment between the Foundational, Good and Leading Practices and some Requirements are at contradictory levels between Performance Areas. Stakeholders requested further clarity on how Requirements build upon actions from the previous Performance Level and noted opportunities for more clearly mapping Requirements between Performance Areas to help ensure alignment between Performance Levels in different Sections.

Performance Claims and Driving Improvement at the Leading Practice Level: Stakeholders raised questions seeking further clarification on the Leading Practice Level claim, expressing concern that the current structure does not incentivise companies to reach for the Leading Practice Level; therefore, limiting the CMSI's ability to drive improvement.

6.1.2 ADJUSTMENTS TO REQUIREMENT PRACTICE LEVELS

Stakeholder feedback included suggestions for moving Requirements between the Foundational, Good and Leading Practice Levels to reflect current industry practices, stakeholder expectations, drive industry improvement and/or provide alignment between Performance Areas.

Of the 512 Requirements, 201 received at least one suggestion to move to a different Performance Level.

Supporting general and overarching comments that Requirements at the Foundational, Good and Leading Practice Levels are below current industry practices and/or stakeholder expectations, 173 of the Good and Leading Practice Level Requirements were recommended to move to a lower Practice Level.

In contrast, 23 Foundational and Good Practice Requirements were recommended to move to a higher Practice Level, indicating that Requirement may be above expectations for a Good or Leading Practice.

Additionally, five Good Practice Level Requirements received conflicting input on whether the Requirement should be raised to the Leading Practice Level or lowered to the Foundational Practice Level.

While many Requirements received one to two comments with requests to move Practice Levels, some comments received a higher number of comments with similar requests, indicating some agreement among stakeholders on certain Requirements that are below or above expectations at their current Practice Level.

6.1.3 ALIGNMENT WITH AND REFERENCES TO OTHER STANDARDS

Many general comments and comments on Performance Areas request alignment with other existing Standards or references to existing Standards to clarify or streamline Requirements.

Common Standards referenced by respondents include UNGPs, OECD Guidelines, IFC Performance Standards, UNDRIP Articles, ILO Conventions and GRI reporting Requirements. Performance Level analyses include further details on specific references suggested by stakeholders.

6.1.4 TIMELINES AND EXPECTATIONS FOR IMPROVEMENT

Timeline for Implementation and Improvement: Stakeholders requested clarification on the suggested or required timeline for implementing the Standard at the Foundational Level, as well as suggested or required timelines for reaching the Good and Leading Practice Levels. A few stakeholders expressed concern that companies staying at one Performance Level for several years would not demonstrate a continuous improvement philosophy.

Timelines within Requirements: Across Performance Areas, stakeholders requested further clarity and specificity on timelines for numerous types of actions, such as internal and external reviews, updating subject-specific management plans and conducting community engagement. Feedback varied with suggestions for specific time-based schedules, such as quarterly or annually, while others suggested risk- or material-based schedules. Feedback occasionally conflicts on suggested timelines, such as whether a time-based schedule should or should not be specified based on the Requirement and context.

6.1.5 TERMINOLOGY AND DEFINITIONS

Numerous comments request clarity on terminology and definitions used throughout the Consolidated Standard, including alternative text suggestions, requests for clearer definitions and requests for terms that are undefined, unclear or potentially too subjective to effectively audit. Notable examples include uses of 'significant' and 'reasonable action'.

Stakeholders also noted various terms that can be vague, misinterpreted or not consistently applied, such as 'where applicable', 'where appropriate', 'likelihood' and 'where possible', among others.

6.1.6 CONSISTENT APPLICATION ACROSS PERFORMANCE AREAS

Feedback included questions and requests for more consistent application of specific topics across Performance Areas for clarity and auditability.

Grievance mechanisms: Requests for consistent application of grievance mechanisms across all relevant Performance Areas.

Mitigation hierarchy: Requests for consistent references to a standard mitigation hierarchy across all relevant Performance Areas rather than uses of 'avoid, minimise, restore, offset'.

Requiring implementation at Foundational Practice Level: To strengthen Foundational Practice Level, require implementation of plans, practices or policies listed, rather than just the design of or commitment to plans, practices or policies.

Stakeholder and rights holders terminology and engagement at Good Practice Level:
Requirements involving stakeholder and rights holder engagement should be implemented at the Good Practice Level for consistency across Performance Areas. Terminology related to stakeholders, rights holders and communities should also be consistent throughout.

6.2 FEEDBACK BY STAKEHOLDER TYPE

Industry and consulting comments often include questions and considerations for where Requirements are not applicable or require more flexibility based on jurisdiction, current industry practices, type of mining or other unique situations. Industry stakeholders also frequently provided input on proposed timelines for reoccurring activities, such as reviewing plans or disclosing information. Industry respondents also provided feedback on Performance Areas with technical and/or mining operations and lifecycle focus, such as Performance Area 4: New Projects, Expansions and Resettlement; Performance Area 18: Water Stewardship; Performance Area 20: Tailings Management; Performance Area 21: Tailings Management; Performance Area 22: Pollution Prevention; and Performance Area 24: Closure.

Indigenous Peoples / Organisation Stakeholders feedback frequently included suggestions for aligning Requirements with principles of FPIC, as well as comments requesting clearer language on inclusion, consultation and co-design/co-development across Requirements.

NGO/CSO respondents frequently include suggested additions to Requirements, as well as language clarifications around cultural and contextual factors, such as gender-sensitive language and considerations, clarity on engagement expectations and culturally appropriate support and engagement.

6.3 CROSSCUTTING THEMES

During the categorisation and review process, ERM identified two key crosscutting themes that appear in a substantial number of comments and across a broad range of Performance Areas.

6.3.1 INDIGENOUS PEOPLES

The word 'Indigenous' appears in 484 comments, or approximately 10 percent of all comments. Comments related to Indigenous Peoples were provided on all 4 documents and on 17 of 24 Performance Areas. Key highlights of comments relating to Indigenous Peoples are provided below:

- **Assurance Process**

    o General questions on the inclusion and participation of Indigenous People and rights holders in the assurance process;

    o Concern that allowing companies too much direct control over assurance processes could affect Indigenous Peoples' participation in audits, particularly in low-trust environments;

    o Concern that assurance provider qualification Requirements on familiarity with Indigenous Peoples' rights and local culture could be limiting factor in finding qualified assurance providers; and

    o Concern that assurance process does not provide a mechanism for meaningful participation of Indigenous Peoples in the selection, nomination and/or training of assurance providers.

- **Governance Model**

    o Concerns related to representation and decision-making power of Indigenous Peoples and other stakeholders on the Board; and

    o Lack of alignment with international Indigenous Peoples' rights, standards and FPIC.

- **Standard**

    o Lack of alignment with FPIC and requests to further incorporate FPIC into Requirements, particularly at Foundational Levels;

    o Requests to add additional Requirements and/or clarity around meaningful consultation processes;

    o Requests for further guidance when the Requirements related to Indigenous Peoples do or do not apply to a facility;

    o In Performance Area 3, requests for supply chain policies to include Indigenous Peoples' rights and protections and further inclusion of Indigenous Peoples' communities or land impacted by supply chain activities throughout the Requirements;

    o In Performance Area 4, recommendations to specify the engagement of Indigenous Peoples and rights holders in the data collection process, risk and impact assessments and development of mitigation plans;

    o In Performance Area 12, requests for clarification and/or specificity in the Requirements where mentions of community engagement or consultation include Indigenous Peoples;

    o In Performance Area 13, requests to further incorporate details on human rights, health and cultural impacts for communities, including Indigenous communities;

    o In Performance Area 13, requests to ensure engagement and involvement of Indigenous Peoples in mitigation plans, social and economic priorities, investment plans and procurement and contracting opportunities;

- o   In Performance Area 14, requests for clearer language in the Requirements related to Indigenous engagement, FPIC and/or Indigenous Peoples in voluntary isolation, including emphasis on early engagement, decision-making processes and cultural awareness;

- o   In Performance Area 14, concern that the Foundational Practice Levels are not sufficient and should be fully aligned with FPIC and that Good and Leading Practices are sometimes insufficient or repetitive;

- o   In Performance Area 15, requests for involvement of Indigenous Peoples in identifying cultural heritage, potential impacts and more clarity around cultural heritage training;

- o   In Performance Area 17, requests for further provisions for culturally appropriate grievance handling for Indigenous Peoples, including integrating Indigenous languages and local communication methods and Indigenous representatives in the grievance mechanism design and review process; and

- o   In Performance Area 19, requests for further involvement of Indigenous Peoples and/or greater sensitivity towards local and Indigenous knowledge.

6.3.2   GENDER

The word 'gender' appears in 110 comments and 'women' appears in 88 comments, together representing approximately 4 percent of all submitted comments. Comments containing 'gender' or 'women' were provided on the Assurance Process, Governance Model and Standard documents, including 20 of the 24 Performance Areas. Key highlights of comments relating to gender are provided below:

- **Assurance Process**

  - o   Concern that separate consultation based on gender or other demographic divisions can be seen as discriminatory in certain cultures; and

  - o   Request for further guidance on outreach to and the number of interviews with stakeholders, particularly vulnerable groups.

- **Governance Model**

  - o   Requests to specify gender considerations and inclusion of women in the Governance Model, Board and committee structures.

- **Standard**

  - o   Requests to incorporate a comprehensive gender approach to the Consolidated Standard and/or emphasise the importance of meaningful engagement with marginalised or vulnerable groups, including women and girls, across Performance Areas;

  - o   In Performance Areas 1 and 10, requests to include gender-responsive planning for Crisis Management and Communications and Emergency Preparedness;

- o In Performance Area 4, requests to incorporate guidance or structured frameworks to promote the consultation and inclusion of vulnerable groups, including Indigenous Peoples and women;

- o In Performance Area 7, requests to ensure certain considerations related to workers' rights are not limited to only women;

- o In Performance Area 12, requests for more clear guidance on engagement processes for marginalised or vulnerable groups, including women and girls;

- o In Performance Area 13, requests to explicitly mandate inclusion of women and girls, particularly Indigenous women and girls; and

- o In Performance Area 16, requests to include a gender-sensitive approach and specific measures to address the needs of vulnerable groups, including women and child labourers.

6.4 CONSOLIDATED MINING STANDARD

Stakeholders submitted 4,059 comments on the draft Consolidated Standard document.

All 24 Performance Areas received comments, with the volume of comments per Performance Area ranging from as high as 295 comments on Performance Area 4 to as low as 62 comments on Performance Area 8.

FIGURE 10 Number of Comments by Performance Area
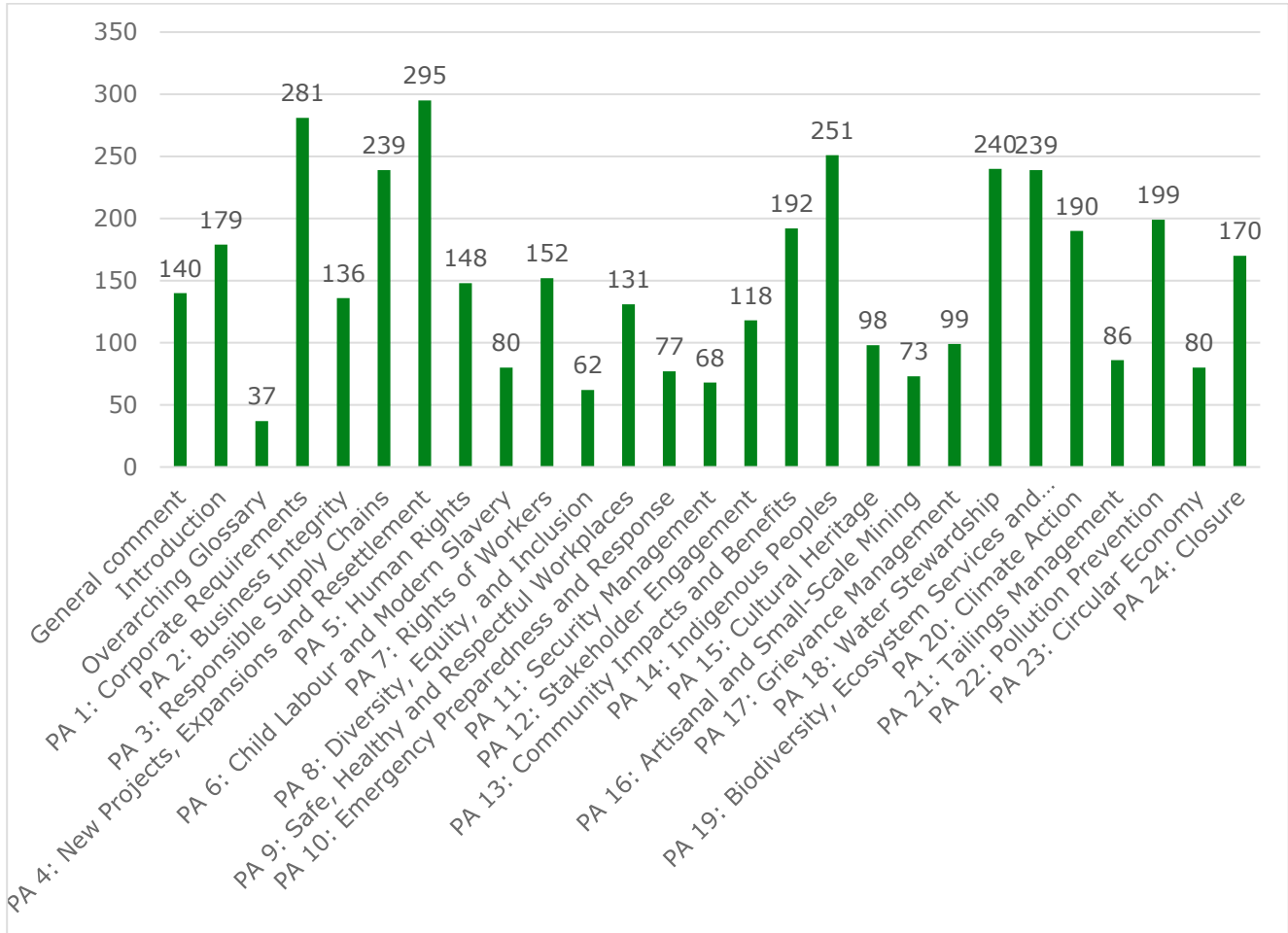
6.4.1 PERFORMANCE AREA FEEDBACK ANALYSES

The Performance Area analyses below include a summary of the comments on the Standard Introduction and Overarching Glossary, followed by a summary of the feedback for each of the 24 Performance Areas. Each summary includes the intent as published in the draft Consolidated Standard, number of comments, number of respondents, number of sections and a high-level summary of the feedback submitted. A chart highlights the number of comments by the top three to five Stakeholder Groups that commented on each Performance Area.

6.4.1.1 STANDARD INTRODUCTION

179 total comments	78 respondents

Top 5 Stakeholder Groups Providing Comments		Number of Comments on Performance Area Sections
Industry (upstream)	33	
Industry / Trade Organsiation	30	
NGO/CSO	26	
Consultancy	17	
Indigenous Peoples / Organisation	15	
All other types	58	
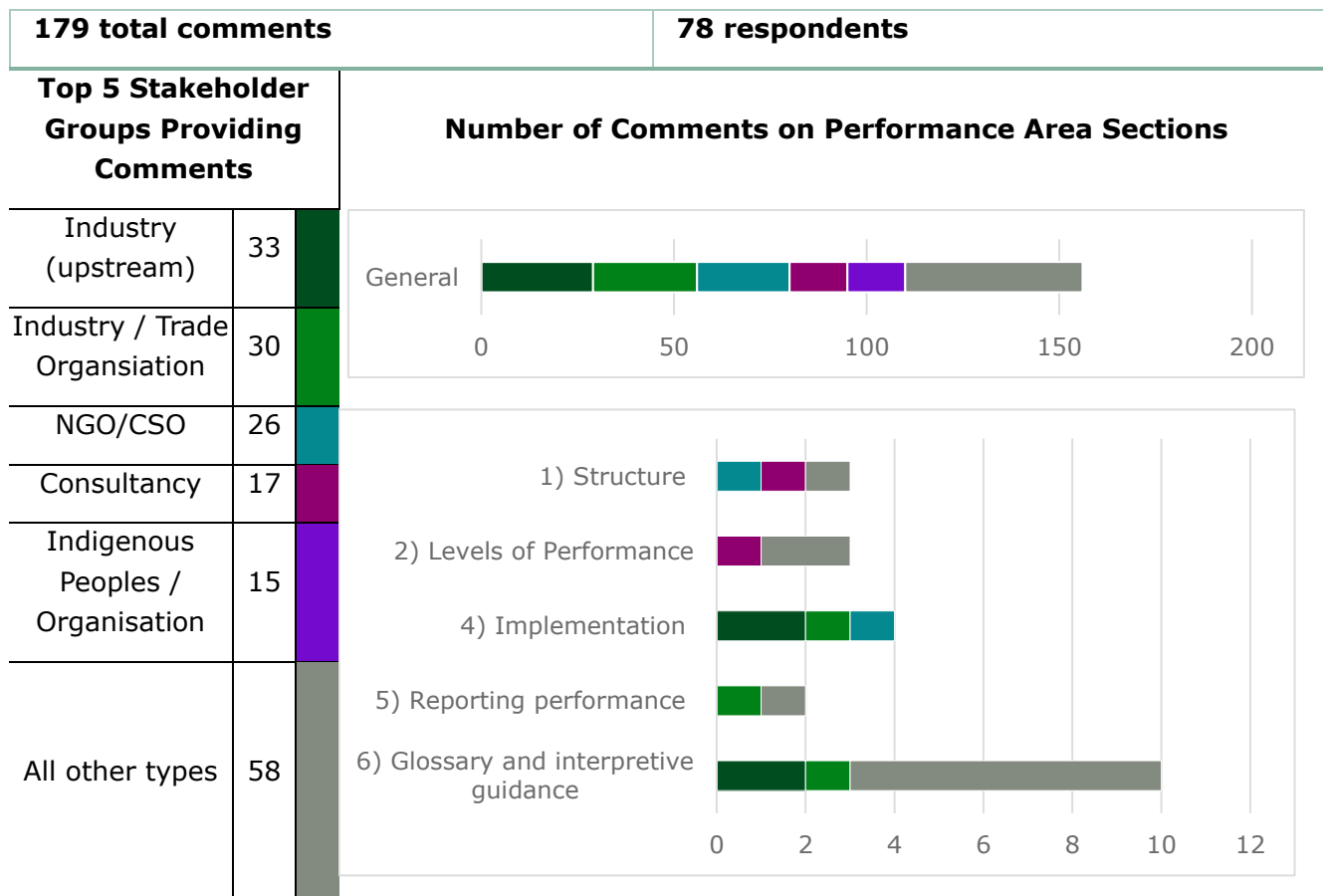
Overarching feedback stated that the Introduction offers a clear framework and efficient view of the topics and scope to be addressed in the 24 Performance Areas.

Some material feedback on the Introduction aligned with the Introduction subsections while other comments provide feedback on overarching issues, such as the overall intent of the CMSI, clarity, feasibility and implementation and document setup. Granular material feedback on the Introduction subsections is detailed in the table below.

In addition to material feedback on the content of the Introduction, many comments included prefatory remarks from organisations on their background and experience, overall perspective or approach to commenting and summary restatements of the intent and introductory content of the Consolidated Standard. These comments are not detailed in this consultation report, as many contain identifying details of organisations and individuals.

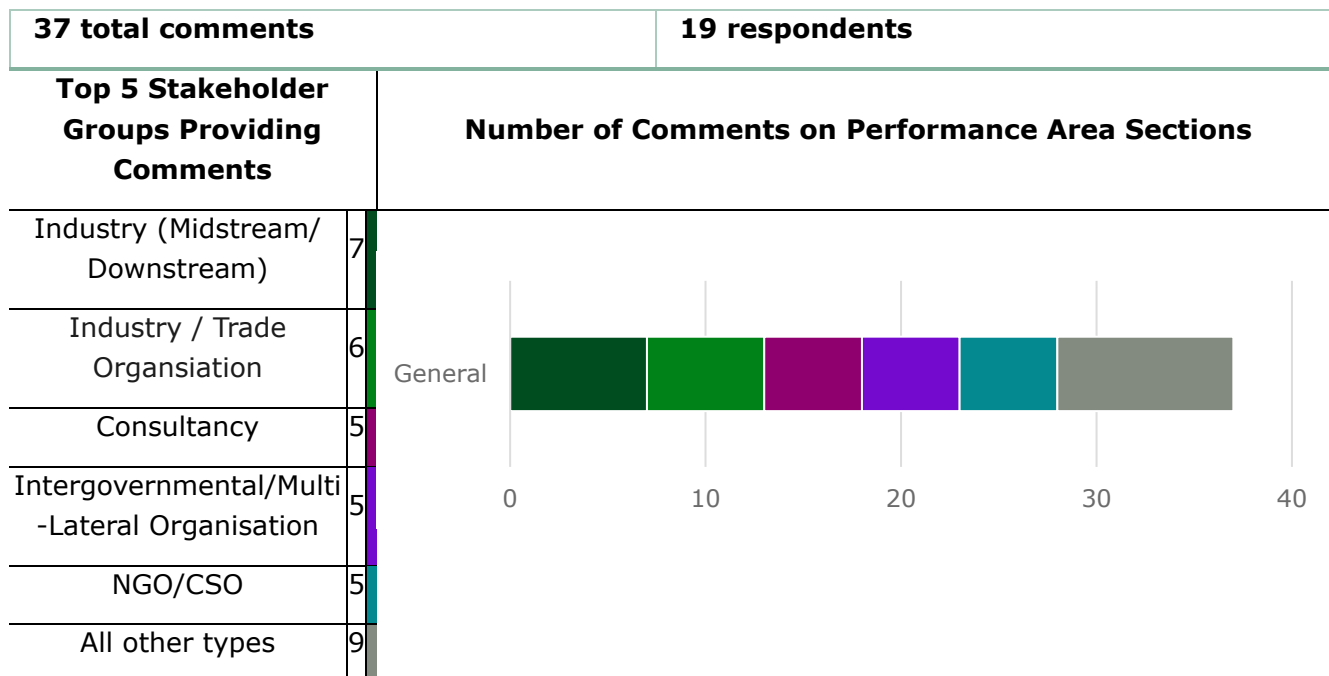| Introduction Subsection	Summary of Feedback
Structure of the Consolidated Standard	• Clarify Pillar titles, such as aligning with Environmental, Social and Governance language; and • Provide quick links to Performance Area and Pillar structure and other relevant Performance Areas throughout.
Levels of Performance	• Add level for nonconformance/no Requirements met; • Suggestions for terminology changes; • Requirements at Foundational Level are insufficient and not aligned with other Standards or expected industry practices; Good Practice Level should be minimum for affiliation with the CMSI; • Reconsider current Foundational, Good, Leading Practice Level terminology; • Ensure clear escalation of practices between Performance Levels; and • Clarify contradictions between the level Requirements of related Performance Areas.
Equivalency with other Standards	• Establish as a key priority to further development of the CMSI; accelerate cross-recognition with other Standards to simplify compliance and improve global credibility; • Remove section until equivalencies are established; and • Consider opportunity for equivalency mapping in Introduction.
Implementation of the Consolidated Standard	• 4b: Clarify processes related to pre-operational Requirements if sites are only reporting during operation; and • 4c: Provide clearer guidance on process for determining if a Performance Area is applicable/nonapplicable.
Reporting performance against the Consolidated Standard	• Clarify language on public disclosure of Good versus Leading Practice Level achievement;

Other Feedback Topics	Summary of Feedback
Implementation Timelines	• Provide clear timelines for companies to achieve compliance with different Performance Levels, including a timeline for current phrasing 'eventually achieve'; and • Consider if allowing several years at a lower level demonstrates continuous improvement philosophy.
Materiality	• Include materiality analysis as a basis for the complete Standard and provide overview in the Introduction.
Pillars and Performance Area Alignment	• Move Emergency Preparedness and Response under Ethical Business Practices; • Decouple Risk Management from Performance Area 1 Corporate Requirements; • Integrate closure throughout other Performance Areas; and • Address exploration and development phases.
Clarity	• Further clarity is needed across the Standard to provide meaningful guidance and enable effective auditing; and • Review for consistency in outcomes versus actions; actions such as 'create' or 'develop' are not measurable and should be replaced with outcomes.

6.4.1.2 OVERARCHING GLOSSARY

37 total comments	19 respondents

Top 5 Stakeholder Groups Providing Comments		**Number of Comments on Performance Area Sections**
Industry (Midstream/ Downstream)	7	
Industry / Trade Organsiation	6	
Consultancy	5	
Intergovernmental/Multi -Lateral Organisation	5	
NGO/CSO	5	
All other types	9	

Comments on definitions provided in the Overarching Glossary generally include suggested phrasings, additions to provided definitions, questions for clarification and suggested additional terms.

Two comments provided general feedback on the Overarching Glossary. One comment from an Industry / Trade Organisation stakeholder stated that most definitions provided are more understandable and clearer than other industry Standards, reducing risk of ambiguous interpretation. One comment from an Individual Stakeholder noted concerns that definitions can limit what topics can or cannot be included in discussion across the Consolidated Standard.

Suggested additions to the Overarching Glossary include diversity, due diligence, equity, high or very high-risk, inclusion, minerals or metals processing, minerals or metals sourcing, sustainability and workers.

Feedback on terms that received multiple comments are detailed in the table below.

Term	Number of Comments	Summary of Comments
business relationship	4	Align with UNGP definition by adding entities in value chain and other non-State or State entities; edit definition to be broader and more precise than IRMA definition; clarify if only suppliers or sub-suppliers are also included.
facility	3	Include corporate offices; include transport facilities / infrastructure; link to existing definitions to align with existing reporting obligations.
human rights	3	Provide standalone definition, rather than current description 'as aligned with UNGPs' under 'sustainability risks'.
remedy	2	Add environmental harm and in the case of loss of cultural heritage.
risks	2	Align with ISO by defining as threats and opportunities; align with definition of harm in OECD Responsible Business Conduct Guidance.
stakeholders	2	Provide examples of potential stakeholders in facility and operation contexts; provide guidance on 'legitimate representatives'.
sustainability risks	3	Definition does not adequately cover integrity risks or corruption; extensive references to other documents complicates definition for reader.

6.4.1.3 PERFORMANCE AREA 1: CORPORATE REQUIREMENTS

Intent *(as stated in the draft Standard)*

Define clear accountabilities and decision-making for sustainability at the Board level and report annually on sustainability performance, including tax and other relevant payments to governments, to enhance transparency and accountability of business practices. Develop and keep an up-to-date risk register and a corporate Crisis Response Plan.

281 total comments	72 respondents	5 Performance Area sections

Top 5 Stakeholder Groups Providing Comments		Number of Comments on Performance Area Sections
Upstream Mining Industry	62	
NGO/CSO	62	
Consultancy	54	
Assurance Provider / Auditor	20	
Indigenous Peoples / Organisation	16	
All other types	67	

Number of Comments on Performance Area Sections

- Intent
- Applicability
- 1.1 Leadership Accountability
- 1.2 Sustainability Reporting
- 1.3 Transparency
- 1.4 Risk Assessment
- 1.5 Crisis Management
- General
- Glossary/Interpretive Guidance

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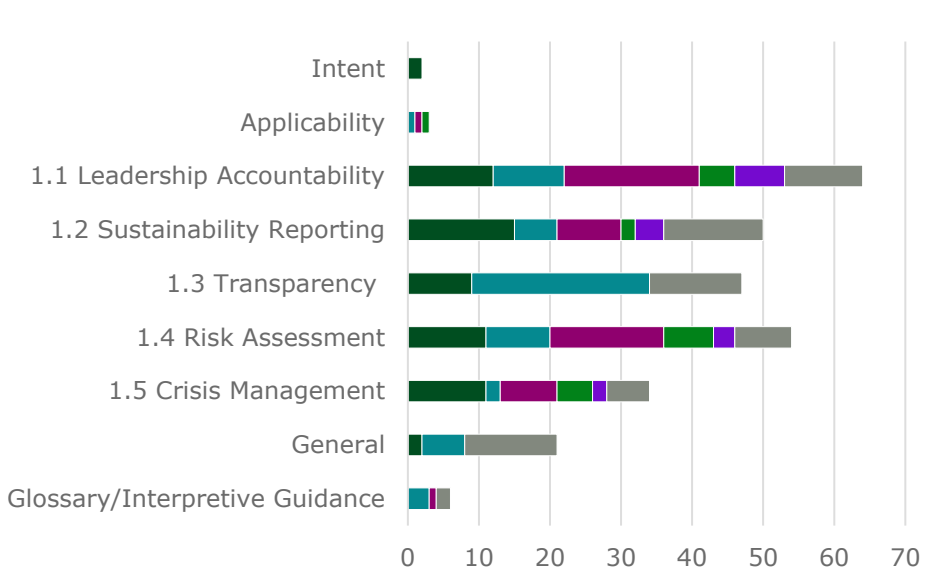
Feedback Summary

- NGO/CSO and Consultancy commentors requested alignment with relevant frameworks, such as the OECD Guidelines, UNGPs and others as the basis of Good Practice.

- Provide greater clarity and level of detail across Requirements to assist with implementation and assurance, including definitions and terminology.

- Add Requirements at the Good Practice Level (specific examples were given) and move several Requirements from Leading to Good or Foundational levels to address misalignment with relevant frameworks.

- Expand on the scope and definitions of stakeholder groups to be included in activities across the Requirements in this Performance Area.

- Provide further clarity or specificity related to Extractive Industries Transparency Initiative (EITI) compliance and disclosure, particularly in countries where EITI is not

Feedback Summary

implemented. Industry commentors expressed concern on Requirements as written for companies operating in countries not subscribed to EITI due to well-developed regulations.

Detailed Feedback by Section

1.1 Board and Executive Accountability, Policy and Decision-Making	
Foundational Practice	• Executives should be added to the leadership team responsible for performance. Clarify senior management accountability and responsibility; and • NGOs/CSOs believe that the Foundational Level falls short of OECD guidelines.
Good Practice	• Add detail and clarity on Board accountability; • Requirement 2: Intergovernmental / Multi-Lateral Organisation stakeholders suggest alignment with the OECD guidelines, UNGPs and other international Standards; • Upstream Mining Industry expressed concern about the difficulty in demonstrating integration of applicable Performance Areas into corporate strategy and investments; and • Assurance provider/auditor respondents suggested several additional Good Practice Level Requirements, including identifying sustainability-related risks, emergency management and identification of potentially affected stakeholders.
Leading Practice	• Clarify differences between metrics tied to compensation and materiality of metrics in the industry; and • Requirement 2: clarify qualification, training and guidance for individuals overseeing corporate-wide sustainability.

1.2 Sustainability Reporting	
Foundational Practice	• Requirements 1 and 2: strengthen and align to established reporting frameworks such as the CSRD.
Good Practice	• Align to internationally recognised reporting Standards.
Leading Practice	• NGO/CSO respondents stated that double materiality is not a Leading Practice and should be moved to a lower Practice Level, whereas Upstream Mining Industry respondents requested clarity on double materiality methodologies; and

1.2 Sustainability Reporting

- Upstream Mining Industry respondents suggested that there is misalignment between terminology used in the Requirement and the Glossary and Interpretive Guidance.

1.3 Transparency of Mineral Revenues

General or Overarching	• Concerns and recommendations related to project-level payments to governments, non-EITI implementing countries, responsible tax and disclosure related to the supply chain.
Foundational Practice	• Requirement 1: clarification on how to treat disclosures in countries that are not EITI signatories; • Requirement 2: clarity needed on public disclosure Requirements; and • NGO/CSO and Government respondents provided recommended additions including country-by-country tax reporting, anti-corruption policy and disclosure of ownership structure.
Good Practice	• Clarify EITI compliance and disclosure, particularly in countries where EITI is not implemented or where disclosures may be legally prohibited; and • Intergovernmental / multi-lateral organisations and NGO/CSO stakeholders requested to add disclosure on tax administration, beneficial ownership and disclosure of all contracts entered into after January 1, 2021.
Leading Practice	• Requirement 1: move to the Good Practice Level (three comments).

1.4 Risk Assessment

General or Overarching	• Section requires more detail on the scope of risk assessments, level of stakeholder engagement required and relationship to other Performance Areas and Sections.
Foundational Practice	• Requirement 2: add detail on risk assessment and prioritisation.
Good Practice	• Requirement 1: move to Foundational Practice Level (two comments); and • Requirement 3: update the risk register more frequently than annually (three comments).

1.4 Risk Assessment

	• Two comments from assurance provider/auditor stakeholders and one comment from an NGO/CSO stakeholder suggested additions including: linking to other risk assessment standards; linking to Board or Risk Committee; expanding risk management structure within the company; covering environmental, social and governance risks; and third-party validation of risk-registers.
Leading Practice	• Requirement 1: received significantly more comments than others in the Performance Area (15 comments) including comments from assurance providers/auditors, Indigenous Peoples / organisations, Upstream Mining Industry, industry / trade organisations, and NGOs/CSOs stakeholder types; clarify the definition of 'engagement'; include external stakeholders and rights holders in engagement; and move Requirement to the Good or Foundational Practice Level (two comments).

1.5 Crisis Management and Communications

Foundational Practice	• Include additions incorporating the Oxford Scenario Planning Approach, explicitly mentioning rights holders as a potentially affected community, regular reviews of Corporate Crisis Response Plans, Board visibility and role in response and designating multiple senior executives accountable for crisis response and communications.
Good Practice	• Requirement 1: add stakeholder groups including rights holders, CSOs, community leaders and first responders; and • Across the Good Practice Level, clarity on language and timelines needed, including for Requirements 3 and 4 related to full crisis simulations and material changes to identified emergency crisis scenarios.
Leading Practice	• Requirements 1: clarity and recognition of Emergency Response activations and suggestion to conduct simulation exercises annually; and • Across Practice Level, varying opinions on frequency for crisis simulation exercises and reviewing crisis plans; clarity on differentiation between crisis management and emergency management, including relationship with other Performance Areas.

6.4.1.4 PERFORMANCE AREA 2: BUSINESS INTEGRITY

Intent *(as stated in the draft Standard)*

Establish systems to maintain compliance with applicable laws, conduct business ethically and with integrity and implement policies and practices to prohibit and prevent bribery and corruption, money laundering, and anti-competitive behaviour.

136 total comments	51 respondents	2 Performance Area sections

Top 5 Stakeholder Groups Providing Comments

NGO/CSO	41
Upstream Mining Industry	27
Consultancy	16
Intergovernmental / Multi-Lateral Organisation	10
Assurance Provider / Auditor	8
All other types	102

Number of Comments on Performance Area Sections
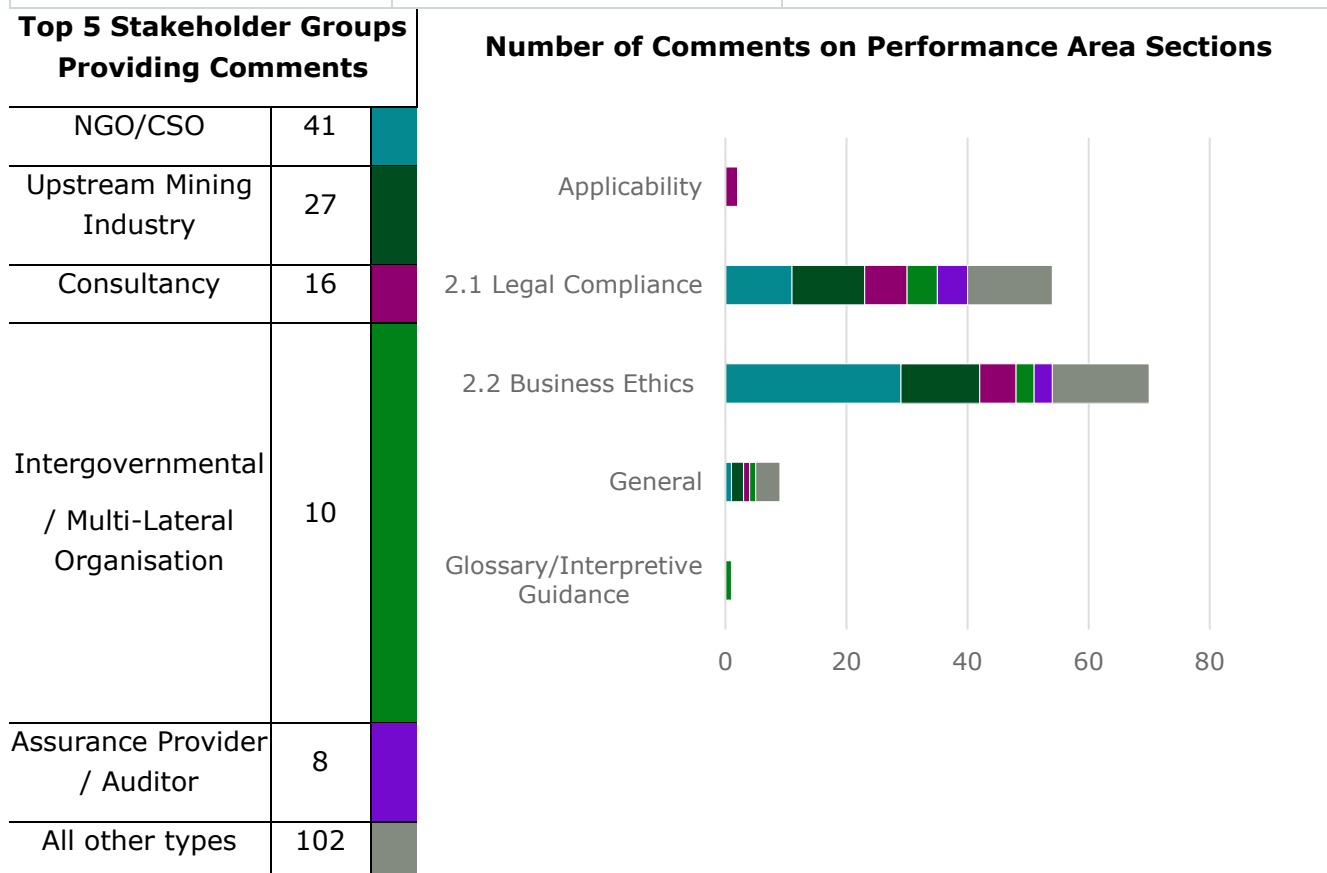
Feedback Summary

- There needs to be further definition of significant law or obligations, as it is broad how it is currently written. Examples of specific regulations to cite were provided.

- The Performance Area was missing monitoring for emerging or changing laws, regulations and Standards.

- Companies should be complying with the laws and obligations, not just establishing a process to comply, which is missing from the Performance Area.

- Comments challenging 2.2 were from industry; however, comments varied without a central theme. Comments from industry challenging this section focused on the level of effort and time required for the Know Your Counterparty procedure in Good Practice 5 and

Feedback Summary

on being able to put the public disclosures of material breaches in Leading Practice 2 into practice.

- NGO/CSO commentors requesting responsible lobbying practices be included in the Requirements.

- Broaden the language of the Requirements to include more than just workers (contractors, suppliers, etc.).

- Regarding the whistle blower language, there were requests to strengthen or change language to protect confidentiality.

Detailed Feedback by Section

2.1 Legal Compliance	
General or Overarching	• Add more detailed reporting at the Good and Leading Practice Levels, add public disclosure of fines and regulatory actions to the Foundational Practice Level; • Add public disclosure of corrective actions at the Good Practice Level; • Add how corrective actions are incorporated into company procedures; and • Integrate legal compliance with broader governance frameworks.
Foundational Practice	• Requirements 1 and 2: eight comments requesting clarification on the phrases 'significant legal obligation', 'process to comply' and scope of 'applicable laws', including concern that the phrases are too broad or ambiguous; and • Add Requirements including: a legal compliance register, facilitating government monitoring and commitment to endorsing B Team Responsible Tax Principles.
Good Practice	• Requirement 1: move to Foundational Level; • Requirement 2: concerns about feasibility of the register of legal obligations; • Requirements 1 and 2: use/definition of 'significant'; and • Additional Requirements including stabilisation, OECD Guiding Principles on Durable Extractive Contracts and responsible tax.
Leading Practice	• Leading Practice 1: move to Good Practice Level (four comments).

2.2 Business Ethics and Accountability

General or Overarching	• Two comments recommend the addition of an anti-bribery and anti-corruption compliance programme, including references to United Kingdom and Australia Anti-Bribery guidance.
Foundational Practice	• Requirement 1: Two comments suggest alignment with OECD Guidelines; other comments suggest mandating the disclosure of beneficial ownership, disclosure of policy outlining ethical and integrity-based business practices and sufficient level of detail for policies; • Requirement 2: additions including periodic refreshers, publication on websites and extending the Code of Conduct beyond workers and addressing key ethical and integrity risks; • Requirement 4: additions including a definition for 'worker;' additional clarity related to whistleblowers and an internal procedure for reporting ethical and integrity-related concerns; and • Add Requirements including anti-corruption measures and responsible policy engagement.
Good Practice	• Requirement 1: move to the Foundational Practice Level (two comments); • Requirements 2, 3, 4, 5, and 6: suggest alignment with OECD Guidelines; • Requirement 7: move to the Foundational Practice Level (two comments); three comments suggest revisions to strengthen whistleblower mechanisms; and • Add Requirements including monitoring and status reporting, responsible corporate lobbying practices and public disclosure of policy positions, engagements and spending.
Leading Practice	• Requirement 1: move to Good or Foundational Practice Level (two comments); • Requirement 2: conflicting input, including: removing the Requirement, moving Requirement to a lower Practice Level and significant additions on disclosing allegations of corruption; and • Recommendations to move Leading Practice Requirements to a lower Practice Level or strengthened with significant additions such as actively preventing or combating corruption and bribery, additions related to monitoring, prohibiting third-party agents for business translations and illegal political contributions.

6.4.1.5 PERFORMANCE AREA 3: RESPONSIBLE SUPPLY CHAINS

Intent *(as stated in the draft Standard)*

Promote responsible business conduct in supply chains by implementing risk-based due diligence on business relationships to identify environmental, social and governance risks and impacts appropriate to the size and location of the Facility, the sector, and the nature of the products or services involved.

239 total comments	65 respondents	2 Performance Area sections

Top 5 Stakeholder Groups Providing Comments		
Upstream Mining Industry	62	
Consultancy	52	
Indigenous Peoples / Organisation	32	
NGO/CSO	21	
Intergovernmental /Multi-Lateral Organisation	12	
All other types	60	

Number of Comments on Performance Area Sections
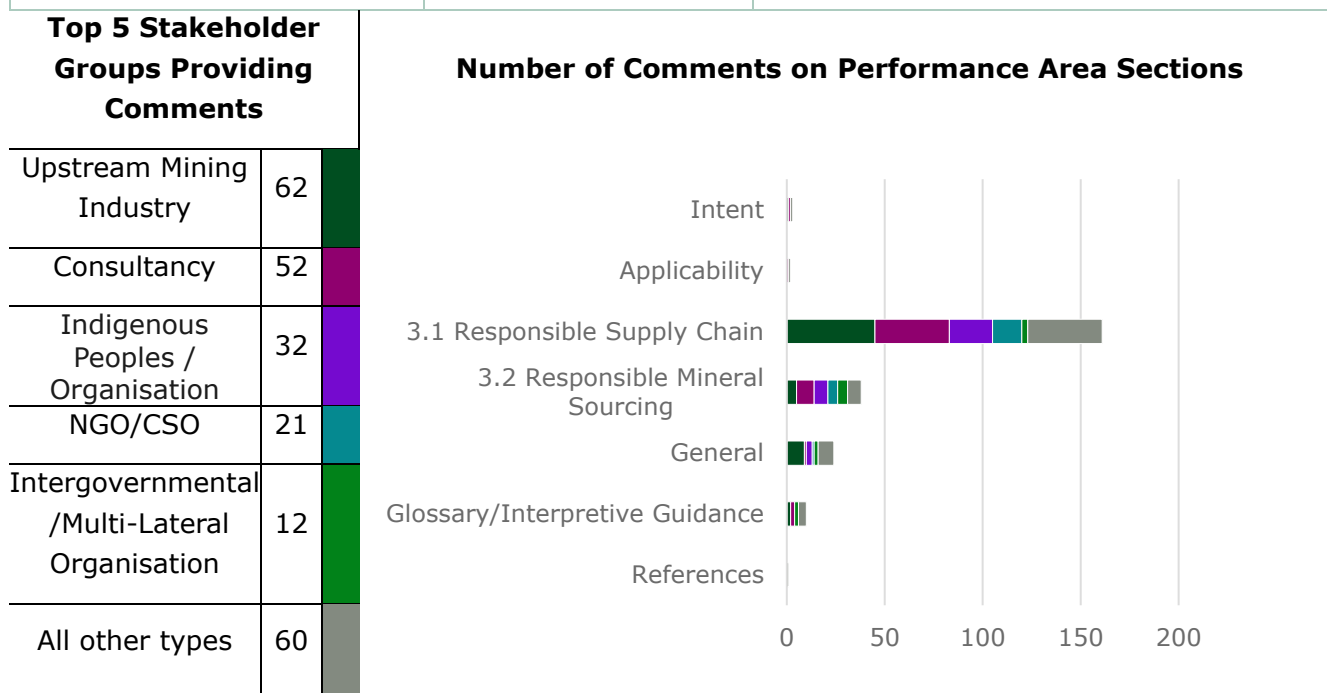
Feedback Summary

3.1 Responsible Supply Chains

- Provide clear definitions for terminology used in this Performance Area, as well as further guidance around some of the expectations.

- Requirements in Leading Practice should be more specific or strengthened by removing vague wording or undefined flexibility such as 'where possible'.

- Review Requirement 6 (disclosure of information) and provide wording to protect confidentiality.

- Integrate the recognition and protection of Indigenous rights and interests throughout this Performance Area and explicitly include the consideration of Indigenous Peoples rights in responsible sourcing or supply chains.

Feedback Summary

3.2 Responsible Mineral Sourcing

- Align Requirements to the OECD due diligence system and strengthen consideration of Indigenous rights and protections in due diligence.

Detailed Feedback by Section

3.1 Responsible Supply Chain (applicable to all facilities)	
General or Overarching	• Two comments: shift Good and Leading Practices to a lower Practice Level, especially Leading Practices 1, 4, 5, 6 and 10; • Two comments: too many Requirements across the Section and some are repetitive; and • Stricter or more nuanced Requirements needed across the Section, especially as related to risk-based due diligence, applicability of different Performance Areas, engaging with external stakeholders and capacity in business relationships.
Foundational Practice	• Suggested additions include supporting participation of local businesses, supply chain stakeholder identification, managing and reducing sustainability risks and implementation of human rights due diligence in supply chains; • Three comments: Requirements at the Foundational Level should be strengthened; • Requirement 1: further clarity on the supply chain policy contents; • Requirement 2: suggested alternative phrasings; one comment suggesting moving the Requirement to a higher Practice Level and one comment noting a large gap between the Foundational and Good Practice Requirements; and • Requirement 3: two comments suggest adding a mechanism for responding to inquiries.
Good Practice	• Requirement 1: concerns related to vague phrasing such as 'most significant', 'parts or segments' and 'likelihood', requesting clearer phrasing and criteria; two comments suggest moving to the Foundational Level; • Requirement 2: seven comments request clarification, change, or removal of the phrase 'reasonable action'; • Requirement 3: clarity needed on phrasing; requests to expand the scope to affected communities and rights holders;

3.1 Responsible Supply Chain (applicable to all facilities)

	• Requirement 5: phrasing concerns including frequency, use of 'where appropriate' and 'prioritised business relationships'; and • Requirement 6: conflicting feedback, with one comment suggesting removal, two comments requesting further specificity on due diligence aspects to be disclosed and general concern for potential confidential information.
Leading Practice	• Requirement 1: move to Good or Foundational Level (seven comments); requests for further clarity; • Requirement 2: too much overlap with Good Practice Requirement 2 and/or should be moved to the Good Practice Level (four comments); • Requirement 3: additions to strengthen Requirement such as a clear escalation path, due diligence system for sourcing materials and equipment, collaboration with prioritised business partners, government and other stakeholders and high-risk situations; • Requirement 4: move to Good Practice Level (one comment); • Requirement 5: move to Good Practice Level (one comment); additions to strengthen Requirement such as advanced, targeted capacity building and reasonable approaches to capacity building; suggested alternative language for clarity; • Requirement 6: grammatical changes, removal of 'where possible' and one suggestion to move to Good Practice; • Requirements 7, 8 and 9: further clarity and guidance; and • Requirement 10: conflicting feedback; one request to remove the Requirement, suggestions to move to the Good Practice Level or strength Requirement to remain at the Leading Practice Level.

3.2 Responsible Mineral Sourcing

General or Overarching	• Clarify difference between Section 3.1 and 3.2 (three comments); and • Suggested additions including mineral conservation/zero waste mining practices, disclosure of mineral reserves and resources; disclosure of mineral use of facility; responsible sourcing of goods other than minerals; public disclosure of auditing key results; and including affected communities in due diligence process.

3.2 Responsible Mineral Sourcing

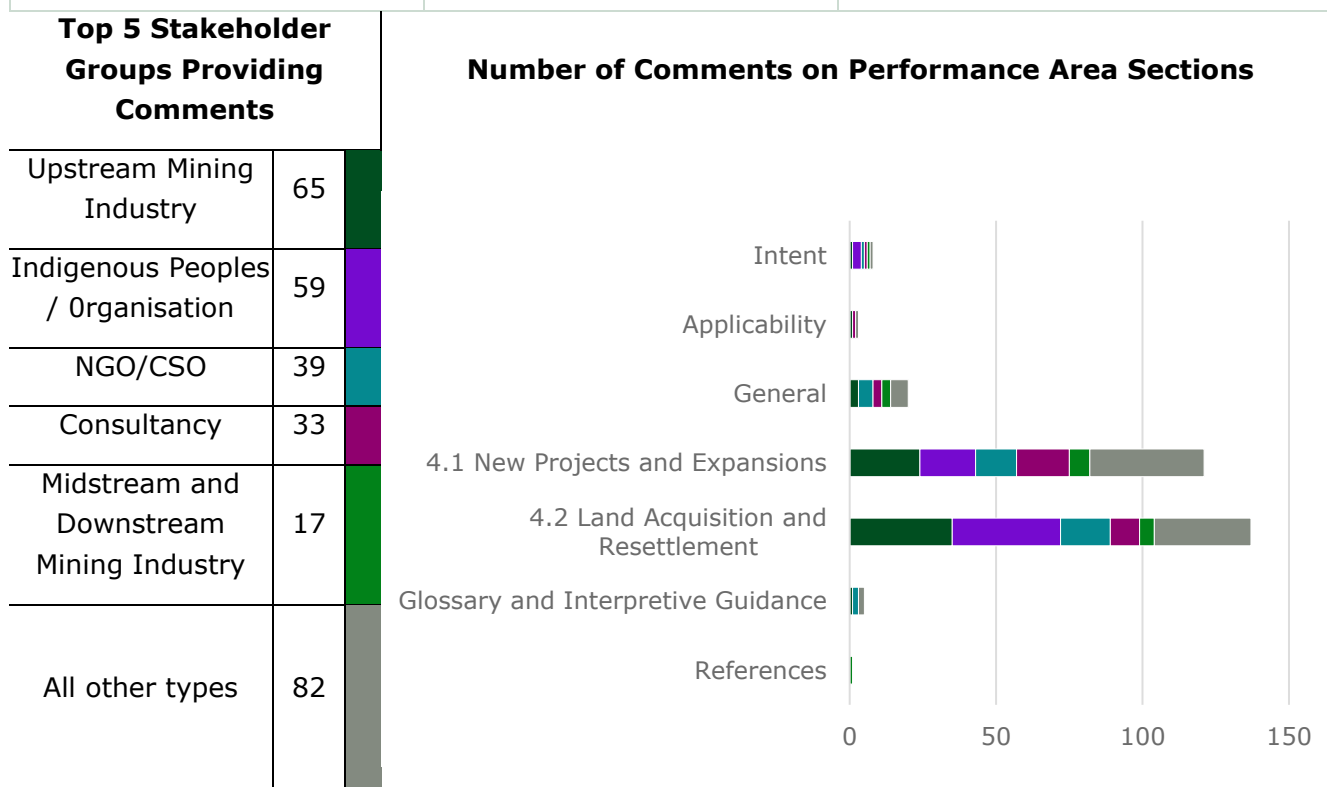|	
Foundational Practice	• Requirement 1: specify OECD guidance references (three comments); • Requirement 2: specify due diligence system Requirements, including commitments to Indigenous Peoples rights protections; one recommendation to move to Good Practice; and • Requirement 3: outline five-step report and require public disclosure of report.
Good Practice	• Requirement 1: add additional details for audit process and disclosure, including Indigenous Peoples rights and FPIC compliance; annual auditing, reporting and public disclosure; and conflict-affected and high-risk area (CAHRA) analysis.
Leading Practice	• Requirement 1: conflicting opinions on the Requirement's three-point structure, including suggestion to require all three points or move one or more points to the Good Practice Level; suggestion to require achievement of all three points; and need for clarification on sustainability risks and OECD alignment.

6.4.1.6 PERFORMANCE AREA 4: NEW PROJECTS, EXPANSIONS AND RESETTLEMENT

Intent *(as stated in the draft Standard)*

Assess environmental and social risks and impacts of new projects and significant changes to or expansions of existing operations. Develop management plans in consultation with affected stakeholders. Avoid involuntary physical or economic displacement. Where involuntary physical or economic displacement is unavoidable, apply the mitigation hierarchy and engage affected communities to limit adverse impacts and restore or improve the livelihoods and living standards of those affected.

295 total comments	66 respondents	2 Performance Area sections

Top 5 Stakeholder Groups Providing Comments		Number of Comments on Performance Area Sections
Upstream Mining Industry	65	
Indigenous Peoples / 0rganisation	59	
NGO/CSO	39	
Consultancy	33	
Midstream and Downstream Mining Industry	17	
All other types	82	

Number of Comments on Performance Area Sections (horizontal bar chart with categories: Intent, Applicability, General, 4.1 New Projects and Expansions, 4.2 Land Acquisition and Resettlement, Glossary and Interpretive Guidance, References; x-axis 0 to 150)

Feedback Summary

4.1 Risk and Impact Assessments of New Projects and Expansions

- A large portion of comments in this Section relate to moving Requirements to different Practice Levels (further details provided below).

- Define 'major change' or 'significant expansion'.

- Include a 'no-go' commitment at Foundational Practice if a potential project could impact World Heritage.

- Include meaningful stakeholder engagement in baseline data gathering and environmental and social impact assessment (ESIA) disclosure as a Requirement in Foundational Practice, together with a provision to support stakeholder participation in the ESIA

Feedback Summary

process. Strengthen Requirements for management plans to align to international frameworks the emphasise the mitigation hierarchy, such as IFC Performance Standard 1 and United Nations Environment Programme (UNEP) Guidelines.

- Integrate the recognition and protection of Indigenous rights and interests throughout this Performance Area, including a commitment to FPIC and facilitating Indigenous Peoples' participation in the entire ESIA process from baseline data collection to ongoing monitoring.

4.2 Land Acquisition and Resettlement

- Comments on Foundational Practice Requirement 1 reflect differing opinions on whether 'where possible' should be included.

- Where displacement affects Indigenous Peoples, all engagement should align to FPIC.

- Baseline studies should be holistic and integrated and include, for example, impacts on land, resources and cultural heritage and not be solely focused on socioeconomic baseline.

- The Section should be strengthened to consider broader impacts of displacement such as the loss of cultural, spiritual and governance systems tied to lands.

- Gender considerations should be strengthened throughout this Section, from consultation to the resettlement action plan (RAP).

- The Section should emphasise and prioritise land-for-land compensation for Indigenous displacement or resettlement, which is in line with ILO 169 and UNDRIP.

- Multiple stakeholder groups noted Requirements in the Good Practice Level are considered Foundational Practice, while Requirements in the Leading Practice Level are considered Good Practice (further details provided below).

- The confidentially and sensitivity of information in a RAP and subsequent monitoring reports should be safeguarded.

Detailed Feedback by Section

All Sections	
General or Overarching	- Align language related to stakeholders, rights holders and local communities across Requirements for consistency; - Clarify steps if ESIA shows significant affects; - Specify Requirements for resettlement are only applicable to major resettlements; include a qualification for magnitude or severity of displacement; - Specify all Requirements at Foundational Level should align with IFC Performance Standard 5;

All Sections
• Make Resettlement a distinct Performance Area; • Remove any Requirements allowing involuntary resettlement from Leading Practice Level; • Define 'major' or 'significant expansion'; • Add explicit commitment to FPIC; and • Clarify how Requirements build from Foundational Practice to Leading Practice Level.

4.1 Risk and Impact Assessments of New Projects and Expansions	
General or Overarching	• Strengthen linkages with Performance Area 14: Indigenous Peoples; • Add standalone human rights due diligence Requirement(s) at Good and/or Leading Practice Levels; • Clarify cumulative impacts assessment as related to IFC Performance Standard 1 in Foundational Practice 2 and Good Practice 2; and • Add specific reference to integrating technical studies.
Foundational Practice	• Requirement 1: specify recent and seasonally appropriate data, as well as spatial screening and specify human rights. Indigenous ecological and cultural knowledge, climate change and invasive species in characterisation list; include meaningful engagement with affected communities and respecting rights of Indigenous Peoples in baseline data collection process; • Requirement 2: change to EIA and move social impact assessment to Good Practice Level; explicitly integrate rights of Indigenous Peoples, including FPIC and their active involvement in assessment; require disclosure of ESIA results; align ESIA with IFC Performance Standards; • Add Requirements including public commitment to avoid causing harm to adjacent communities; conducting Gender Impact Assessment; no-go commitment for World Heritage Sites; and • Make explicit mention of mitigation hierarchy at the Foundational Level.
Good Practice	• Requirement 1: move to Foundational Level and/or strengthen for Good Practice Level (two comments); adjust language on 'stakeholders and rights holders' for consistency throughout Performance Area; specify engagement with Indigenous Peoples and other rights holders in ways that respect FPIC; strengthen guidance on engagement process, including structured framework for consultation; include supports for

4.1 Risk and Impact Assessments of New Projects and Expansions

affected communities to fully understand potential impacts, such as resources to hire independent experts;

- Requirement 2: move to Foundational Practice Level; require Indigenous-led input on identifying cumulative impacts; including long-term and intergenerational cumulative impacts; prioritise avoidance of impacts; clarify scope in relation to cumulative impacts;

- Requirement 3: move to Foundational Practice Level (eight comments); move to Leading Practice Level (one comment); align management plan with internationally recognised frameworks such as IFC Performance Standard 1 and UNEP Guidelines, emphasising the mitigation hierarchy; prioritise avoidance of impacts on Indigenous communities; develop compensation plans in collaboration with Indigenous Peoples; establish monitoring mechanisms for Indigenous Peoples; require independent audits of management plans;

- Requirement 4: define management plan update intervals; include inventory and management plan for invasive species, such as integrated pest management process; involve Indigenous Peoples;

- Requirement 5: move to Foundational Practice Level (four comments); ensure ESIA results are publicly disclosed in an accessible manner for Indigenous Peoples and accessibility is gender-sensitive; require public disclosure of comments on the ESIA; and

- Add additional Requirements such as operationalising ESIA-identified risks; embedding ESIA throughout design of project; define interval for updating, such as every five years; connect to Project Gate Stage process; require periodic independent validation of monitoring process and outcomes.

Leading Practice	• Requirement 1: conflicting input on language related to women, vulnerable and underrepresented stakeholder groups, with some comments suggesting moving to lower Practice Level (eight comments) and other comments expressing concern that language is not appropriate or applicable in all regions; clarify language on 'relevant to the impacts'; • Requirement 2: move to Good Practice Level (one comment); specify inclusive participatory monitoring groups; specify co-design of join monitoring with Indigenous Peoples; specify training and resources for Indigenous monitors to fully participate in technical aspects; disclose accessible reports; include mechanisms for Indigenous Peoples to

4.1 Risk and Impact Assessments of New Projects and Expansions

report noncompliance; incorporate invasive species assessment monitoring;

- Requirement 3: specify how Indigenous Peoples rights will be safeguarded in multi-party collaboration, such as specifying a decision-making role, developing a collaborative governance framework, establishing funding to support Indigenous Peoples participation in mitigation, and mandating disclosure of agreements, roles and responsibilities; and

- Add additional Requirements such as: planning for and addressing impacts from closure.

4.2 Land Acquisition and Resettlement

General or Overarching	• Include women, Indigenous Peoples and other underrepresented groups in consultations; and • Consider adaptability for geographies where authorities manage many aspects.
Foundational Practice	• Requirement 1: clarify phrase 'wherever possible' and how determination is made; prohibit involuntary physical and economic displacement, stating displacement may only occur with FPIC and after al feasible alternatives have been documented, disclosed and agreed upon; add commitment to respecting land rights; • Requirement 2: make consultation gender-balanced and inclusive of underrepresented groups; specify consultation with Indigenous Peoples; remove due to lack of requirement for mitigation of impacts on wellbeing from land acquisition, restriction and resettlement; remove specification of consultation during planning phase; • Requirement 3: define socioeconomic baseline study; make baseline study and impact assessment gender-sensitive; include noneconomic factors, such as cultural and spiritual matters; include identifying risks and potential impacts of involuntary physical and/or economic displacement, including remaining communities and host communities of collective resettlements; • Requirement 4: specify grievance mechanism co-designed with Indigenous Peoples; • Strengthen Foundational Level Requirements to meet minimum expectations for new projects and expansions, such as: incorporating stakeholder feedback into design process to avoid displacement;

4.2 Land Acquisition and Resettlement

	appoint suitable qualified personnel to lead resettlement processes and provide mental health and legal support where resettlement is unavoidable; and • Add Requirements such as require RAP and livelihood restoration plan in consultation with local stakeholders and in line with IFC Performance Standard 5; commitment to a mutually accepted agreement process that allows communities to consent to terms of resettlement; require legal title to new lands and fair and equitable compensation; address criteria for site selection and consider corruption/bribery risks.
Good Practice	• Requirement 1: specify FPIC for Indigenous Peoples; incorporate cultural and spiritual impacts; strengthen Requirement to meet or exceed all of IFC Performance Standard 5; specify gender-sensitive action plan and engagement with vulnerable groups in all phases; • Requirement 2: move to Foundational Practice Level (one comment); require Indigenous Peoples leadership in identifying cumulative impacts, analysis of long-term and intergenerational impacts, prioritisation of avoidance and public disclosure; require FPIC prior to any displacement or activity affecting lands; align with UNDRIP articles 10 and 32 and ILO 169; • Requirement 3: move to Foundational Practice Level (one comment); remove Requirement (one comment); specify that resolution processes must be guided by FPIC and include Indigenous leadership; • Requirement 4: combine with Requirements 5 and 6 (one comment); make Requirement risk-based and adaptable to social context and regulations; emphasise avoidance as first and primary action; make FPIC central element in design and implementation of action and remedies; • Requirement 5: require land-for-land as first option for and Indigenous displacement or resettlement; require Indigenous participation in design and decisions on compensation; limit to involuntary displacements; address cultural and spiritual losses; • Requirement 6: remove 'persons' from Requirement language; clarify 'appropriate development benefits'; • Requirement 7: remove Requirement (one comment); clarify details related to public disclosure; require accessibility for public disclosure, such as local languages and availability in public spaces; • Requirement 8: move to Leading Practice Level (one comment); clarify timeline for monitoring; make monitoring gender-sensitive; consider or

4.2 Land Acquisition and Resettlement

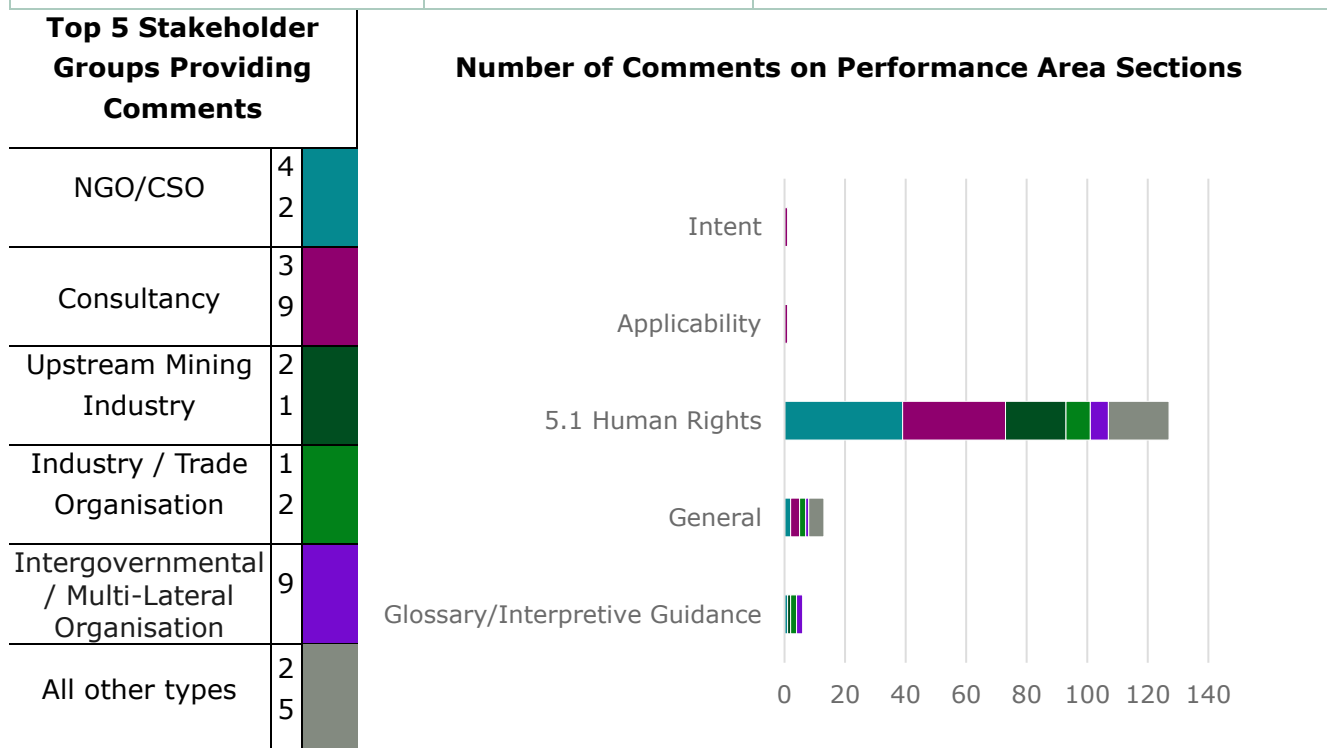|	clarify infringements on rights to privacy; specify monitoring for Indigenous Peoples and alignment with FPIC; specify regular intervals; specify co-design of monitoring; • Requirement 9: change internal review to independent expert review; specify inclusion of Indigenous Peoples in review process; • Move Requirements 1-3 (one comment) and Requirements 4-6 (two comments) to Foundational Practice Level; and • Additional Requirements such as: consideration for economic displacement; working with government authorities where required; independent audit of resettlement effectiveness; safeguarding cultural and social integrity in resettlement planning.
Leading Practice	• Requirement 1: move to Good Practice Level (five comments); remove Requirement (one comment); make programmes gender-inclusive and inclusive of disadvantaged populations; add specificity, including co-design by Indigenous Peoples; specify collaborative development of programmes; • Requirement 2: move to lower Practice Level (five comments); remove Requirement (one comment) specify gender-inclusivity related to land titles; make adaptable to severity of impacts, social context and jurisdiction; • Requirement 3: move to Good Practice Level (six comments); require community participation and endorsement; clarify if independent review of RAP document or implementation; specify reviewer qualifications; • Requirement 4: move to Good Practice Level (two comments); specify protection of confidentiality of stakeholders, including Indigenous Peoples; specify community consent; and • Add additional Requirements including implementation of system to track environmental and legal commitments; redressing negative impacts of resettlement; collective negotiation of actions to be implemented in resettlement.

6.4.1.7 PERFORMANCE AREA 5: HUMAN RIGHTS

Intent *(as stated in the draft Standard)*

Respect human rights by implementing human rights due diligence management systems and approaches for the effective identification, prevention, mitigation and remedy of human rights risks and impacts consistent with the UN Guiding Principles on Business and Human Rights.

148 total comments	57 respondents	1 Performance Area section

Top 5 Stakeholder Groups Providing Comments		**Number of Comments on Performance Area Sections**
NGO/CSO	42	
Consultancy	39	
Upstream Mining Industry	21	
Industry / Trade Organisation	12	
Intergovernmental / Multi-Lateral Organisation	9	
All other types	25	

Feedback Summary

- Ensure alignment with the UNGPs as the basis of Foundational Practice.

- Provide greater clarity and level of detail across Requirements to assist with implementation and assurance, especially frequency and measurement of due diligence activities.

- Apply the grievance mechanism Requirements consistently across this and other relevant Performance Areas and reference other relevant Performance Areas throughout (e.g. child labour, rights of workers, security management, DEI).

- Add additional Requirements at the Good and Leading Practice Levels (specific examples were given CAHRA-specific Requirements) and move several Requirements from Leading to Good or Foundational Practice.

- Include reference and Requirements regarding other vulnerable / underrepresented groups, not just Human Rights Defenders.

Feedback Summary

- Require engagement with stakeholders and rights holders throughout as Good Practice.

Detailed Feedback by Section

General or Overarching	
All Sections	- Align grievance mechanism-related aspects with grievance mechanism processes and considerations in other Performance Areas; - Reference and clarify considerations for CAHRAs; and - Ensure alignment with UNGPs.

5.1 Human Rights	
Foundational Practice	- Requirement 1: clarify Requirements of a sufficient public commitment; clarify or further specify language on 'respecting human rights' and the UNGPs; - Requirement 2: clarify language to support auditability and measurement; incorporate public commitment to support human rights defenders and other vulnerable groups; further clarify groups referenced, such as connection to facility; incorporate nonretaliation; - Requirement 4: specify training content and defined intervals; and - Align with UNGPs across Foundational Practice Level (six comments).
Good Practice	- Requirement 1: move to Foundational Practice Level (five comments); clarify policy details and operationalisation aligned with UNGPs; - Requirement 2: move to Foundational Practice Level (three comments); align with UNGPs, including language such as 'identify, prevent, mitigate and account'; - Requirements 2 and 3: specify gender disaggregation and considerations for vulnerable groups including women and children (three comments); include considerations related to supply chain and business partners' involvement in impacts; - Requirements 4 and 5: clarify remedy processes and grievance mechanism / remedy oversight; - Requirement 6: clarify or define 'severe human rights impacts' (three comments); reference CAHRAs; clarify public disclosure in alignment with UNGPs;

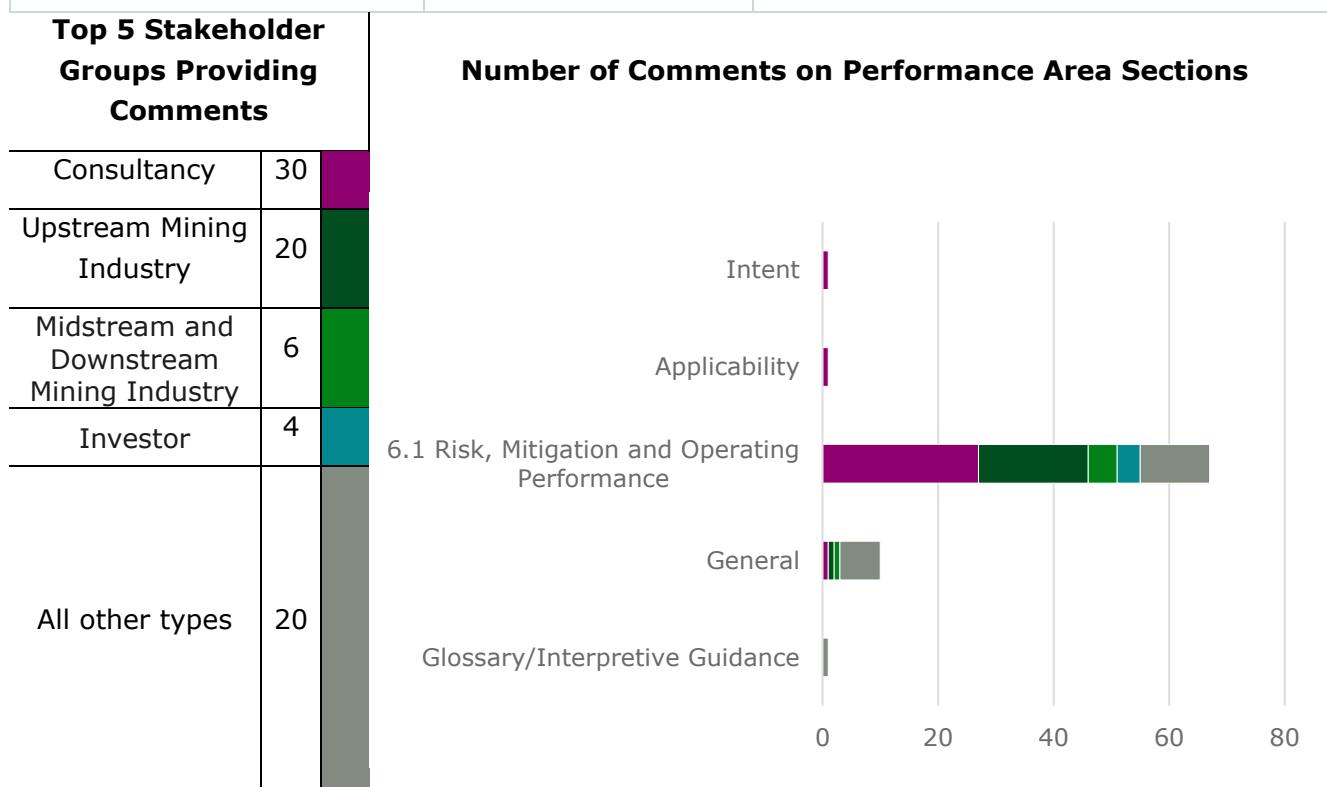| 5.1 Human Rights	
	• Requirement 7: conflicting input on timeline, including recommendation to change cadence to annual and to align timeline with specific operational contexts; and • Add additional Requirements including explicit protections, engagement protocols and operational guidance on protection of human rights defenders; mechanisms to address retaliation; and details on independent reviews.
Leading Practice	• Requirement 1: move to Good Practice Level (two comments); • Requirement 2: move to Good or Foundational Practice Level (three comments); add specificity to collaboration with stakeholders and/or incorporate in due diligence processes beyond independent review; • Requirement 3: move to Foundational Practice Level and/or expand to more affected stakeholders and change 'inform' to stronger engagement-related language; and • Add additional Requirements including rights holder centred approach to remedy; incorporate business relationships; embed human rights throughout organisation; and further collaboration with stakeholders.

6.4.1.8 PERFORMANCE AREA 6: CHILD LABOUR AND MODERN SLAVERY

Intent *(as stated in the draft Standard)*

Prohibit, prevent and remedy the employment of children below the age of 15 and modern slavery in any form and ensure that young workers below the age of 18 are not exposed to the worst forms of child labour, including hazardous work. These requirements are aligned with ILO Conventions 138, 182, 29 and 105.

80 total comments	30 respondents	1 Performance Area section

Top 5 Stakeholder Groups Providing Comments	
Consultancy	30
Upstream Mining Industry	20
Midstream and Downstream Mining Industry	6
Investor	4
All other types	20

Number of Comments on Performance Area Sections

Feedback Summary

- Ensure that the terminology and language used aligns with relevant frameworks, such as the UNGPs and ILO Conventions.

- Provide greater clarity and level of detail regarding public policies in Foundational Practice Requirements 1 and 2.

- Clearly define and clarify the applicability of these Requirements to supply chains and 'off-site operations'.

- Distinguish where gender-responsive or child-specific Requirements and approaches are necessary (or develop as separate Child Rights Performance Area).

Feedback Summary

- Add additional Requirements at the Good and Leading Practice Levels (specific examples were given related to ILO indicators) and move several Requirements from Good to Foundational or Leading Practice.

- Require engagement with stakeholders and rights holders throughout as Good Practice.

- Apply the Requirements for internal review at Good Practice Level and independent audit at Leading Practice Level consistently across this and other relevant Performance Areas.

Detailed Feedback by Section

6.1 Risk, Mitigation and Operating Performance	
General or Overarching	• Add suggested Requirements including screening contractors for risks; building capacity of business relationships to identify, prevent, mitigate and account for involvement in modern slavery and child labour; • Include considerations for geographies where risk of child labour and modern slavery are low; and • Review Performance Area title and definitions for 'modern slavery', 'child labour' and 'forced labour'.
Foundational Practice	• Requirement 1: clarify need for policy and/or realign with positive conduct, rather than commitment to 'not engage directly or indirectly, tolerate, or support'; • Requirement 2: clarify consequences for noncompliance; mention applicability of local laws; remove exception for minimum age of 14 years; • Requirement 3: specify identification and evaluation of risk in supply chain; include a gender-sensitive approach; specify extent of risk assessment, such as geographic boundaries, workforce and affected communities; • Requirement 4: align with ILO language; align with other references to risk mitigation within the CMSI; and • Requirement 7: separate response to child labour and modern slavery; refine language on ceasing and reporting activity; clarify applicability to supply chains / off-site operations.
Good Practice	• Requirements 1 and 2: conflicting input on whether Requirements should be moved to the Foundational or Leading Practice Levels; consider combining into a single Requirement; • Requirement 3: move to Foundational Level (two comments);

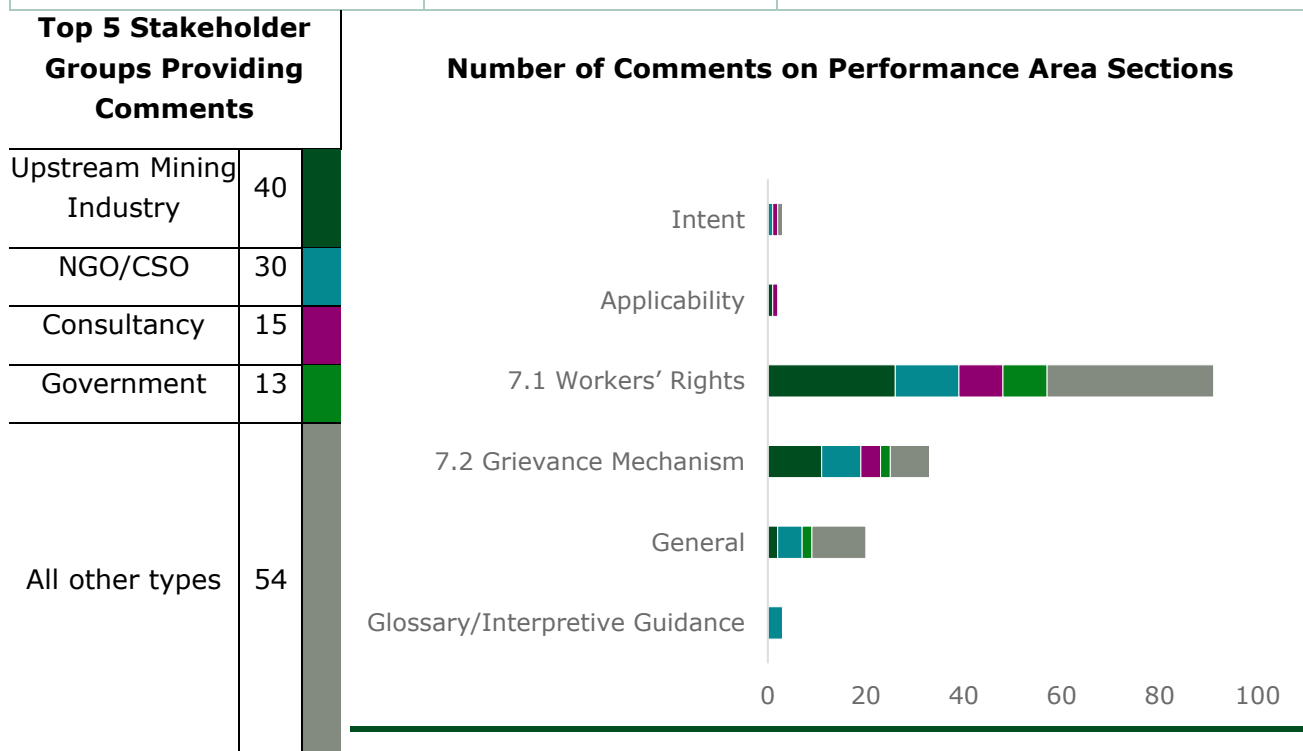| **6.1 Risk, Mitigation and Operating Performance**	
	• Requirement 4: refine language to specify framework development only where risks are identified and align framework with UNGPs; and
	• Requirement 5: add public disclosure of risk and mitigation actions; reference GRI 408: Child Labor 2016 and GRI 409: Forced and Compulsory Labor 2016; consider removal, move to Leading Practice or separating into an additional Requirement related to annual training on child labour and modern slavery.
Leading Practice	• Requirements 1, 2 and 3: Move to Foundational or Good Practice Levels (three comments); and
	• Add additional Requirements including independent audits (three comments); addressing child labour outside of mining sector; awareness promotion at the community-level; requiring or encouraging stakeholder engagement; identification and management of child safeguarding and protection against sexual harassment, abuse and exploitation.

6.4.1.9 PERFORMANCE AREA 7: RIGHTS OF WORKERS

Intent *(as stated in the draft Standard)*

Respect workers' rights to fair and decent employment terms and their rights to freedom of association and collective bargaining. Prohibit, prevent and remedy workplace discrimination and harassment and provide an effective mechanism to address worker grievances. These requirements are aligned with ILO Conventions 1, 14, 87, 95, 98, 100, 131 and 132.

152 total comments	45 respondents	2 Performance Area sections

Top 5 Stakeholder Groups Providing Comments		
Upstream Mining Industry	40	
NGO/CSO	30	
Consultancy	15	
Government	13	
All other types	54	

Number of Comments on Performance Area Sections

Feedback Summary

7.1 Workers Rights

- Stakeholders expressed support for this section and provided suggestion to strengthen the Requirements.

- Provide greater clarity across Requirements, including definitions and terminology.

- Include reference to the ILO Fundamental Principles and Rights at Work.

- Require implementation and not just commitments as Foundational Practice.

- Clearly define and clarify the applicability of Requirements in this Section to contractors and suppliers.

Feedback Summary

- Comments from all stakeholder groups suggested moving Requirements from Good Practice to Foundational Practice, and from Leading Practice to Good Practice (further detail provided below).

- Add additional Requirements at the Good and Leading Practice Levels and align to international best practice. Upstream Mining Industry stakeholders requested flexibility on specific limits on working hours and overtime, as this will vary depending on jurisdiction and operating circumstances, such as 'fly-in, fly-out'.

7.2 Grievance Mechanism

- Apply the grievance mechanism Requirements consistently across this and other relevant Performance Areas and ensure alignment with the UNGPs.

- Integrate gender-responsive and anti-harassment considerations into the Requirements.

- Add additional requirements at the Foundational Practice Levels (specific examples included consultation, disclosure, and anonymity).

- Move several Requirements from Good and Leading Practice to Foundational and Good Practice.

Detailed Feedback by Section

General or Overarching	
All Sections	• Align with ILO Fundamental Principles, European Financial Reporting Advisory Group worker definitions, GRI reporting Requirements, IFC Performance Standard 2 and UNGPs; and • Add additional gender considerations and gender-sensitive language.

7.1 Workers' Rights Risk, Mitigation and Operational Performance	
General or Overarching	• Reduce number of Requirements; and • Add suggested additional Requirements including disclosure of education and skills training and capacity and institutional programming aligned with ICMM.
Foundational Practice	• Requirement 1: reference ILO Fundamental Principles; add suggested additions, including commitments to no forced labour, protection for whistleblowers and no undermining of collective bargaining; • Requirement 3: refine language to accommodate legislation and terminology differences; consider rephrasing to focus on freedom from discrimination; and

7.1 Workers' Rights Risk, Mitigation and Operational Performance

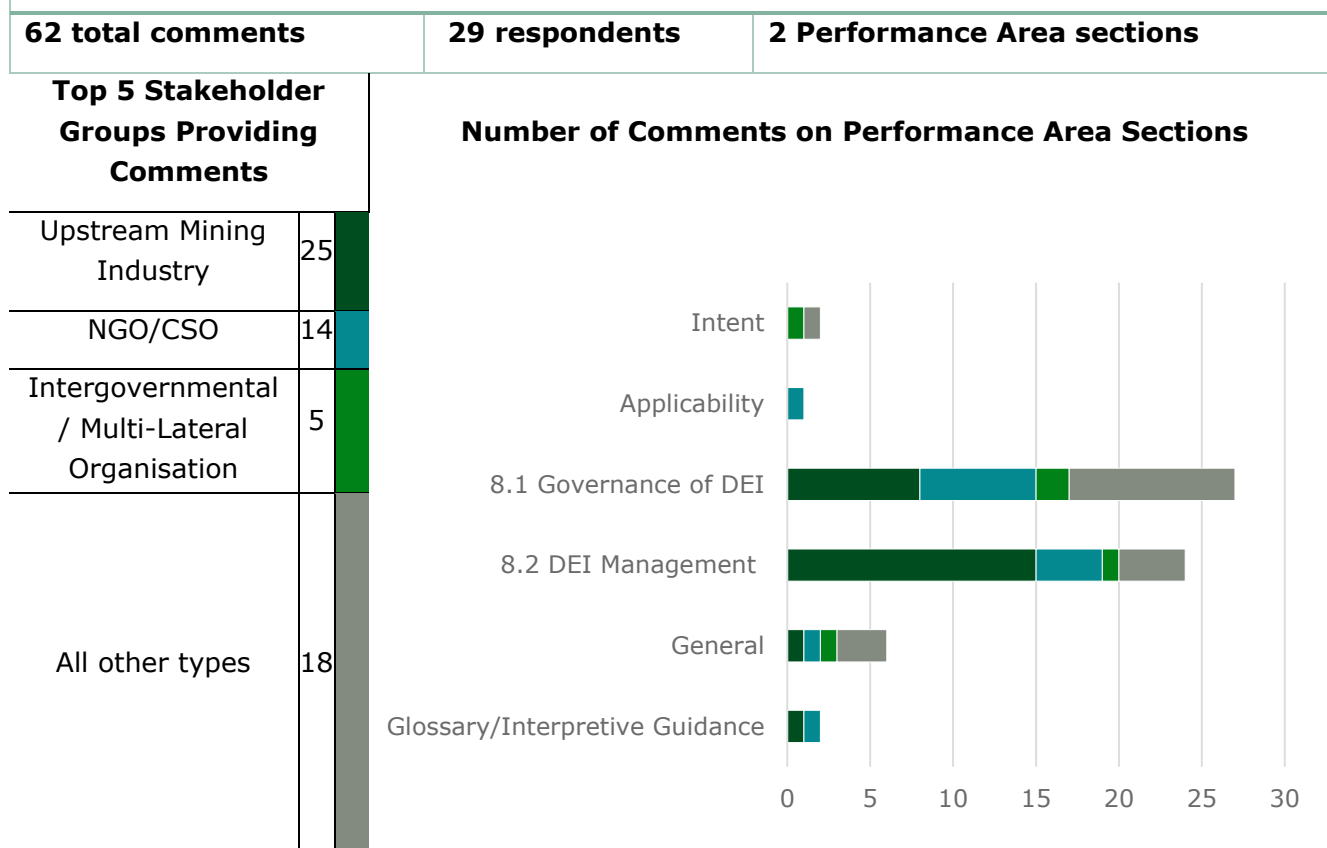|	
	• Strengthen Foundational Level by requiring both policy and implementation or adding additional Requirements such as pay equity, training, organised labour and employer neutrality.
Good Practice	• Requirement 1: align language on identifying, assessing and prioritising risk with UNGPs; • Requirement 2: extend protection from discrimination and harassment to all employees; • Requirement 4: move to Foundational Practice (two comments); consider removing specific mention of part-time workers; • Requirement 5: move to Foundational Practice (two comments); consider jurisdictional and cultural variations in approach to DEI; incorporate indirect hires; • Requirement 8: incorporate considerations for gender-sensitive and equitable access; add suggested additions including technology access and adequate sleep facilities; • Requirements 9, 10 and 11: refine or remove specific hour limits to accommodate local legislation and overtime practices; • Requirement 12: move to Foundational Practice Level (two comments); • Requirement 13: clarify language and include commitment to nonretaliation; • Requirement 15: include zero tolerance for debt bondage; and • Reequipment 17: clarify language, including 'employment practices'.
Leading Practice	• Requirement 3: move to Good Practice Level (five comments) or remove (one comment); • Requirement 4: strengthen Requirement for Leading Practice Level alignment and/or refine to accommodate varying expectations in different jurisdictions; • Requirement 5: clarify whether time off to exercise political rights is paid or unpaid; and • Requirements 7 and 8: move to Good or Foundational Practice Level (four comments).

7.2 Grievance Mechanism for Employees and Contractors (Workers)
General or Overarching	• Incorporate gender-inclusive language commitment to nonretaliation.
Foundational Practice	• Add specific clarifications on minimum expectations for grievance mechanisms including anonymous reporting option; consultation with workers in design phase; basic access to remedy; workers access to relevant policies and local rights; corporate-level monitoring; independent evaluations; and public disclosures that are accessible and understandable to employees.
Good Practice	• Add specific clarifications on accessibility; confidentiality; engagement with stakeholders and workers; reporting and disclosure expectations; and • Move Requirements to Foundational Practice Level or strengthen to meet Good Practice Level (two comments).
Leading Practice	• Requirement 1: refine to incorporate transparency and inclusiveness; and • Requirements 2 and 4: move to Good Practice Level (one comment).

6.4.1.10   PERFORMANCE AREA 8: DIVERSITY, EQUITY, AND INCLUSION

Intent *(as stated in the draft Standard)*

Implement strategies, initiatives, and processes to promote diversity, equity, and inclusion in the workplace.

62 total comments	29 respondents	2 Performance Area sections

Top 5 Stakeholder Groups Providing Comments		Number of Comments on Performance Area Sections
Upstream Mining Industry	25	
NGO/CSO	14	
Intergovernmental / Multi-Lateral Organisation	5	
All other types	18	

Feedback Summary

- Require implementation (not just commitments) as Foundational Practice, particularly regarding integration and measurement.

- Comments from Indigenous Peoples, NGOs and Industry suggested moving Requirements from Good Practice to Foundational Practice and from Leading Practice to Good Practice (further details provided below).

- Add additional Requirements at the Leading Practice Level were suggested by Industry and NGO stakeholder groups (specific examples were given related to Board communication and specific targets).

- Provide greater clarity and guidance for DEI metrics and public disclosures and also for expectations beyond workers, such as suppliers and contractors.

- Provide stronger links to other Performance Areas (such as Responsible Supply Chains, Indigenous Peoples, and Human Rights).

Feedback Summary
• Provide greater consistency between corporate and facility-level Requirements.

Detailed Feedback by Section

8.1 Governance of Diversity, Equity, and Inclusion (Corporate-Level)	
Foundational Practice	• Add measurable objectives or minimum Standards for accountability; • Add data collection on DEI metrics, such as pay equity, workplace satisfaction and retention rates for underrepresented groups; • Clarify specific management responsibilities and accountabilities at Board and Corporate levels; and • Specify how DEI commitments are integrated into governance or decision-making structures beyond management accountabilities.
Good Practice	• Requirement 1: move to Foundational Practice (two comments); and • Requirement 6: conflicting input on public disclosure, with one comment recommending Leading Practice and one comment recommending splitting public disclosure and integration of relevant governance and business processes into two Requirements.
Leading Practice	• Requirement 1: move to Good Practice Level (one comment); provide specific guidance on review methodologies and processes; • Requirement 2: move to Good Practice Level and/or strengthen Requirement at Leading Practice Level (two comments); and • Conflicting input on whether and how DEI goals should be quantified.

8.2 Diversity, Equity, and Inclusion Management (Facility-Level)	
General or Overarching	• Assure at the Corporate Level.
Foundational Practice	• Requirement 5: Clarify language related to diversity metrics; clarify level of standardisation for metrics.
Good Practice	• Requirement 3: Make training Requirements less prescriptive, including changing 'workers' to 'employees' to remove requirement to train contractors; • Requirement 4: conflicting input on suppliers' and contractors' DEI relationship, including suggestion to move to Foundational Level, making it risk-based to apply only to significant suppliers and requiring (rather than encouraging) this for suppliers and contractors;

8.2 Diversity, Equity, and Inclusion Management (Facility-Level)

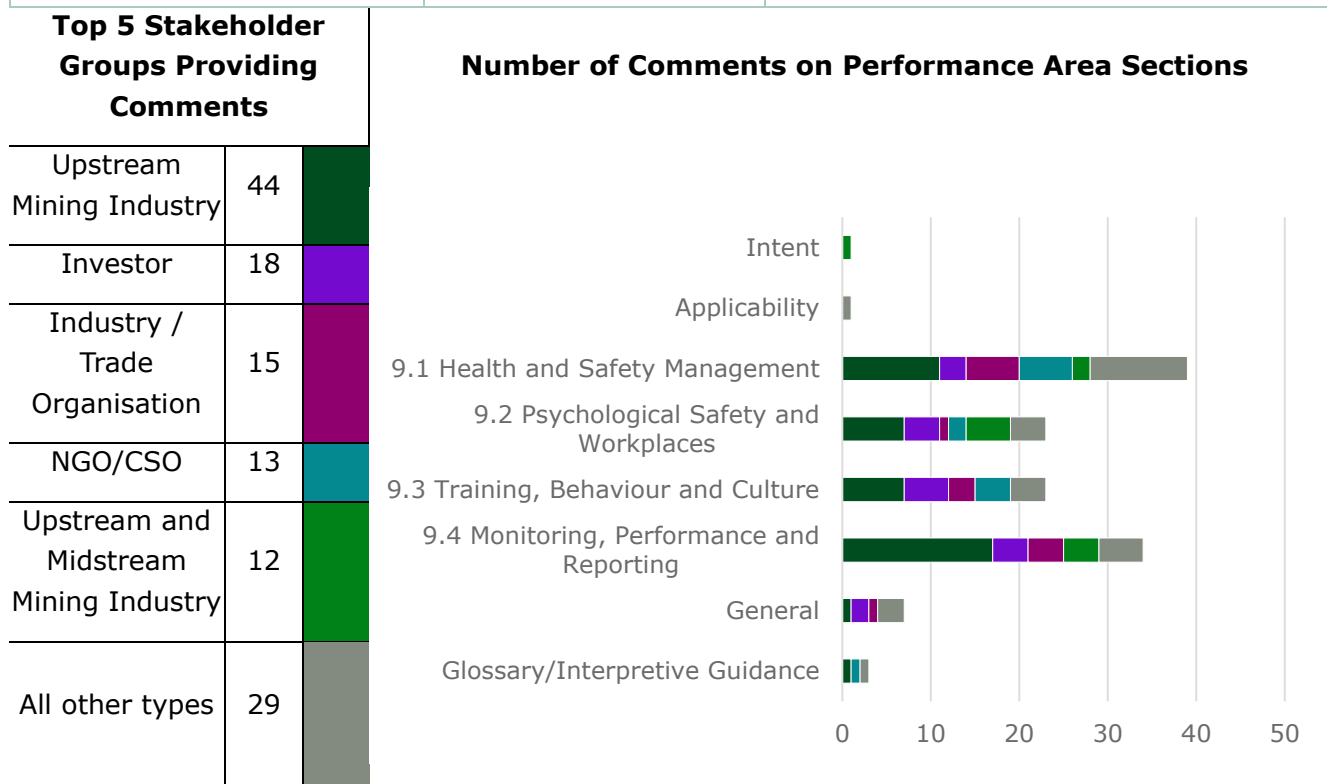|	
	• Requirement 6: clarify corporate-level Requirement or move to Section 8.1; and • Add reference to GRI 405: Diversity and Equal Opportunity and add requirement providing reasonable adjustments to workers with disabilities, pregnant workers and workers with caring responsibilities.
Leading Practice	• Requirement 2: Move to Good or Foundational Level (two comments) and remove 'DEI lens'; • Requirement 3: combine with Requirement 2; and • Requirement 4: move to Section 8.1; refine for auditability.

6.4.1.11   PERFORMANCE AREA 9: SAFE, HEALTHY AND RESPECTFUL WORKPLACES

Intent *(as stated in the draft Standard)*

Protect, promote, and sustain the physical and psychological health and safety of workers by implementing a system to prevent and mitigate health and safety risks, with the goal of eliminating fatalities, preventing occupational injuries, illness and disease, and to foster care and respect within a positive health and safety culture. These requirements are aligned with ILO Conventions 155, 187 and 176.

131 total comments	46 respondents	4 Performance Area sections

Top 5 Stakeholder Groups Providing Comments		
Upstream Mining Industry	44	
Investor	18	
Industry / Trade Organisation	15	
NGO/CSO	13	
Upstream and Midstream Mining Industry	12	
All other types	29	

Number of Comments on Performance Area Sections

Feedback Summary

- Provide greater clarity on definitions and give specific examples, especially for terms like 'oversight', 'psychosocial hazards' and 'qualified hygienist'.

- Add additional Requirements for comprehensive training programmes and competency assessments to ensure effective implementation of safety practices.

- Incorporate feedback mechanisms to foster inclusive environments and improve policies.

- Comments from various stakeholder groups identify the need to include independent reviews and audits to ensure the effectiveness of health and safety controls.

Feedback Summary

- Commentors from NGO/CSOs suggest clarification of language around cultural and contextual factors, such as gender-specific needs and culturally appropriate psychological support.

- Increase transparency and public disclosure of health and safety performance, including psychological safety.

Detailed Feedback by Section

9.1 Health and Safety Management	
General or Overarching	• Add suggested Requirements including worker and trade union representation, such as a joint health and safety committee; health and safety risk assessment; communication or alarm system to report unsafe operations; worker training on climate-related health and safety risks; specific provisions for pregnant workers and worker with chronic illness.
Foundational Practice	• Clarify and align language with Intent, such as: specifying both physical and psychological health, commitment to goals mentioned in Intent, and clarifying 'industrial hygiene'; • Requirement 6: clarify language around 'at no cost' to workers; clarify gender-sensitive language and provisions, such as gender-specific needs based on cultural context, access to menstrual products and access to lactation area; and • Add Requirements for metrics, such as number of accidents and fatalities; strengthen cooperation between workers, subcontractors and facility on health and safety.
Good Practice	• Requirement 1: move to Foundational Practice Level (one comment); strengthen Requirement with ILO language; and • Requirement 2: split verifications list into multiple Requirements, especially ergonomics and improvement plan development; amend specific title / qualifications of qualified industrial hygienist; conflicting input whether Requirement should move to Foundational or Leading Practice Level.
Leading Practice	• Requirement 1: move to Good Practice Level (three comments); establish 12-month interval for independent review; and • Requirement 2: clarify difference from Good Practice Requirement 2c; clarify and define 'oversight' and 'qualified hygienist'.

9.2 Psychological Safety and Respectful Workplaces

General or Overarching	• Clarify or rearrange Requirements at all three Practice Levels to clearly demonstrate expectations at each Level; • Clarify any overlaps with other Performance Area 9 Sections, especially Requirements related to overall health and wellbeing that could also be placed in Section 9.1; and • Incorporate gender-sensitive criteria, such as including workers of all genders in consultation and surveys on health and safety.
Foundational Practice	• Requirement 1: move to Good Practice Level (three comments).
Good Practice	• Move several Requirements (including Requirements 1, 2, 3 and 4) to Foundational Practice Level; • Requirement 5: clarify 'trauma-informed processes'; and • Add suggested Requirements, including accountabilities for implementing policies related to psychological safety; disclosure of deployment of psychologist; ergonomic practices; and canteen facilities.
Leading Practice	• Requirements 3 and 4: move to Good Practice Level; and • Requirement 6: clarify 'promote and support psychological safety' or remove Requirement.

9.3 Training, Behaviour and Culture

General or Overarching	• Review for duplicity with other Performance Areas; and • Add suggested Requirements such as: working with union and community representatives on training; offer bystander training.
Foundational Practice	• Align any Requirements related to psychological safety with Requirements from Section 9.2; • Clarify 'basic training' and/or provide guidance on interpretation; and • Add suggested Requirements, such as awareness materials on recognising and reporting psychological hazards.
Good Practice	• Requirement 1: clarify language throughout Requirement details, such as specifying risk-based post-training competency assessments; specifying training for senior and middle management; and flagging safety concerns.

9.3 Training, Behaviour and Culture	
Leading Practice	• Requirements 1 and 2: move to Good Practice Level (four comments); provide specific guidance or examples of demonstrating commitments to clarify for auditability; and • Requirement 3: specify interval for independent review, such as 12 months.

9.4 Monitoring, Performance and Reporting	
General or Overarching	• Clarify and align Requirements related to fatalities across Levels.
Foundational Practice	• Add disclosure of health and safety performance.
Good Practice	• Requirements 1 and 2: clarify or reconsider public disclosure and reporting of psychological safety in relation to: privacy issues; potential effects on overall psychological safety; specific metrics; • Requirement 5: conflicting input on zero fatalities metric, including: recommendation to move to Foundational Practice Level; recommendation to remove Requirement; change more proactive language, such as strengthening monitoring, control and cross-check systems to prevent fatalities; and • Requirement 6: move to Foundational Practice Level (five comments); clarify expectations between Requirement 5 and 6; add commitment to publicly report outcomes to investigation and mitigation actions.
Leading Practice	• Requirement 1: move to Good Practice Level or remove; change basis of Requirement to focus on a practice rather than outcome of zero fatalities; and • Requirement 2: change three-year audit timeline to annual audit.

6.4.1.12 PERFORMANCE AREA 10: EMERGENCY PREPAREDNESS AND RESPONSE

Intent *(as stated in the draft Standard)*

Protect the health and safety of workers and those at risk, including communities and the environment in the event of an emergency, by implementing a system to manage emergency responses.

77 total comments	33 respondents	1 Performance Area section

Top 5 Stakeholder Groups Providing Comments	
NGO/CSO	18
Consultancy	15
Upstream Mining Industry	14
Midstream and Downstream Mining Industry	7
All other types	23

Number of Comments on Performance Area Sections
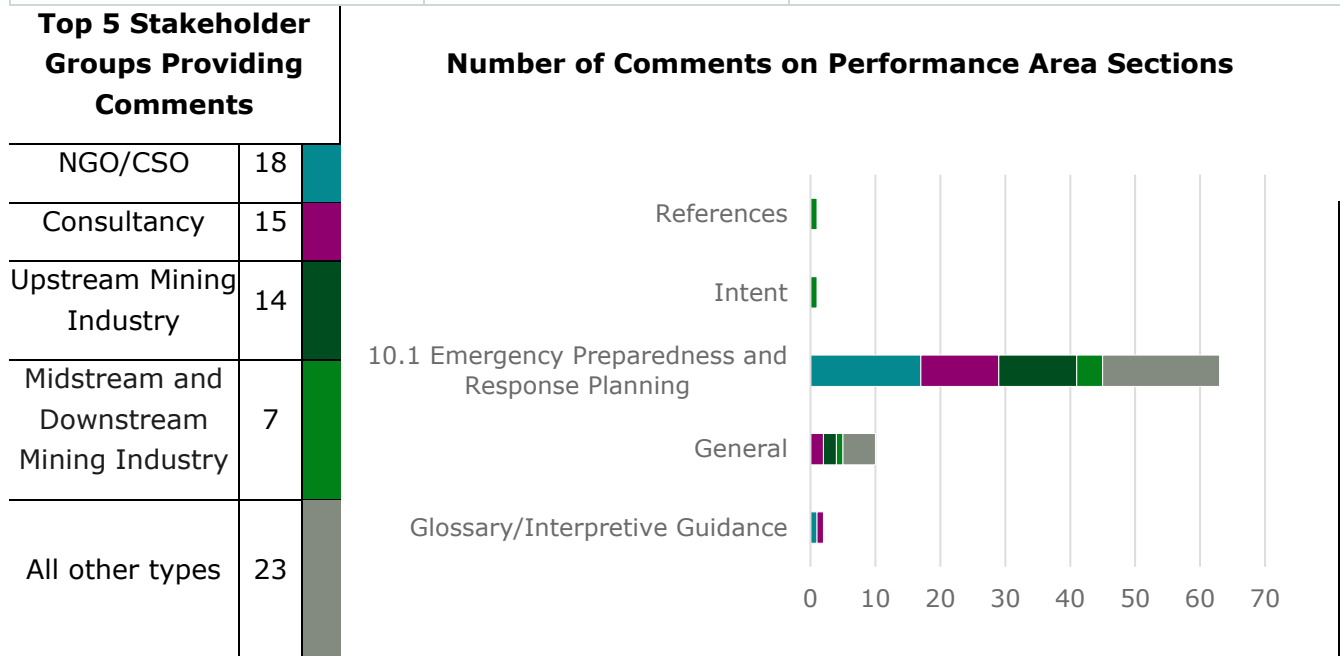
Feedback Summary

- Commentors from academia recommend expanding emergency preparedness to address emerging global risks like pandemics, cybersecurity threats and geopolitical unrest and ensure long-term recovery plans are in place.

- Ensure emergency response planning and response includes engagement with stakeholders, including local communities, throughout all phases.

- Provide clarity on the differentiation between corporate and community risks, and alignment with other Performance Areas and international Standards.

- Commentors from various stakeholder groups recommend including Requirements for regular training and simulations involving all relevant stakeholders to ensure preparedness and effective response.

- Ensure compliance with local and international regulations and updating plans based on changes in statutory Requirements and local conditions.

- Expand planning for worst-case scenarios to consider climate-related risks and continuously improve emergency response capabilities.

Detailed Feedback by Section

10.1 Emergency Preparedness and Response Planning	
General or Overarching	• Add Requirements, such as strategies for responding to global risks, including pandemics, cyber security risks and geopolitical unrest; engagement with stakeholders at all lifecycle phases; cooperation with workers and emergency services; gender-sensitive emergency response; clear and understandable language with translation available for communities; risk assessment and/or due diligences processes for climate, water, biodiversity and human rights risks; • Review for consistency and overlap with 1.5 Crisis Management and Response; and • Clarify language and/or separate Requirements as needed to address differences between crisis management and emergency response.
Foundational Practice	• Requirement 1: add extreme weather events and wildfires, failure of tailings storage facility, workers strikes and training and simulations with communities; • Requirement 2: clarify required capabilities, internal and external resources, and specified timeline for conducting assessment, such as annually and after materials condition changes;

10.1 Emergency Preparedness and Response Planning

	• Requirement 3: align with Requirements in Section 1.5 Crisis Management and Communication; incorporate a response process; add Indigenous communities to list of stakeholders to be notified; • Requirement 4: clarify role of facility emergency and crisis response team relationship with corporate-level response; and • Add Requirements for monitoring data, such as water levels to trigger emergency.
Good Practice	• Move Requirements 1, 3, 5, 6 and 7 to Foundational Practice Level; • Requirement 2: conflicting input on system testing interval, with one suggestion for removal, one suggestion for annual and one suggestion for risk-based interval; • Requirement 6: clarify engagement with potentially affected communities in emergency response design, including change to 'co-develop'; • Requirements 7 and 9: clarify language and/or split into separate Requirements for emergency response and crisis response; and • Add Requirements related to affected communities, such as creating register of population living within critical safety zones; public emergency response plans in local languages; commit to responsibility for taking steps necessary to save lives and provide humanitarian aid.
Leading Practice	• Requirement 1: conflicting input on simulation exercise timeline, with one suggestion for annual and one suggestion for every three years; split Requirement as related to crisis simulation and emergency simulation; • Requirement 2: clarify facility or corporate-level language and update based on material changes within year; and • Add Requirement to provide funding for community emergency response plans and supplies.

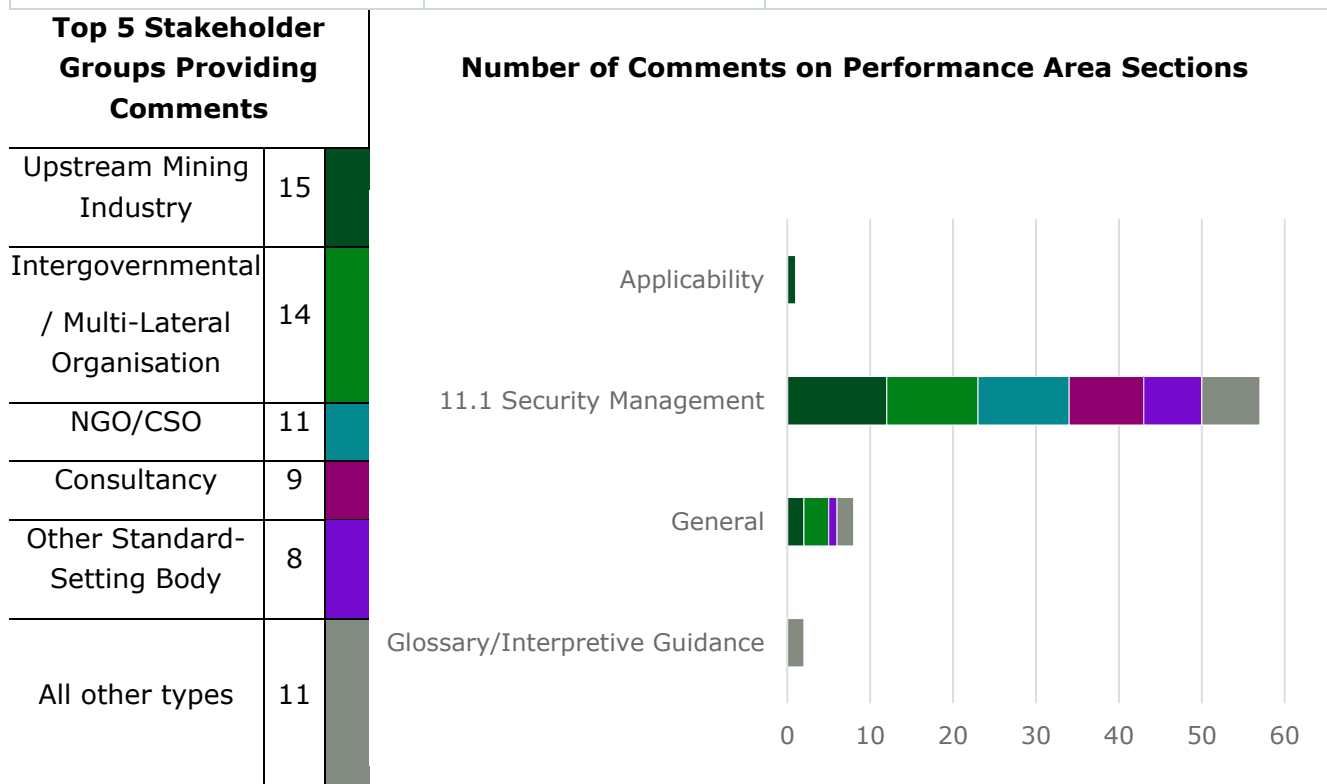## 6.4.1.13   PERFORMANCE AREA 11: SECURITY MANAGEMENT

Intent *(as stated in the draft Standard)*

Implement the Voluntary Principles on Security and Human Rights to prevent, mitigate and if necessary, remedy human rights risks and impacts associated with the provision of security at the Facility.

68 total comments	28 respondents	1 Performance Area section

Top 5 Stakeholder Groups Providing Comments		
Upstream Mining Industry	15	
Intergovernmental / Multi-Lateral Organisation	14	
NGO/CSO	11	
Consultancy	9	
Other Standard-Setting Body	8	
All other types	11	

Number of Comments on Performance Area Sections

Feedback Summary

- Move several Requirements from Good and to Foundational Practice (such as International Code of Conduct Association [ICoCA] membership for private security providers, and 'require' this instead of 'encourage' it') and from Leading to Foundational Practice (such as stakeholder engagement) in alignment with the Voluntary Principles on Security and Human Rights (VPSHR).

- Add additional Requirements at the Foundational Practice Level (specific examples were given related to vulnerable groups, ASM, use of force and CAHRAs). Provide more detail on specific aspects of VPSHR implementation, such as background checks, contractual Requirements and stakeholder engagement.

- Intergovernmental / Multi-Lateral Organisation and NGO/CSO commentors suggested adding international humanitarian law, ICoCA and DEI to the training Requirements.

Feedback Summary

- Provide an alternative to memorandums of understanding with public security providers, as this is not always possible in different operating contexts and jurisdictions. Consider more prescriptive terms than 'urge' or 'encourage'.

Detailed Feedback by Section

11.1 Security Management	
General or Overarching	• Provide guidance and references on what constitutes a human rights risk in relation to security.
Foundational Practice	• Requirement 1: clarify language or split into two Requirements the positive commitment for VPSHR implementation and the commitment to not support non-State armed groups or security forces; • Requirement 2: specify transportation security, conflict analysis for high-risk areas and special attention to risks to women, children and lesbian, gay, bisexual, transgender, queer, intersex and asexual people (i.e. LGBTQIA+) communities in risk assessments; • Requirement 4: clarify language to specify a 'process to inform' or change inform to 'coordinate and cooperate' to emphasise proactive action; and • Add additional Requirements, such as rules regarding use of force; respect for international humanitarian law; require private security providers to join Responsible Security Association (e.g. ICoCA) (three comments).
Good Practice	• Requirement 1: move to Foundational Level; conflicting input on formatting for clarity on consistency with VPSHR, with one comment recommending Requirements 2, 3 and 4 becoming subpoints of Requirement 1 and one comment recommending additional criteria from VPSHR be added to the Requirements; • Requirement 2: replace 'urge' with a clearer term; add communication and alignment with private security providers; • Requirement 3: specify applicability to environmental and human rights defenders; add impacts of security arrangements to vulnerable groups • Requirement 6: add DEI, ICoCA bystander and international humanitarian law training; • Requirement 7: require private security providers to implement the International Code of Conduct and meet VPSHR; and • Add additional Requirements, such as building on Foundational Practice on risk assessment; due diligence and background checks on security

11.1 Security Management	
	providers; heightened human rights due diligence in high-risk areas; and stakeholder engagement.
Leading Practice	• Requirement 1: move to Good or Foundational Practice Level; incorporate stakeholder engagement and consultation; • Requirement 2: modify to reflect that MoU is not always possible due to government policies; • Requirement 4: require private security providers to join ICoCA rather than implement; and • Add additional Requirements, such as clear expectations on implementation of VPSHR, including engaging and supporting in-country working groups on VPSHR; stakeholder engagement for security-related matters.

6.4.1.14   PERFORMANCE AREA 12: STAKEHOLDER ENGAGEMENT

Intent *(as stated in the draft Standard)*

Implement an inclusive and effective stakeholder engagement process to enable early and ongoing participation of Facility-level stakeholders and rights holders in decisions that affect them.

118 total comments	48 respondents	1 Performance Area section

Top 5 Stakeholder Groups Providing Comments		**Number of Comments on Performance Area Sections**
Upstream Mining Industry	44	
Consultancy	23	
NGO/CSO	23	
Midstream and Downstream Mining Industry	5	
All other types	23	
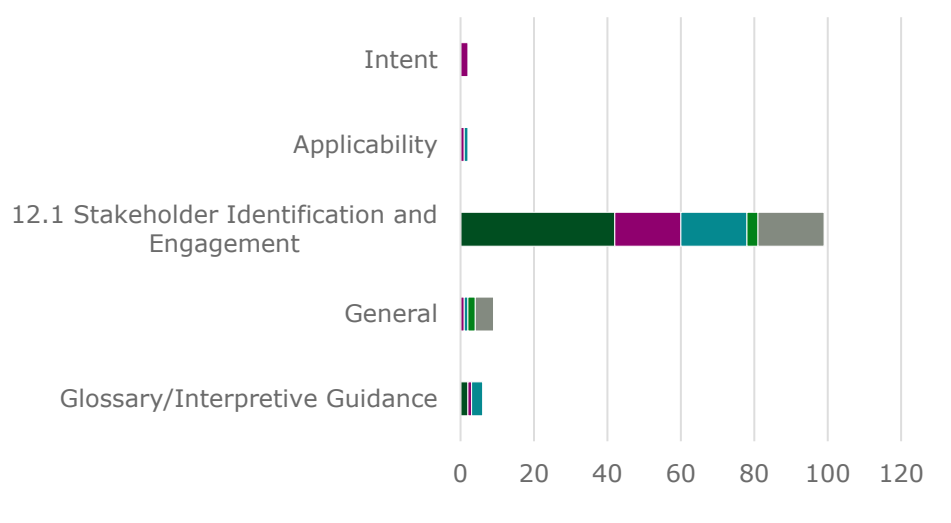
Feedback Summary

- Align Practice Levels in this Performance Area to engagement Requirements in the other Performance Areas.

- Provide clear definitions and guidance aligned to international best practice such as UNGPs, OECD MNE 2023; OECD Due Diligence Guidance for Meaningful Stakeholder Engagement in the Extractives Sector, IFC Performance Standard 1 and the EITI principles of multi-stakeholder governance.

- NGOs and Investors suggested that a number of Requirements in Leading Practice should be moved to Good Practice.

- Some stakeholders suggested that Requirements in Good Practice should be moved to Foundational Practice, while others suggested Requirements be moved to Leading Practice.

- Upstream Mining Industry stakeholders noted that an annual review interval for stakeholder mapping is too frequent, and this cadence should be adjusted.

Detailed Feedback by Section

12.1 Stakeholder Identification and Engagement	
General or Overarching	• Align Performance Level of Requirements on with stakeholder engagement practices in other Performance Areas; • Add references to UNGPs, OECD MNE 2023; OECD Due Diligence Guidance for Meaningful Stakeholder Engagement in the Extractives Sector TNFD Guidance, IFC Performance Standard 1 and the EITI principles of multi-stakeholder governance; • Use 'rights holders' in addition to 'stakeholders'; and • Review and revise Portuguese translations.
Foundational Practice	• Requirement 1: clarify 'transparent engagement;' define 'local stakeholders' or remove to capture nonlocal stakeholders; add identifying area of influence; add engagement with First Nations in relation to invasive species management plans; align stakeholder engagement with grievance processes; • Requirement 2: change or remove 'legitimate' representatives; remove specification for women, vulnerable and/or underrepresented groups; clarify 'directly,' 'indirectly' and 'potentially' affected stakeholders; provide additional guidance and methodology on stakeholder mapping; • Requirement 3: remove Requirement (one comment); revise and clarify language on engagement to align with UNGPs and provide further guidance; • Requirement 4: clarify materials should be available in multiple formats, in local languages and co-designed with impacted rights holders; clarify 'meaningful information' and 'timely manner'; add language on responding to and incorporating / not incorporating stakeholder feedback; • Add Requirement to assign appropriate resources, responsibilities and accountabilities to stakeholder engagement staff; and • Add more detail on implementation of meaningful engagement processes.
Good Practice	• Requirement 1: move to Foundational Practice Level (one comment); add effective dialogue with local communities; add cultural appropriateness; add documentation of engagement process; • Requirement 2: move to Foundational Practice Level (three comments); add updates to engagement plan;

12.1 Stakeholder Identification and Engagement

	• Requirement 3: define intervals for engagement plan updates; require stakeholder feedback on updates; conflicting input on review interval from 24 to 36 months; include rights holders;
	• Requirement 4: revise language to include outcomes, effectiveness and continuity of process; include rights holders;
	• Requirement 5: include training for suppliers, consultants, agents and contractors;
	• Requirement 6: move to Leading Practice Level (one comment); move to Foundational Practice Level (one comment);
	• Requirement 7: move to Leading Practice Level (one comment); move to Foundational Practice Level (one comment) add identifying and addressing barriers to participation; add vulnerable groups;
	• Requirement 8: add monitoring and evaluation mechanisms; include outcomes and responses to stakeholder feedback, including how feedback influenced decision-making; address potential risks for stakeholder fatigue; and
	• Add Requirement on external reporting on engagement activities, outcomes and effectiveness.
Leading Practice	• Requirement 1: move to Good Practice Level (one comment); clarify whether co-design of the joint decision-making process or the co-design of the Facility's activities; include implementation of continuous feedback mechanism;
	• Requirement 2: move to Good or Foundational Practice Level; clarify intent of Requirement;
	• Requirement 3: move to Good Practice Level; specify review interval; specify making changes to processes following independent review;
	• Add Requirements, such as providing training to stakeholders and rights holders on advocacy; provide management with nonlinear dialogue training; ensuring feedback loops and clear integration of feedback; and
	• Incorporate more specificity for engagement with Indigenous stakeholders.

6.4.1.15 PERFORMANCE AREA 13: COMMUNITY IMPACTS AND BENEFITS

Intent *(as stated in the draft Standard)*

Engage communities to identify and address community impacts and contribute to the economic and social benefits of affected communities by identifying their development priorities and supporting lasting social and economic wellbeing.

192 total comments	54 respondents	2 Performance Area sections

Top 5 Stakeholder Groups Providing Comments		Number of Comments on Performance Area Sections
Indigenous Peoples / Organisation	41	
NGO/CSO	35	
Upstream Mining Industry	31	
Consultancy	28	
All other types	57	
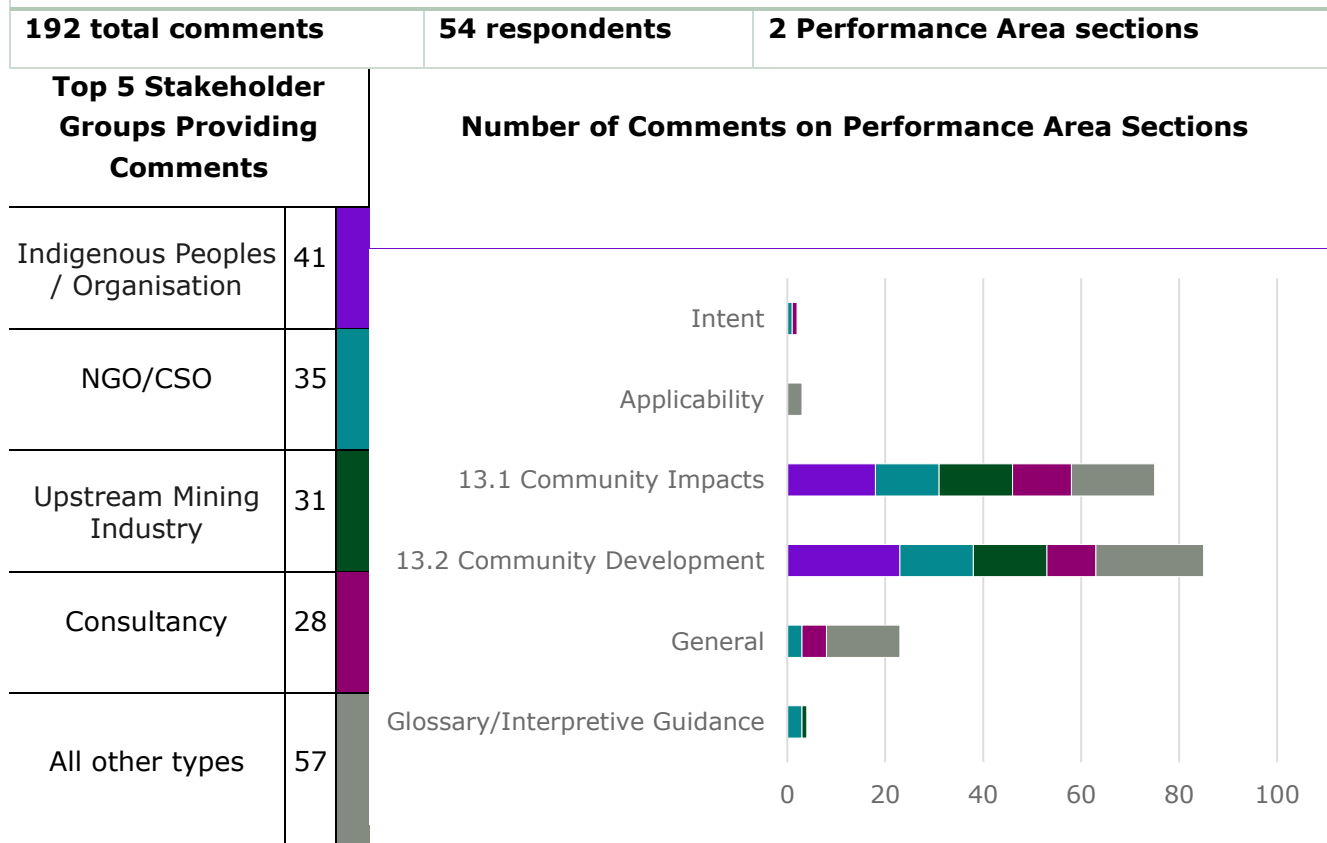
Feedback Summary

13.1 Identify and Address Community Impacts

- Provide clear guidance to support Foundational Practice Requirement 1 (risk identification) to align with international best practice and include consultation with stakeholders to facilitate identification of full spectrum of potential risks.

- Where impacts involve Indigenous Peoples, management measures should be co-designed with Indigenous Peoples, and implementation and monitoring of management measures should involve Indigenous Peoples.

13.2 Community Development and Benefits

- Socioeconomic baseline data should include culturally relevant indicators for communities that reflect contextual, unique or Indigenous measures of socioeconomic wellbeing.

Feedback Summary

- Include Requirements that support capacity building and empowerment, not just local employment.

- Industry stakeholders commented that some of the Foundational Practice Requirements in this Section are not applicable to smaller operations.

- This Section should be reviewed to consider the mine lifecycle and the balance between creating employment and creating dependency.

Detailed Feedback by Section

All Sections	
General or Overarching	- Define 'impacts' and 'outcomes'; - Require community agreements to be based on FPIC; - Ensure Performance Area covers through to closure; - Require procurement initiatives to be reported against gender and ethnicity (ICMM Indicator 7/8); - Change 'adverse impacts' to 'harm' and 'harm avoidance'; - Incorporate further disclosure Requirements; - Make Requirements more gender-responsive and inclusive; and - Ensure disclosure of social and environmental expenditures align with EITI 4.6, 5.2 and 6.1; add references to GRI, Local Procurement Reporting Mechanism (LPRM), EITI and the Canadian Institute of Mining, Metallurgy and Petroleum.

13.1 Identify and Address Community Impacts	
General or Overarching	- Move Good and Leading Practices to Foundational Practice Level; and - Address inconsistencies with Performance Areas in consideration of human rights and stakeholder engagement.
Foundational Practice	- Requirement 1: include identification of cultural and nonmaterial risks, particularly for Indigenous Peoples and Indigenous-managed lands; align with UNGPs; include consultation and engagement with stakeholders to identify risks; - Requirement 2: frame with mitigation hierarchy; align with UNGPs; specify prevention and mitigation for Indigenous-managed lands and culturally significant sites; include risks and impacts related to invasive species; require prevention, mitigation and reduction of impacts;

13.1 Identify and Address Community Impacts

	• Requirement 3: publicly report on impacts and progress as required under UNGP 21; require seeking feedback from stakeholders on effectiveness of impact mitigation; and
	• Add Requirements, such as public commitment to avoiding harm; Social Impact or Social Performance Management Plans; further specifications on engagement and consultation with stakeholders in identifying risks and impacts.
Good Practice	• Requirement 1: move to Foundational Practice Level (four comments); specify engagement with Indigenous Peoples and FPIC; include process to monitor adverse impacts;
	• Requirement 2: move to Foundational Practice Level (two comments); conflicting feedback, with one comment requesting removal and other comments supporting intent and requests for strengthening the Requirement;
	• Requirement 3: specify co-design of action plans with Indigenous Peoples;
	• Requirement 4: incorporate a gender-sensitive monitoring process; require external communications on progress and effectiveness; include Indigenous-led or co-managed monitoring;
	• Add Requirements, such as social transition plan in advance of closure; measures to address cumulative impacts; require independent reviews of mitigation effectiveness; funding or other support as needed to enable communities to effectively participate; and
	• Clarify language to support meaningful engagement.
Leading Practice	• Requirement 1: move to Foundational; Practice Level (one comment); explicitly include Indigenous-led reviews on impacts;
	• Requirement 2: specify sharing monitoring results; link to monitoring community complaints;
	• Requirement 3: align with Indigenous Peoples' governance models and stewardship practices; and
	• Add Requirements, such as managing cumulative effects with governments and other industries; co-design of preventative and mitigation measures; specific indicators for key potential impacts.

13.2 Community Development and Benefits

General or Overarching	• Introduce specific, measurable targets for local employment and procurement.
Foundational Practice	• Requirement 1: specify community-defined priorities, including Indigenous Peoples; specify accessibility of public disclosure; • Requirement 2: move to Good or Leading Practice Level (one comment); incorporate Indigenous-defined indicators; • Requirement 3: refine language to include local employment plan and tracking; consider closure impacts and balance throughout lifecycle; • Requirement 4: specify access to procurement and contracting opportunities for Indigenous Peoples' enterprises; consider definition/phrasing of 'local enterprises'; and • Requirement 5: move to Good or Leading Practice Level (two comments); prioritise Indigenous-led initiatives.
Good Practice	• Requirement 1: incorporate gender-sensitivity and specify Indigenous Peoples involvement; require community dialogue with independent advice for negotiating impact and benefit agreements; • Requirement 2: specify engagement with Indigenous Peoples; consider adaptability for facility size and social context; • Requirement 3: specify Indigenous governance bodies; consider adaptability for facility size and social context; • Requirement 4: clarify 'local' procurement and employment; add suppliers; codify with related policies and procedures; • Requirement 7: include commitment to publicly disclose performance • Requirement 8: change 'progress' to 'objectives'; • Requirement 9: align public disclosure with existing Standards, such as LPRM; • Requirements 4-9: specify programmes targeting Indigenous skill-building; • Add Requirements, such as availability of information related to procurement like a website; foster development through benefit sharing, value addition, technology transfer and economic diversification; • Incorporate gender equality, especially as related to procurement opportunities;

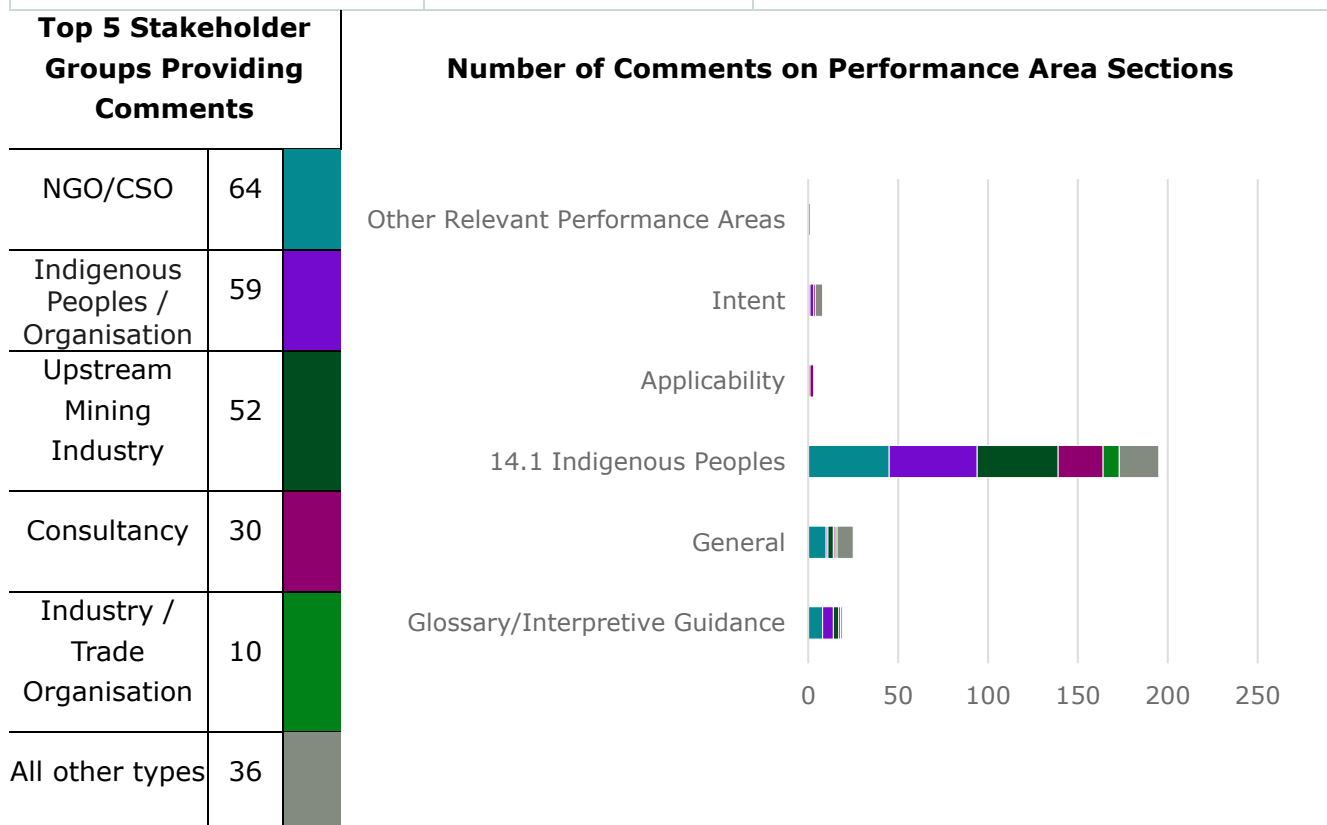| 13.2 Community Development and Benefits	
	• Add explicit inclusion of local procurement codified in policies and procedures across Requirements; and
	• Review Portuguese translations of Requirements 6, 7 and 9.
Leading Practice	• Requirement 1: move to Good Practice Level (four comments); add partnership and involvement in decision-making processes for community leadership; specify leading role for Indigenous Peoples where Indigenous lands, territories and resources are involved, including FPIC;
	• Requirement 2: move to Good Practice Level (three comments); specify cultural respectful training and self-defined economic roles for Indigenous Peoples; adjust wording to support larger economic system;
	• Requirement 3: move to Good Practice Level (two comments); clarify intended recipients of opportunities; incorporate Indigenous ecological knowledge and culturally relevant skill training; broaden to include long-term socioeconomic development; incorporate equitable access and equal opportunity;
	• Requirement 4: move to Good Practice Level (four comments);
	• Requirement 5: move to Good Practice Level (two comments); incorporate long-term community development opportunities into closure plans, including Indigenous-governed legacy funds and economic models; specify community engagement;
	• Add Requirements, such as disclose procurement data in accordance with the LPRM; and
	• Review Portuguese translation of Requirement 2.

6.4.1.16 PERFORMANCE AREA 14: INDIGENOUS PEOPLES

Intent *(as stated in the draft Standard)*

Respect Indigenous Peoples' rights by developing inclusive engagement processes and conducting human rights due diligence guided by the principles of Free, Prior, and Informed Consent (FPIC) and obtaining agreement with affected Indigenous Peoples that demonstrates their consent to anticipated impacts to their land or other rights.

251 total comments	61 respondents	1 Performance Area section

Top 5 Stakeholder Groups Providing Comments	
NGO/CSO	64
Indigenous Peoples / Organisation	59
Upstream Mining Industry	52
Consultancy	30
Industry / Trade Organisation	10
All other types	36

Number of Comments on Performance Area Sections

Feedback Summary

- Include the need to recognise and respect Indigenous Peoples' rights, including their right to self-determination and the principle of FPIC. Several respondents raised concerns that this need should not be presented as optional and to check for conflicts within the Requirements.

- Comments from industry highlight the importance of culturally appropriate engagement, inclusion of Indigenous knowledge and protection of cultural heritage.

- The need for alignment of the Standard with international norms and conventions to ensure robust protection of Indigenous rights was raised by commentors from the government.

- Comments raised concern on the need for ongoing dialogue, regular monitoring and review of agreements with Indigenous Peoples.

Feedback Summary

- NGO/CSO and Indigenous Peoples groups highlight the need for stronger language to ensure commitments are clear, nonnegotiable and enforceable.

Detailed Feedback by Section

14.1 Managing Engagement, Impacts and Opportunities with Indigenous Peoples	
General or Overarching	• Clarify overlap between Practice Levels and/or strengthen Requirements at Good and Leading Practice Levels; • Align with UNDRIP and other global Standards and international law; and • Clarify language on FPIC, including the definitions of 'Indigenous Peoples' and 'cultural heritage'.
Foundational Practice	• Requirement 1: Add specific reference to FPIC as one of UNDRIP's central 'principles' to avoid any potential risk of misinterpretation where consent becomes optional or negotiable (three comments); add collaboration with Indigenous Peoples on land, water and biodiversity; remove 'traditional'; • Requirement 2: expand and clarify to incorporate engagement that is structured, ongoing and conducted in adherence to the principle of FPIC; identification of Indigenous Peoples' lands, territories, resources and representative institutions; engagement throughout lifecycle; • Requirement 3: add specific reference to the principle of FPIC; • Requirement 4: conflicting input on whether Performance Area 14 should be combined with Performance Area 12 or strengthened with further detail on workers and other parties to receive training, frequency, scope, Indigenous input and expert professionals; and • Add additional Requirements, such as access to procurement and contracting opportunities; establish representative bodies, organisations or persons with a legislative or traditional right to represent Indigenous Peoples; appoint senior management member and create structure responsible to interaction with Indigenous Peoples and publicly report on practices; access to grievance mechanisms.
Good Practice	• Requirement 1: conflicting input on whether to remove or split into multiple Requirements due to length and complexity; incorporate protection and noninterference for Indigenous Peoples in voluntary isolation; • Requirement 2: move to Foundational Practice Level (three comments); clarify language related to the principle of FPIC;

14.1 Managing Engagement, Impacts and Opportunities with Indigenous Peoples

- Requirement 3: incorporate references to ILO Convention 169, UNDRIP and IFC Performance Standards; define 'relocation' and clarify that there should be no relocation without consent;

- Requirement 4: remove second sentence on permission (two comments); move to Foundational Practice Level; clarify language, including 'where appropriate,' 'voices,' 'knowledge' and 'perspective';

- Requirement 5: remove 'good faith';

- Requirement 6: change phrasing to clarify 'obtain agreement' in accordance with the principles of FPIC; strengthen documentation Requirements; add agreement on grievance and remediation mechanisms;

- Requirement 7: edit Requirement to ensure principles of FPIC are not presented as optional; consider removing Requirement;

- Consider combining Requirements 6, 7 and 8 and/or moving to Foundational Practice Level;

- Requirement 8: add 'co-design' of mechanisms with Indigenous Peoples; clarify overlap/redundancy with other Requirements, such as Performance Area 13; clarify language on business procurement opportunities;

- Requirement 9: specify collaboration with Indigenous Peoples and that all parties comprehend and agree to terms; specify data access, transparency, and corrective action for noncompliance;

- Requirement 10: clarify co-design of access protocols, referencing UNDRIP Articles 11 and 25 and ILO Convention No. 169, Article 15(1);

- Requirement 11: align with grievance mechanism processes in Performance Area 17; require co-development of grievance mechanism with Indigenous Peoples; incorporate zero tolerance for intimidation and reprisal; move to Foundational Level;

- Requirement 12: combine or address overlap with Foundational Practice 4; and

- Incorporate further language on engaging with Indigenous Peoples, protecting culture and traditions.

Leading Practice	- Requirement 1: clarify language and expectations that differentiate from Foundational and Good Practice Levels; move to Good or Foundational Level;

14.1 Managing Engagement, Impacts and Opportunities with Indigenous Peoples

- Requirement 2: move to lower Practice Level; clarify overlap with Good Practice Requirement 12;

- Requirement 3: add suggested additions such as Indigenous Peoples involvement in material and technical modernisation, environmental monitoring and economic development programmes within framework of agreements;

- Requirement 4: move to Good Practice Level or require independent rather than internal review; include hiring processionals with expertise in Indigenous relations and reviews with respect to gender and generational equity;

- Requirement 5: clarify overlap with other Requirements, such as Leading Practice 2 and Requirements in Performance Area 13; clarify 'associated facilities'; and

- Strengthen Leading Practice Level; potential additions include impact assessment processes and Territorial Management Plans with Indigenous Peoples involvement, youth training opportunities, partnership agreements and participation in broader reconciliation processes.

6.4.1.17   PERFORMANCE AREA 15: CULTURAL HERITAGE

Intent *(as stated in the draft Standard)*

Identify and protect cultural heritage in collaboration with the traditional owners and users of the cultural heritage. Cultural heritage can be Indigenous and non-Indigenous, and can be both tangible (e.g., places and objects) or intangible (e.g., customs, traditions, languages and beliefs).

98 total comments	32 respondents	1 Performance Area section

Top 5 Stakeholder Groups Providing Comments		
Intergovernmental/ Multi-Lateral Organisation	29	
Indigenous Peoples / Organisation	28	
Consultancy	11	
Upstream Mining Industry	8	
All other types	22	

Number of Comments on Performance Area Sections
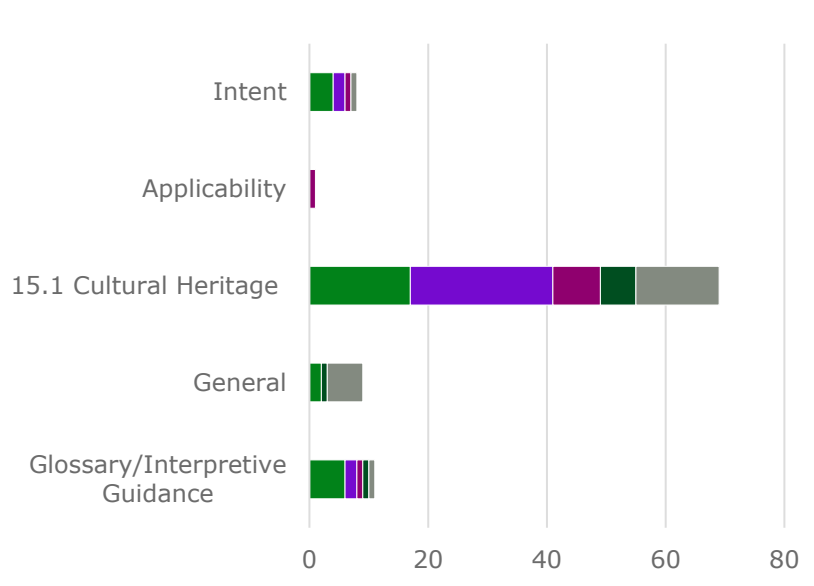
Feedback Summary

- Reference 'Indigenous Peoples' in the definition 'affected traditional owners and users' as rights holders.

- Emphasise collaboration and agreement with affected Indigenous Peoples, traditional owners and users in cultural heritage management.

- Utilise Indigenous-led processes in the management of cultural heritage resources.

- Inclusion of cultural heritage identification and management in impact assessment processes should be mandatory (Foundational Practice Level).

- NGO/CSO and Indigenous Peoples comment that cultural awareness training, including management of cultural heritage, should be considered Foundational Practice for all workers.

- Align Performance Area 15 with other international Performance Standards Requirements (IFC; ILO; World Heritage Convention).

Detailed Feedback by Section

15.1 Cultural Heritage Identification and Management	
General or Overarching	• Align Performance Area 15 with IFC Performance Standard 8 Cultural Heritage, ILO Convention 169, Article 13 (relationship of Indigenous Peoples with sacred sites) and World Heritage Convention bodies (i.e. the International Council on Monuments and Sites);
	• Strengthen Performance Area to make an explicit linkage between protection of cultural heritage, Indigenous rights and FPIC;
	• Reference World Heritage Convention (1972) and Intangible Cultural Heritage (2003); United Nations Educational, Scientific and Cultural Organization (UNESCO) Guidance for World Heritage in 'no-go' commitment;
	• Expand the definition of 'affected traditional owners and users' to include specific reference to 'Indigenous Peoples' and 'competent national authorities' as potential custodians of cultural heritage and resources;
	• Retain 'competent professionals' in the management of cultural heritage; and
	• Consider inclusion of mine closure in relation to cultural heritage management.
Foundational Practice	• Requirement 1: strengthen statement and commitment to legal protections for cultural heritage and resources; reference intangible cultural heritage resources to expand the statement's scope; remove the word 'protect'; include Indigenous Peoples and agricultural and local groups and users in a collaborative process of identification and management of cultural heritage (two comments);
	• Requirement 2: amend to 'identify and assess', requiring assessment at the Foundational Practice Level (three comments); include in impact assessment if a World Heritage Site may be impacted, explicitly referencing abstention of activities that could harm World Heritage Sites; engage and collaborate with expert international organisations (i.e. UNESCO and World Heritage Convention bodies) and government authority inventories in the protection of World Heritage Sites; consider adding 'relevant' in reference to traditional users (i.e. management of palaeontological finds); formalise the identification process to include cultural experts and reference to protection of tangible and intangible resources (two comments); include traditional land use and community studies in identification process; include consideration of how mining

15.1 Cultural Heritage Identification and Management

activities may exacerbate climate-related impacts on cultural heritage resources; and

- Requirement 3: link accountability with respect Indigenous Peoples as rights holders and FPIC (two comments).

Good Practice	- Requirement 1: move to the Foundational Practice Level (one comment); replace 'adversely impacting' with reference to 'harm' or 'damage'; include Indigenous Peoples and utilise Indigenous-led processes in assessing project design alternatives (two comments); - Requirement 2: expand training to include raising awareness of cultural heritage, local Indigenous practices and history and capacity of staff, contractors and suppliers to manage chance finds (three comments); - Requirement 3: review the use of the word 'critical' in referencing cultural heritage; all cultural heritage should be considered in identification and assessment processes; remove reference to other Performance Areas (Performance Area 14, given potential for penalisation of Site in multiple Performance Areas in crosscutting areas); - Requirement 4: seek formal or informal agreement with affected Indigenous Peoples, aligning with international bodies such as the International Council on Monuments and Sites; replace 'in collaboration' with 'in agreement' (three comments); emphasise Indigenous Peoples' approval of cultural heritage impact mitigation measures (two comments); - Requirement 5: stress any loss or damage to World Heritage Sites' 'Outstanding Universal Value' is unacceptable; consider referencing World Heritage Sites to emphasise as an unacceptable circumstance; reference in the Foundational Practice Level (two comments); define the conditions when an activity may outweigh loss of critical cultural heritage; link removal and preservation of critical irreplaceable cultural heritage to FPIC and alignment with local Indigenous customs; - Requirement 6: emphasise respect for Indigenous rights and FPIC in development of a co-signed process for management of chance finds, including culturally sensitive documentation and restrictions on knowledge-sharing practices; and - Requirement 7: consider expanding the definition of 'affected traditional and owners' to include 'national authorities' as potential custodians of cultural heritage.

15.1 Cultural Heritage Identification and Management

Leading Practice

- Requirement 1: move to the Good Practice Level (one comment); include reference to Indigenous Peoples (two comments); provide more context and process Requirements; key performance indicators;

- Requirement 2: move to the Good Practice Level (two comments); include cultural heritage experts in providing training to all workers; move to Foundational Practice Level;

- Requirement 3: emphasise Indigenous-led initiatives to protect, retain and/or repatriate tangible and intangible cultural heritage and resources, including support for dedicated financial and technical resources (four comments); consider whether the use of the words 'future' and 'reconnection' in this Requirement are unclear or necessary;

- Requirement 4: emphasise development and implementation of Indigenous-led monitoring processes and performance indicators (two comments); and

- Requirement 5: include support for ongoing dedicated financial and technical resources / advisory groups.

6.4.1.18   PERFORMANCE AREA 16: ARTISANAL AND SMALL-SCALE MINING

Intent *(as stated in the draft Standard)*

Manage the risks and impacts associated with ASM where they are present. Contribute to the professionalisation and formalisation of legitimate ASM operators to support improved environmental, social and safety practices and create economic opportunities, where possible.
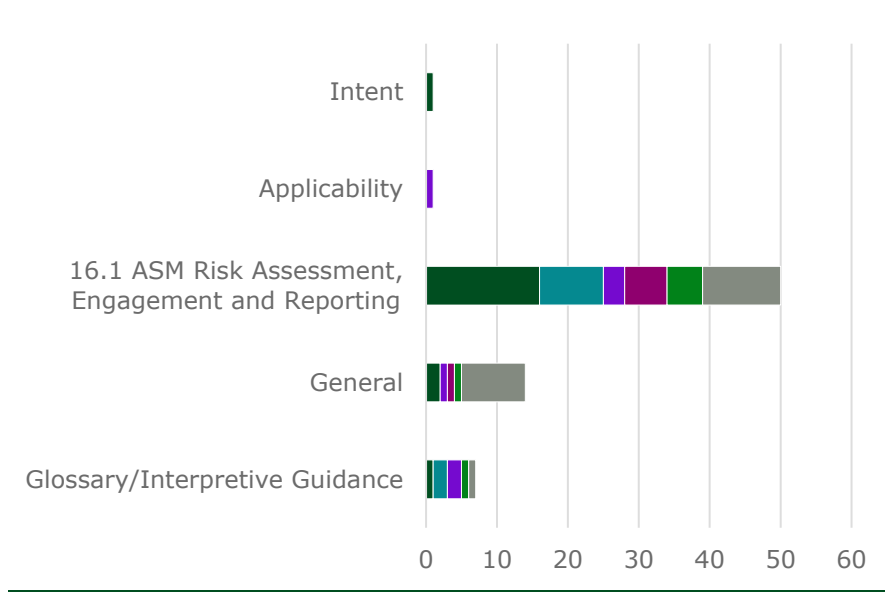
73 total comments	34 respondents	1 Performance Area section

Top 5 Stakeholder Groups Providing Comments		
Upstream Mining Industry	20	
NGO/CSO	11	
Academia	7	
Consultancy	7	
Intergovernmental / Multi-Lateral Organisation	7	
All other types	21	

Number of Comments on Performance Area Sections

Feedback Summary

- Respondents from various stakeholder groups raised concerns that the legal system's protections and remedies may not be available or accessible to ASM miners. Adherence within a legal framework or definitions of legitimate mining activities may not equate with fairness. Legal systems generally favour LSM over ASM.

- The context of ASM activities is important in understanding the relationship between LSM and ASM and how their activities function within formal and informal economies and legal frameworks. Comments from nongovernmental organisations indicate women and vulnerable groups may be disproportionately affected and should be considered in developing alternative or complementary livelihoods.

- Assessment of ASM risks and impacts should be included at the Foundational Practice Level (including LSM risks and impacts to ASM and ASM communities).

- Commentors from a Standard-setting body suggest considering ASM throughout the LSM lifecycle, including closure and site rehabilitation.

Detailed Feedback by Section

16.1 ASM Risk Assessment, Engagement and Reporting	
General or Overarching	• Reference other Standards, such as CRAFT 2.1 Code, Fairmined and Alliance for Responsible Mining Standards; • Reference 'professionalisation' of ASM activities (World Bank paper on ASM) at: https://www.worldbank.org/en/news/press-release/2024/09/19/world-bank-s-new-framework-to-boost-sustainable-and-inclusive-artisanal-and-small-scale-mining; and • Women and other vulnerable groups face unique challenges related to ASM and LSM support for alternative or complementary livelihoods.
Foundational Practice	• Requirement 1: add considerations, in addition to legality, for fairness as ASM miners may not have access to legal system, protections or remedies; develop more detailed criteria for determining whether an ASM is operating within a legal framework (three comments); include a statement or requirement when ASM is determined to be illegal / not legitimate ASM; include a commitment to undertaking a risk and impact assessment of ASM (four comments); and • Requirement 2: consider ASM during LSM closure and rehabilitation and reference assistance for ASM during this project phase; if ASM is deemed illegal / not legitimate, include support for ASM miners (i.e. training; alternative employment); expand the scope of ASM assessment and engagement activities beyond 'formalisation' activities; consider the socioeconomic / legal /reputational risks and opportunities for the LSM in supporting ASM activities; support for formalisation of ASM may restrict/limit LSM land rights or constitute support for activities deemed illegal; ASM governance may have LSM reputational impacts.
Good Practice	• Requirement 1: move all Good Practice Level Requirements to Foundational Practice Level; move 'assess risks and impacts' to the Foundational Practice Level; include assessment of LSM impacts on ASM and ASM communities (three comments); in addition to formalisation, consider adding reference to 'professionalisation' of ASM activities; • Requirement 2: add 'impacts' to be mitigated; re-balance perspective on ASM's risk and impact on LSM by adding Good Practice referencing 'coexistence' of ASM and LSM; • Requirement 3: move to the Foundational Practice Level (one comment); move to the Leading Practice Level (one comment); reference gender / vulnerable groups; and

16.1 ASM Risk Assessment, Engagement and Reporting

	• Requirement 4: move to the Leading Practice Level; remove duplication (covered in Performance Area 17); Add 'legitimate' (ASM operators) Requirement 5; remove duplication (covered under Performance Area 3).
Leading Practice	• Requirement 1: add 'relevant stakeholders', in development of an inclusive system that incentivises participation in formal markets by ASM (two comments); • Requirement 2: move to the Good Practice Level; consider using 'complementary' versus 'alternative' livelihoods; reference 'women', given unique challenges related to ASM and LSM support for alternative or complementary livelihoods; and • Requirement 3: consider the challenges for LSM/ASM coexistence related to access to land/resources and provide LSM concession access as a Leading Practice Level Requirement; broaden initiatives to include improvement of overall wellbeing of ASM operators and communities.

6.4.1.19   PERFORMANCE AREA 17: GRIEVANCE MANAGEMENT

Intent *(as stated in the draft Standard)*

Enable local communities, including stakeholders and rights holders to raise issues or concerns and have them resolved by implementing a grievance mechanism in line with the eight effectiveness criteria of the UN Guiding Principles on Business and Human Rights (Principle 31). Provide or enable access to non-judicial remedies for adverse human rights impacts or other harms that the Facility has caused, contributed to, or been linked with.

99 total comments	44 respondents	1 Performance Area section

Top 5 Stakeholder Groups Providing Comments		
NGO/CSO	34	
Indigenous Peoples / Organisation	17	
Consultancy	13	
Upstream Mining Industry	13	
Investor	5	
All other types	17	

Number of Comments on Performance Area Sections
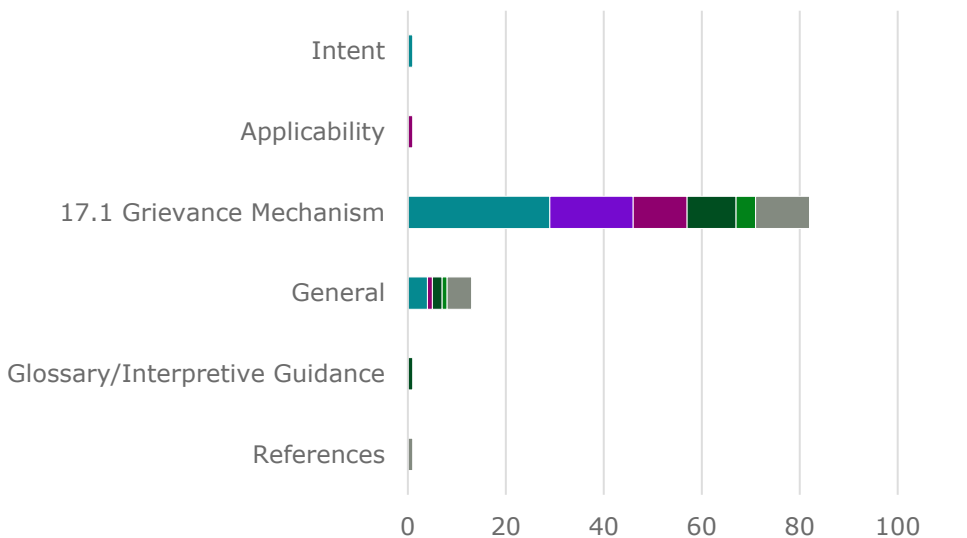
Feedback Summary

17.1 Grievance Mechanism for Stakeholders and Rights holders

- NGO and Consultancy stakeholders suggested that a number of Requirements in the Good Practice Level should be moved to Foundational Practice Level.

- Emphasise collaboration with stakeholders / rights holders to co-design grievance mechanism(s), including procedures for reporting, monitoring effectiveness and public disclosure (currently Good or Leading Practice Level Requirements) at the Foundational Practice Level.

- Publicly acknowledge the needs and sensitivities of Indigenous Peoples and vulnerable groups in co-design of grievance mechanism(s), including culture, customs, traditions and language at the Foundational Practice Level.

- Consider specific whistleblower policy protections at the Foundational Practice Level.

Detailed Feedback by Section

17.1 Grievance Mechanism for Stakeholders and Rights Holders	
General or Overarching	• Include gender-disaggregated reporting; • Incorporate further stipulations to ensure effectiveness of grievance mechanisms and remedy measures; • Add Requirements, such as clear policies and procedures; prevention and response to discrimination or reprisal; prevent and address sexual harassment and gender-based violence; • Ensure Foundational Practice Level is aligned with UNGPs; and • Consider potential funding Requirements for stakeholders / rights holders to participate in an effective grievance mechanism.
Foundational Practice	• Requirement 1: specify accessibility, confidentiality and anonymity; independence of grievance mechanism; specify culturally appropriate channels, especially for Indigenous Peoples and marginalised communities; • Requirement 3: integrate local languages and communication methods; specify multiple formats for accessibility; add disclosure of relevant policies • Requirement 4: add whistleblower protections; strengthen statement that stakeholders / rights holders will not face reprisal for use of grievance mechanism; • Add Requirements, such as whistleblower protections; engagement on resolutions with stakeholders and rights holders who have filed grievances; feedback mechanism for grievance mechanism's effectiveness; and • Align Foundational Practice Level with UNGPs.
Good Practice	• Requirement 1: move to Foundational Practice Level (two comments); address cultural nuances and Indigenous-specific protocols in alignment with UNDRIP Articles 18 and 19; commitment to not using nondisclosure agreements; access to funds for independent support for complainants; protection from reprisal; • Requirement 2: move to Foundational Practice Level (two comments); move to Leading Practice Level; specify women and other disadvantaged groups; • Requirement 3: add regular updates on grievance outcomes and preventative measures; do not penalise Sites for not meeting agreed timelines; • Requirement 4: move to Foundational Practice Level (three comments); clarify process/mechanisms for accountability and appropriate remediation; • Requirement 5: specify consistent minimum expectations for auditing of grievance mechanisms; require independent audits or third-party validation;

17.1 Grievance Mechanism for Stakeholders and Rights Holders

	• Requirement 6: move to Foundational Practice Level; add reporting Requirement to CMSI Secretariat on issues and types of grievances and actions taken; and • Add Requirement for effective communication of availability of grievance mechanism, including women and other disadvantaged or vulnerable groups.
Leading Practice	• Requirement 1: move to Good Practice Level; specify co-design with Indigenous Peoples; specify gender-inclusive design process; add 'update' to encompass new and existing facilities; • Add Requirements, such as different grievance mechanisms for stakeholders, rights holders and workers; • Requirement 2: specify Indigenous representatives in review process; reference effectiveness of remedy; specify external, third-party review; • Requirement 3: move to Good or Foundational Practice Level (four comments); co-design public disclosure process with Indigenous Peoples; specify sensitive grievances are only disclosed with explicit, community-level FPIC; • Requirement 4: move to Good Practice Level; include Indigenous representation at all stages; add communication on patterns, underlying causes and preventative actions; • Requirement 5: move to Good Practice Level; specify potential avenues for redress; strengthen language to match intent; and • Add Requirement on establishing third-party review and appeal processes.

6.4.1.20   PERFORMANCE AREA 18: WATER STEWARDSHIP

Intent *(as stated in the draft Standard)*

Recognising that access to water is a human right and fundamental ecosystem requirement, integral to wellbeing and the livelihoods, spiritual and cultural practices of many communities, implement water stewardship practices, using the mitigation hierarchy, that support the overall quality and accessibility of watershed resources available to other users and improve the efficiency of water use.

240 total comments	59 respondents	3 Performance Area sections

Top 5 Stakeholder Groups Providing Comments		
Upstream Mining Industry	85	
Consultancy	62	
NGO/CSO	19	
Government	14	
Midstream and Downstream Mining Industry	12	
All other types	48	

Number of Comments on Performance Area Sections
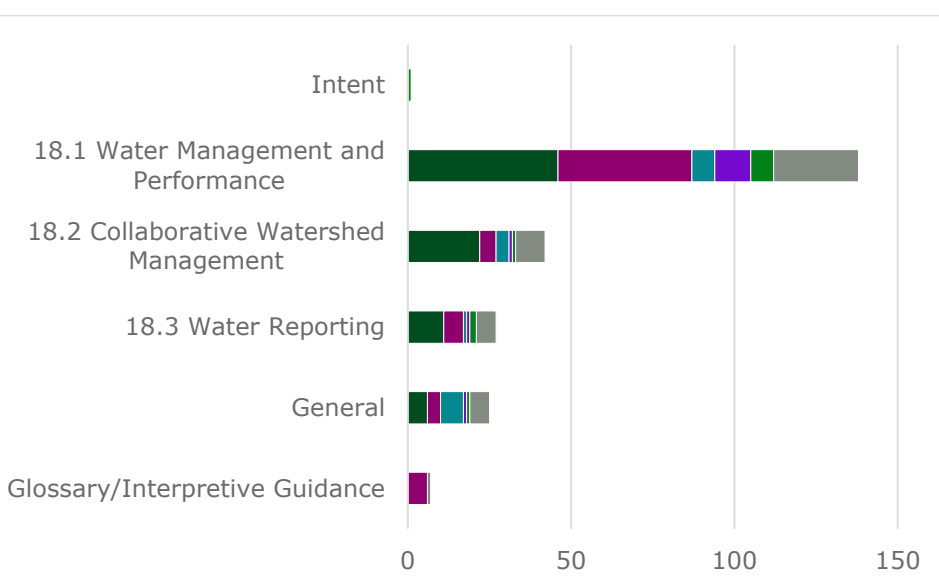
Feedback Summary

- Commentors from several stakeholder groups suggest adding a Requirement to implement systems for regular public disclosure of water data, including groundwater levels and water consumption, and conduct independent audits of water reporting and make results publicly available.

- Commentors from consultancy suggest including Requirements to conduct baseline studies of surface and groundwater systems and develop comprehensive water management plans that include monitoring and communication of noncompliance.

- Engage local communities and stakeholders in water management processes. Establish participatory monitoring programmes with local communities.

- Assess and incorporate climate change risks into water management plans and develop adaptive management strategies to address climate-related water risks.

Feedback Summary

- Comments from nongovernmental organisations emphasise collaboration with stakeholders to identify, monitor and manage invasive species.

- Ensure the facility's lifecycle encompasses pre-feasibility, feasibility, operation, decommissioning and closure to ensure long-term sustainability, protection of water resources and compliance with evolving Standards and stakeholder expectations.

Detailed Feedback by Section

All Sections	
General or Overarching	• Move Good Practice Level Requirements to Foundational Level; • Consider upstream impacts to water; • Add Requirements related to seawater and marine water, such as barging, dredging, runoff, impacts to tidal estuarine regimes, desalination, harbour activities and ballast water management; • Add considerations related to erosion and sedimentation; • Add considerations related to ecological flows; • Clarify contact water definition and use; and • Add more specific guidance across Requirements to ensure outcomes.

18.1 Water Management and Performance	
General or Overarching	• Review Requirements for appropriate Performance Level based on feedback to move numerous Requirements to Foundational or Good Practice Levels.
Foundational Practice	• Requirement 2: clarify language to 'minimise impacts' and 'hierarchy of control;' provide further specification of public commitment; • Requirement 4: clarify expectations for water quality and quantity Requirements; • Requirement 5: add identification of other water users in area of influence; add considerations for seasonal and temporal differences; clarify types of risks; specify short, medium and long-term timeframes; • Requirement 6: specify water quality control and assurance; add compliance/regulatory performance; add baseline assessment, if needed; specify alignment with permit conditions; • Requirement 7: make noncompliance communication available to rights holders and/or communities; define 'material noncompliance'; and

18.1 Water Management and Performance

	• Add Requirements, such as basic water balance model; actions for reducing water withdrawn and wastewater pollution load; storm water diversion system; compliance with all commitments such as internal policies and law; governance and responsible management member; acidic water management.
Good Practice	• Requirement 1: move to Foundational Practice (three comments); move to Leading Practice (two comments); include all mine lifecycle phases;
	• Requirement 2: move to Foundational Practice Level (two comments); specify 'hydrological and hydro-geological'; specify details of risks to be identified;
	• Requirement 3: move to Leading Practice Level (three comments); clarify whether assessment is during ESIA or operations; define 'beneficial uses';
	• Requirement 4: move to Foundational Practice Level (two comments) remove content-related to discharges; clarify difference from Foundational Practice Requirement 5; prioritise avoidance before mitigation; specify gender-sensitive risks and impacts;
	• Requirement 5: move to Leading Practice Level (three comments); expand beyond water discharges to other facility practices and facilities;
	• Requirement 6: move to Foundational Practice Level (one comment); clarify language to encompass implementation;
	• Requirement 7: clarify and expand Requirement as related to source-control opportunities;
	• Requirement 8: move to Foundational Practice Level (one comment); add ecological health; specify whether targets are qualitative or quantitative and internal or publicly disclosed;
	• Requirement 9: move to Foundational Practice Level (one comment); establish monitoring frequency and type;
	• Requirement 10: clarify Requirements for training and applicable workers; incorporate training on climate-related impacts to water resources and management; and
	• Add Requirements, such as communicating noncompliance with communities and regulators; minimise use of freshwater for process facility; establishing clear water Governance Model; community participatory water monitoring; public reporting of compliance with water extraction and discharge regulations.

18.1 Water Management and Performance

Leading Practice	• Requirement 1: move to Good or Foundational Practice Level (eight comments); promote recharging groundwater; add calculation and public availability of water intensity
	• Requirement 2: consider confidentiality issues; require internal communication and with industry peers; consider relevance in various geographies
	• Requirement 3: move to Good Practice Level (two comments); incorporate measures for invasive species
	• Requirement 4: move to Good or Foundational Practice Level (two comments); provide clarity on 'effectiveness' and independent review processes; specify interval timeline
	• Add Requirements including consideration of long-term impacts, such as climate change; circular economy; water storage structures based on wet and dry seasons; stakeholder participation; specific commitments to water recovery and recycling.

18.2 Collaborative Watershed Management

General or Overarching	• Specify rights holders where applicable.
Foundational Practice	• Requirement 1: align with Section 18.1 Good Practice Requirement 2; clarify language on collaborative watershed management;
	• Requirement 2: specify responsibility and accountability roles;
	• Requirement 3: move to Good or Leading Practice Level (three comments); clarify implementation of Integrated Water Resources Management;
	• Requirement 4: move to Good Practice Level (two comments); and
	• Add Requirements, such as identification of community water uses and customs; identification of basin characteristics.
Good Practice	• Requirement 1: move to Foundational Practice Level (two comments); clarify language related to 'mature' processes, 'issues' and 'collective' water challenges; and
	• Requirement 3: inform facility management on Integrated Water Resources Management progress; incorporate balanced approach to address safe and stable landforms; clarify distinction between Foundational and Good Practice Level.

18.2 Collaborative Watershed Management

Leading Practice	• Requirement 1: move to Good Practice Level (one comment); include funding for stakeholders to facilitate involvement; add monitoring systems;
	• Requirement 2: clarify language on 'discuss' and 'engage' and 'collaborative mitigation options';
	• Requirement 3: add participatory monitoring;
	• Add Requirements, such as establishing or joining watershed group; value chain engagement; and
	• Clarify 'Integrated Groundwater Management, mature' and 'Integrated Groundwater Management, not mature'.

18.3 Water Reporting

Foundational Practice	• Requirement 1: move to Good Practice Level (one comment); add disclosure of baseline monitoring analysis and risk and impact studies; define 'primary water activities'.
Good Practice	• Requirement 1: move to Foundational Practice Level (one comment); conflicting input on water quality, with one recommendation to remove and two comments affirming inclusion; clarify extent of objectives and targets;
	• Requirement 2: clarify 'regulatory actions', add disclosure of management activities in response to disclosed fines or regulatory actions; and
	• Add Requirements, such as disclosure of water quality and quantity results; disclosure of water management, governance and associated risks; participative monitoring; all permits relevant to use licences and discharge.
Leading Practice	• Requirement 1: Move to Good or Foundational Practice Level (three comments); add public disclosure of progress against targets;
	• Requirement 2: clarify 'independent audit' in context; and
	• Add Requirements including disclosure of groundwater table; disclosure or display of water consumption.

6.4.1.21   PERFORMANCE AREA 19: BIODIVERSITY, ECOSYSTEM SERVICES AND NATURE

Intent *(as stated in the draft Standard)*

Identify and address material risks and impacts to biodiversity and ecosystem services by applying the mitigation hierarchy and by implementing management practices to achieve at least no –net loss or a net gain of biodiversity and contribute to a nature-positive future.
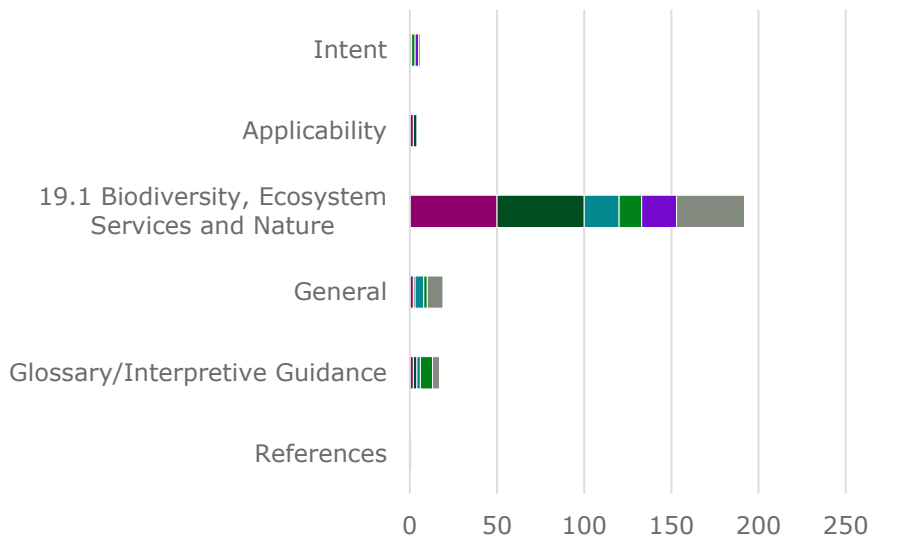
239 total comments	69 respondents	1 Performance Area section

Top 5 Stakeholder Groups Providing Comments		
Consultancy	57	
Upstream Mining Industry	55	
NGO/CSO	27	
Intergovernmental / Multi-Lateral Organisation	24	
Indigenous Peoples / Organisation	22	
All other types	54	

Number of Comments on Performance Area Sections

Feedback Summary

- Commentors from various stakeholder groups raised concerns about the need for stricter measures for prohibiting mining in World Heritage Sites, Ramsar Sites, Key Biodiversity Areas (KBAs), and other protected areas.

- Include the need for comprehensive biodiversity management plans that evaluate climate change impacts and species resilience and baseline studies to ensure mining activities do not harm biodiversity and ecosystem services.

- Commentors from Indigenous Peoples / organisations request Clarification on timing and responsibilities for application of the mitigation hierarchy and achieving no net loss or net gain of biodiversity through offsets and conservation actions.

- Add specificity around importance of engaging with local communities and Indigenous Peoples, obtaining FPIC and integrating their knowledge and governance systems.

Feedback Summary

- Emphasise the importance of regular monitoring, transparent reporting and public disclosure of biodiversity impacts and mitigation measures.

Detailed Feedback by Section

19.1 Biodiversity and Ecosystem Services and Nature

General or Overarching	• Clarify relevant metrics, measurements and monitoring for no net loss and net gain objectives; • Align with GRI Biodiversity Standard and TNFD reporting Requirements; • Strengthen Good and Leading Practices to align with established best practices; • Reference Biodiversity Action Plan in addition to Biodiversity Management Plan; and • Add Requirements related to deforestation and/or degradation, high-carbon stock areas, intact forest landscapes and primary forest.
Foundational Practice	• Requirement 1: add language on protecting ecosystems, species and biodiversity; clarify 'adjacent'; add considerations for industrial heritage World Heritage Sites; • Requirement 2: add or clarify language related to sites without specific legal protections, including KBAs; conflicting input on whether KBAs should be incorporated at the Foundational Level; add UNESCO Biosphere Reserves and Alliance for Zero Extinction; • Requirement 3: clarify need/value of Requirement for communication; clarify stakeholders and facility-level commitment if no World Heritage Site is nearby; • Requirement 4: clarify senior staff responsibilities and outcomes; • Requirement 5: clarify biodiversity baseline Requirements, including timeline (e.g. before exploration); clarify area of influence; • Requirement 6: add assessment of ecosystem services and risk beyond biodiversity; add suggested additions, such as climate change impacts, clarity on area of influence and managing invasive species; • Requirement 7: clarify aspects of the biodiversity management plan related to nature, biodiversity values and ecosystem functions and clear thresholds; and • Add suggested Requirements, such as identify, formalise and update stakeholders on biodiversity matters; establish processes related to

19.1 Biodiversity and Ecosystem Services and Nature

	compliance; assessing ecosystem services; incorporating domestic animal risks and evacuation; and grievance mechanisms.
Good Practice	• Requirement 1: ensure collaborative engagement with Indigenous Peoples in ecosystem management; add employees and contractors; conflicting input on whether Requirement should be moved to Leading Practice or Foundational Practice Level;
	• Requirement 2: add suggested additions, such as early commencement of biodiversity offsets to prevent losses; change 'no net loss' by closure to a shorter timescale; strengthen rehabilitation and restoration guidance with reference to Society for Ecological Restoration Standards; conflicting input on whether to move to Leading or Foundational Practice Level;
	• Requirement 3: clarify risks and impacts for 'no net loss / no gain' commitments; require biodiversity offsets to be aligned with International Union for Conservation of Nature principles; involve Indigenous Peoples in monitoring; add public disclosure of progress on biodiversity commitments; incorporate ecosystem services management;
	• Requirement 4: specify protected area managers' involvement in Biodiversity Management Plan; add Biodiversity Action Plan; require disclosure of Biodiversity Management Plan;
	• Requirement 5: clarify 'infeasible'; require disclosure of remedy or redress plans; include integration of guidance materials; move to Leading Practice and/or combine with other Requirements;
	• Requirement 6: clarify how to determine priority locations; reference GRI 101: Biodiversity 2024;
	• Add suggested Requirements, including criteria on sustainable finance for mitigation activities and governance/responsibilities for management post-closure; ecosystems services management strategy; and
	• Clarify Requirements related to 'no net loss', including metrics and differentials.
Leading Practice	• Requirement 1: move to Good Practice Level or build on previous Levels by incorporating climate change hazards and scenarios; clarify baseline year for 'no net loss / no gain'; include Indigenous Peoples in baseline setting and monitoring; define 'no-go zone areas'; specify intervals for monitoring progress;

19.1 Biodiversity and Ecosystem Services and Nature

- Requirement 3: change 'Collaborate' to 'Engage';

- Requirement 4: specify biodiversity experts to complete independent review; require public disclosure of independent review;

- Reconsider if distinction between 'no net loss / no gain' is sufficient for differing between Good Practice and Leading Practice;

- Add additional Requirement for adopting pre-mine baseline for existing operations predating 2020; and

- Strengthen Leading Practice Level to align with ICMM's Nature-Positive Position Statement.

6.4.1.22   PERFORMANCE AREA 20: CLIMATE ACTION

Intent *(as stated in the draft Standard)*

Reduce Scope 1, 2 and material Scope 3 greenhouse gas (GHG) emissions by defining science-informed targets or objectives in line with the Paris Agreement and by implementing the mitigation hierarchy to avoid and reduce emissions. Identify physical climate-related risks and impacts and develop and implement appropriate adaptation measures.

190 total comments	60 respondents	3 Performance Area sections

Top 5 Stakeholder Groups Providing Comments		
Upstream Mining Industry	85	
Consultancy	30	
NGO/CSO	17	
Investor	12	
Midstream and Downstream Mining Industry	11	
All other types	35	

Number of Comments on Performance Area Sections
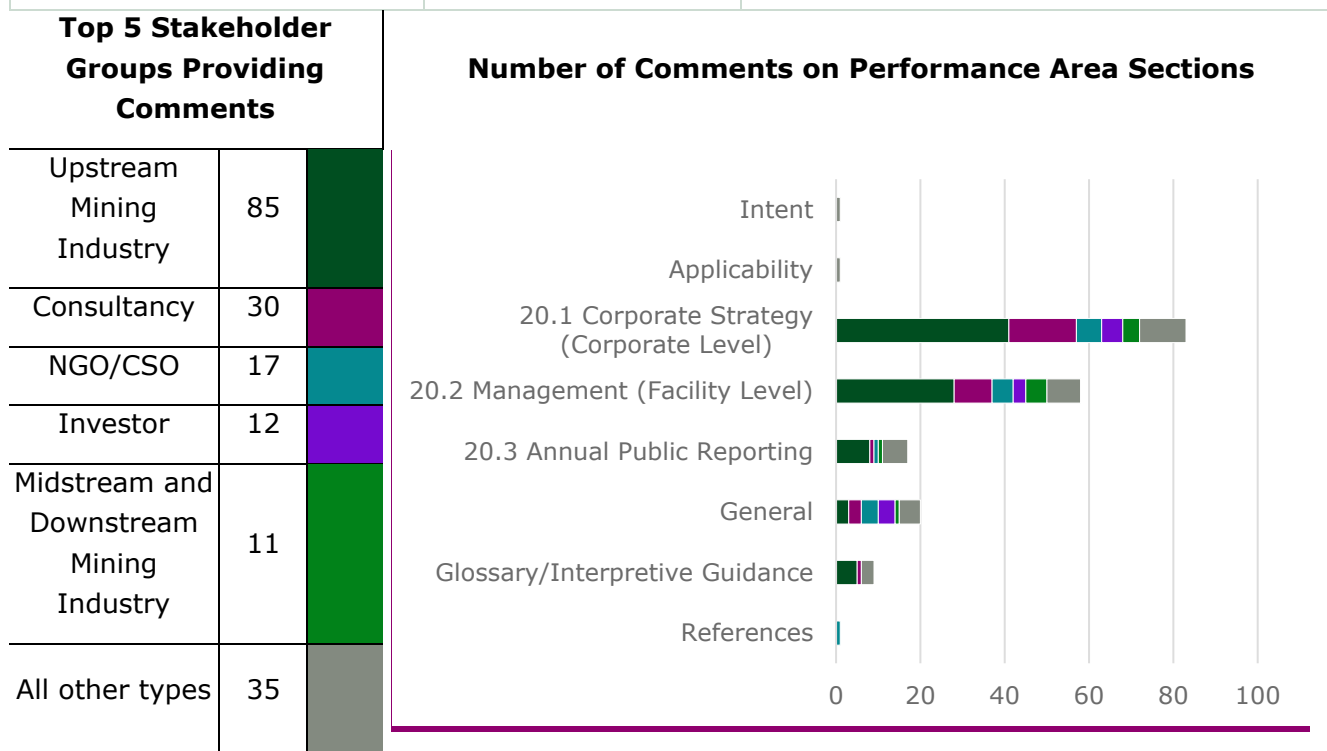
Feedback Summary

- Remove or clarify references to Task Force on Climate-Related Financial Disclosures (TCFD), which has been disbanded.

- Commentors from industry raise concern that the Requirements in the Leading Practice are not aligned with ICMM and would be a step below ICMM.

- Provide additional definitions (such as 'social value', 'collaborate', 'high-level analysis' and 'major investment decisions') and guidance (e.g. how to align with the goals of the Paris Agreement).

- Align which Requirements address Scope 1, 2 or 3 emissions across Performance Area.

- Incorporate closure into this Performance Area.

Feedback Summary

- Concerns were raised by industry / trade organisations on tracking, implementing and funding climate adaptation measures and whether small companies can meet these Requirements and if it should be the responsibility of a single company.

Detailed Feedback by Section

All Sections

General or Overarching	- Include time-bound commitments, land use emissions and renewable energy use; - Remove references to TCFD; - Add explicit references to methane emissions; - Incorporate stakeholder engagement plans; - Review for consistency and clarity of writing style across Sections; and - Add near-term (2030 or before) climate risk assessment, including extreme weather events.

20.1. Corporate Climate Change Strategy (Corporate-Level)

Foundational Practice	- Requirement 1: specify Scope 1 and 2 emissions; add further specifications on adaptation and managing energy consumption; - Requirement 3: clarify expectations for climate-related corporate risk and opportunity assessment, such as legal compliance, clear targets, structured pathway and update timeline; and - Add Requirements including climate adaptation and stakeholder and rights holder engagement strategy; budgeted decarbonisation roadmap; public disclosure; key performance indicators; and compliance with legislative Standards.
Good Practice	- Requirement 1: move to Foundational Practice Level (three comments); provide additional guidance on strategies consistent with Paris Agreement and TCFD; clarify level of disclosure; - Requirement 2: move to Foundational Practice Level (one comment); clarify scope and scale of targets; state that targets must be implemented; clarify terminology related to 'targets', 'objectives' and 'material' GHG emissions; - Requirement 3: move to Leading Practice Level; specify Scope 2 and 3 emissions; clarify language on 'manage' risks; - Requirement 4: provide further specificity on targets and timeline; and

20.1. Corporate Climate Change Strategy (Corporate-Level)

	• Add Requirements including Scope 3 target setting; net zero target setting; development of Transition Plan aligned with International Financial Reporting Standards Transition Plan Disclosure Framework.
Leading Practice	• Requirement 1: Move to Good Practice Level (three comments); specify 'material' GHG emissions; provide guidance on methodologies;
	• Requirement 2: Move to Good Practice Level (one comment); clarify 'collaborate'; specify 'material' Scope 3 emissions;
	• Requirement 3: Move to Good Practice Level (one comment); split into two Requirements (one comment), including stakeholder engagement and opportunities for local communities; provide clarity on utilising offsets, investments in climate action and measurable improvement;
	• Requirement 4: define 'social value'; make adaptable for smaller companies; specify measurements and parameters;
	• Requirement 5: move to Good Practice Level (two comments); clarify or remove internal carbon price; define 'major investment decisions';
	• Requirement 6: move to Good or Foundational Practice Level (four comments); define 'science-informed'; provide details on evidence to prove targets;
	• Requirement 7: move to Good Practice Level (three comments); clarify required Scope of emissions; and
	• Add Requirements including risk assessment covering climate risks material beyond the corporate level, key partners in supply chain and physical risks; commitment to carbon neutrality and/or science-based targets for emissions reductions; emissions reporting and reduction plans.

20.2. Climate Change Management (Facility-Level)

General or Overarching	• Clarify language related to 'targets' and 'objectives', with several suggestions to not use interchangeably.
Foundational Practice	• Requirement 1: exclude non-GHG emissions; incorporate unit operations improvement;
	• Requirement 2: define 'high-level analysis', include analysis for risks to surrounding area and time-bound management plan; limit to high-risk areas only; clarify 'infrastructure';
	• Add Requirements, such as policy on public disclosure of GHG emissions; additional performance-based benchmarks; assurance of

20.2. Climate Change Management (Facility-Level)

	Scope 1, 2 and 3 emissions; frequent, continuous and redundant monitoring of hydrologic variables, providing up-to-date information capable of identifying changes in the climatological pattern; and • Include considerations for naturally-occurring sources of GHG, such as methane.
Good Practice	• Requirement 1: move to Foundational Practice Level (two comments); remove 'objectives'; clarify 'define'; include publication of emissions and data methodologies; • Requirement 2: move to Foundational Practice Level (2 comments); consider plan could come from the corporate level; add annual review of action plans; • Requirement 3: move to Foundational Practice Level (two comments); specify progress at the corporate level; specify evaluation period; • Requirement 4: move to Foundational Practice Level (three comments); remove considering implications of risks for surrounding area; include transition risks; make gender-inclusive; • Clarify overlap between Requirements 4 and 5; • Requirement 6: add considerations for where stakeholders do not want or prioritise engagement on climate change; add considerations related to public organisation and funds related to climate change relief; incorporate gender-sensitive considerations; • Requirement 7: clarify purpose, scope and deliverables; change to monitoring climate adaptation action plan annually; and • Requirement 8: remove Requirement (two comments).
Leading Practice	• Requirement 1: remove Requirement (two comments); • Requirement 2: define 'collaborate'; clarify strategy and purpose for engagement; • Requirement 3: move to Good Practice Level (one comment); apply to all three Practice Levels (one comment); clarify Scope of emissions; • Requirement 4: move 4a to Good Practice Level (one comment); change to achieving three practices; split into mitigation and adaptation separately; and • Include support to suppliers to reduce Scope of emissions.

20.3. Annual Climate Change Public Reporting

General or Overarching	• Add Requirements including disclosure of energy consumption by renewable and nonrenewable; disclosure of Scope 3 emissions and assurance on reported emissions at Good Practice Level.
Foundational Practice	• Requirement 1: move to Section 20.1; and • Requirement 2: define 'process emissions data'.
Good Practice	• Requirement 1: move all portions of Requirement to Foundational Level (one comment); move 1b to Leading Practice Level (one comment); remove 1c (one comment); remove TCFD reference; add reporting on Scope 3 emissions; reference GRI 305; include assessment of transition and physical risks at the corporate level.
Leading Practice	• Requirement 1: move to Good Practice Level (one comment); clarify emissions Scopes; and • Requirement 3: move to Good Practice Level (one comment).

6.4.1.23 PERFORMANCE AREA 21: TAILINGS MANAGEMENT

Intent *(as stated in the draft Standard)*

Design, construct, operate and safely close tailings facilities by implementing a tailings management system that reflects comprehensive, risk-based management and governance practices in line with internationally recognised Standards.
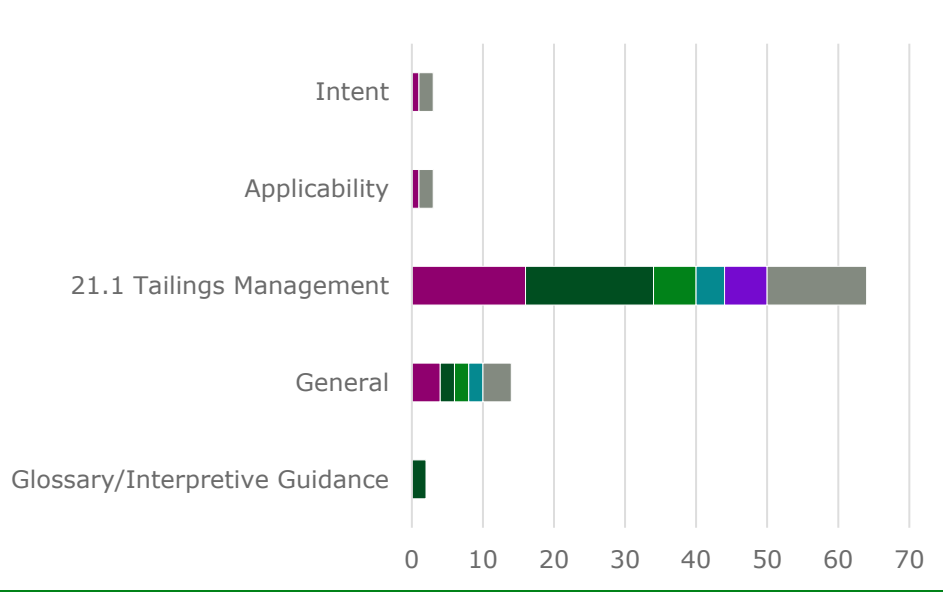
86 total comments	43 respondents	1 Performance Area section

Top 5 Stakeholder Groups Providing Comments

Consultancy	22	
Upstream Mining Industry	22	
Investor	8	
NGO/CSO	6	
Other Standard-Setting Body	6	
All other types	22	

Number of Comments on Performance Area Sections

Feedback Summary

- Commentors from industry suggest that other mine features should be considered in addition to tailings facilities. It is suggested to include waste rock facilities and heap leach facilities into the management Requirements.

- Expand language to make applicable to sites that are no longer actively producing but still need to manage tailings.

- Clarify option to align to either Global Industry Standard on Tailings Management (GISTM) or the MAC TSM Tailings Management Protocol; respondents note these Standards are not equivalent.

- Provide additional guidance and clarification on the scope and intervals required for independent audits.

- Add public disclosure Requirements and frequencies. Several comments from various stakeholder groups indicate that it is unclear what needs to be disclosed and when.
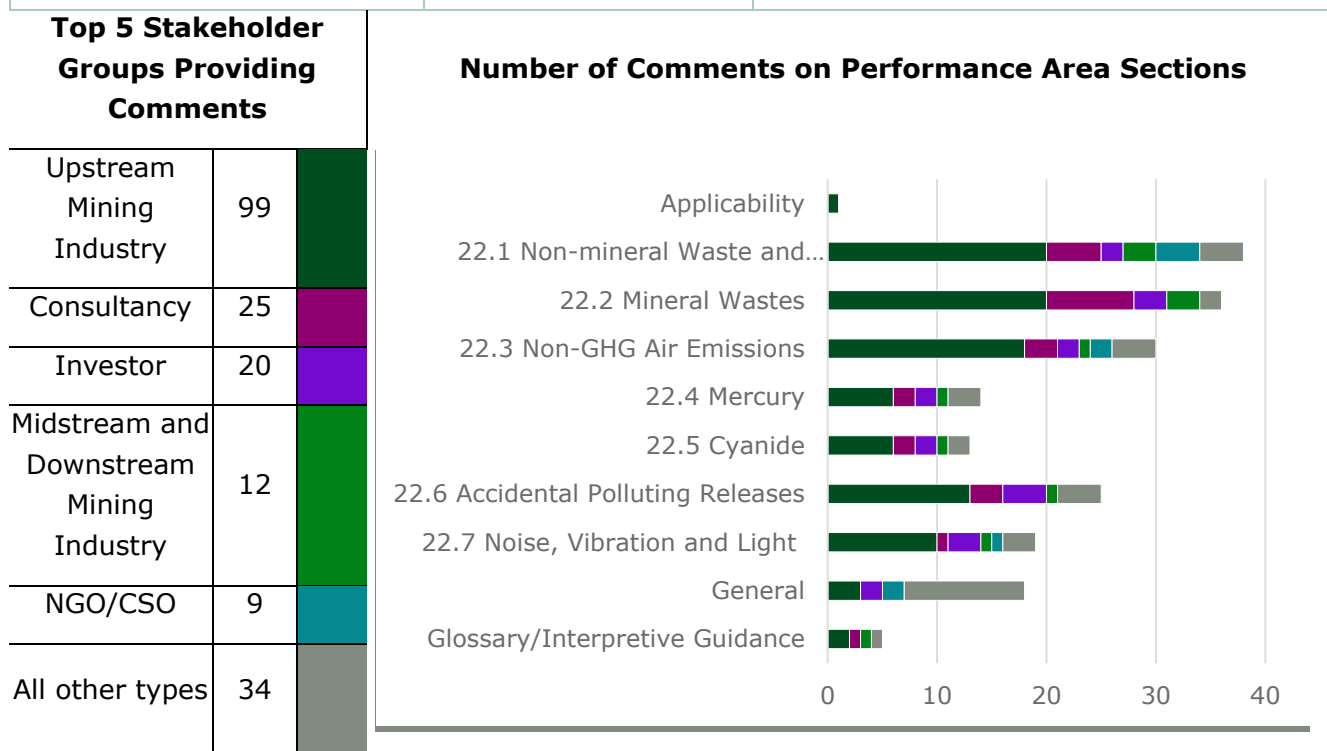
Detailed Feedback by Section

21.1 Tailings Management	
General or Overarching	• Clarify role of GISTM and Tailings Management Protocol of MAC once CMSI is in place; • Include explicit mentions of some details of the GISTM and Tailings Management Protocol of MAC, especially at Foundational Level; and • Add Requirements, such as disclosing quantitative risk results; decommission and rehabilitate all riverine tailings operations within a defined period; commitment to no deep sea tailings disposal for high pressure acid leach processing facilities; prohibition of lake or ocean tailings disposal; structural integrity of tailings storage facilities.
Foundational Practice	• Requirement 1: clarify commitments to GISTM and Tailings Management Protocol of MAC, particularly considering small and medium-sized mines; separate riverine tailings into a separate Requirement; and provide guidance for differing Standards across regions; and • Add Requirements including transition strategies for existing operations using riverine tailings; design, operational practices and closure design ensuring physical stability of tailing storage facilities.
Good Practice	• Requirement 1: Move to Foundational Practice Level (three comments); clarify 'conformance', especially in relation to differences between GISTM and Tailings Management Protocol of MAC; • Requirement 2: clarify 'relevant' Requirements; • Requirement 3: include commitment to disclosure of internal review and independent audit outcomes; specify independent audit intervals; and • Requirement 4: move to Leading Practice Level (one comment); provide stronger guidance for tailings management; provide guidance on disclosure details.
Leading Practice	• Requirement 1: move to Good Practice Level (three comments); explicitly require public disclosure of conformance.

6.4.1.24   PERFORMANCE AREA 22: POLLUTION PREVENTION

Intent *(as stated in the draft Standard)*

Apply the mitigation hierarchy to prevent pollution, manage releases and waste, and address risks to human health and the environment that the Facility has caused, contributed to, or is directly linked with. Support the Minamata Convention's objective of reducing mercury emissions for the protection of human health and the environment.

199 total comments	51 respondents	7 Performance Area section

Top 5 Stakeholder Groups Providing Comments		
Upstream Mining Industry	99	
Consultancy	25	
Investor	20	
Midstream and Downstream Mining Industry	12	
NGO/CSO	9	
All other types	34	

Number of Comments on Performance Area Sections

Feedback Summary

- Commentors from various stakeholder groups raised concerns about the use mercury and other hazardous substances, suggesting replacement with safer technologies.

- Strengthen Requirements for developing comprehensive waste management plans, including the use of circular economy principles, characterisation of waste streams and development of detailed management plans.

- Emphasise the importance of involving stakeholders and local communities in pollution prevention and response planning for effective implementation and transparency.

- Enhance Requirements to ensure alignment of practices with international Standards and best practices, including the International Cyanide Management Code and the Minamata Convention.

Detailed Feedback by Section

General or Overarching	
All Sections	• Incorporate Requirements on impacts to community health and safety;
	• Consider other contaminates not addressed such as lead, uranium, microplastics, asbestos, silicon and advanced industrial contaminates; and
	• Add additional Requirements, such as compliance with International Cyanide Management Code; commitment to manage and minimise non-tailings waste; align mercury waste management with Minamata Convention; strengthen noise-related Requirements with commitments to clearly set noise levels; making noise data available to stakeholders.

22.1 Non-mineral Waste and Hazardous Materials Management	
General or Overarching	• Identification, processing and storage plans should consider scenarios where climate impacts may exceed current protocols and infrastructures for waste management.
Foundational Practice	• Requirement 2: include hazard of potential waste streams; clarify how Requirement is proven;
	• Requirement 3: include avoiding waste by using alternative products that do not generate waste; change to 'develop and implement plan';
	• Requirement 4: clarify how hazards and risks are assessed; consider if all materials entering side require risk assessment; and
	• Add Requirements including public disclosure of description of facility-level primary waste streams; implement actions to manage waste in a manner protective of human health and the environment.
Good Practice	• Requirement 1: remove Requirement (one comment); maintain consistency with language related to marine and freshwater bodies; refine language related to 'adverse impacts', 'safe disposal' and list of specific environmental considerations;
	• Requirement 2: add development of management plan and appropriate subplans; add commitment to publicly report on action towards adverse impacts; incorporate management of invasive species disposal;
	• Requirement 3: revise to incorporate meeting targets and objectives related to waste and hazardous materials management and reduction;
	• Requirement 4: add products of mining or 'refining'; remove 'through safety data sheets and labelling'; consider redundancies with Foundational Practice Requirement 4; and

	• Requirement 5: remove or clarify duplication with Performance Area 1, Section 1.2; reference GRI 306: Waste 2020.
Leading Practice	• Requirement 1: incorporate management plan for disposal of invasive plants and other species; include stakeholder and local community participation in risk plan development.

22.2 Mineral Wastes (excluding tailings, see Performance Area 21: Tailings Management)	
General or Overarching	
Foundational Practice	• Consider for feasibility of Requirements 1 and 2, as 'mineral waste' definition would include 'waste rock'; • Combine Requirements 1, 2 and 3 under single Requirement; and • Requirement 3: clarify specific expectations for reducing and managing mineral waste.
Good Practice	• Requirement 1: move to Foundational Practice Level (one comment); change 'dispose' to 'store'; clarify Requirement takes place across entire lifecycle, including post-closure; reference Good International Industry Practice for acid rock drainage; add further considerations on acid and metalliferous drainage; • Requirement 2: define 'adverse'; and • Add Requirements including public disclosure of management strategies and actions related to prevention of acid rock drainage; develop and implement a mineralised waste management plan.
Leading Practice	• Requirement 1: move to Good Practice Level (two comments); add compensation, rehabilitation and treating water; and • Add Requirement evaluating use of Best Availability Technology / Practice in selecting minter waste disposal solutions.

22.3 Non-GHG Air Emissions	
Foundational Practice	• Requirement 1: revise to risk-based approach informed by environmental assessment and regulatory Requirements; • Requirement 2: use circular economy language; remove volatile organic compounds; and

	• Add additional Requirements including: definition of responsibilities and training; identifying meteorological conditions that can lead to accurate adverse air quality events.
Good Practice	• Requirement 1: move to Foundational Practice Level (two comments); • Requirement 2: move to Foundational Practice Level (one comment) revise to only require reduction targets where air emissions are resulting in impacts; add established targets/objectives for dust depletion monitoring; incorporate language on targets for protection of human health; • Requirement 3: move to Foundational Practice Level (one comment); add commitment to publicly report on compliance against regulatory limits on air emissions at the facility level; and • Requirement 4: move to Foundational Practice Level (one comment); specify if applicable to site; clarify implementation only at facilities where preventing the release of ozone depleting substances is applicable.
Leading Practice	• Requirement 1: engage with stakeholders and sensitive receptors at the facility level; move to Good Practice Level (one comment); and • Add Requirements including assurance on publicly disclosed data; predictive dispersion modelling of all sources; real-time monitoring for high-risk contaminates.

22.4 Mercury	
General or Overarching	• Clarify that the Requirements for non-GHG air emissions also apply to mercury; and • Link Section to ASM.
Foundational Practice	• Requirement 2: simplify language on 'material stewardship'; • Requirement 3: define or clarify 'material' in relation to 'material point source mercury emissions'; and • Add Requirement on assigning responsibilities and training for mercury management.
Good Practice	• Requirement 1: move to Foundational Practice Level (one comment).
Leading Practice	• Requirement 1: move to Good Practice Level (two comments); and • Requirement 2: clarify 'mercury prevention'.

22.5 Cyanide

Foundational Practice	• Requirement 2: change self-assessment to audit.
Good Practice	• Requirement 1: move to Foundational Practice Level (one comment); clarify that achieving and maintaining certification is applicable to new facilities, and existing facilities would development and implement actions technically/economically feasible.
Leading Practice	• Requirement 1: move to Good Practice Level (two comments); specify when Cyanide is of interest; and • Add Requirement to investigate options to replace the use of cyanide.

22.6 Accidental Polluting Releases

Foundational Practice	• Requirement 1: define 'materials'; consider where risk assessment may not be needed; remove due to overlap with Good Practice Requirement 1 (one comment); and • Add additional Requirement on notifying stakeholders and rights holders of accidental pollution releases.
Good Practice	• Requirement 1: move to Foundational Practice Level (two comments); • Requirement 2: move to Foundational Practice Level (one comment); define 'material' accidental polluting releases; • Requirement 3: move to Foundational Practice Level (one comment); define 'residual adverse impact' and/or remove 'residual'; • Requirement 4: specify post-incident review for material releases only; and • Requirement 5: add commitment to publicly report on compliance against regulatory limits on water or soil quality; move to Foundational Practice Level (one comment).
Leading Practice	• Requirement 1: move to Good Practice Level (one comment); include rights holders; clarify providing results for only material incidents; and • Add Requirements including considerations for cases where accidental polluting releases are exacerbated by weather or chronic events that decrease adaptation capacities; engage local communities and emergency responders in response plans and simulations.

22.7 Noise, Vibration and Light pollution/nuisance

Foundational Practice	• Requirement 1: specify implementation of monitoring programme only necessary where noise, vibration or light pollution are material impacts, such as opencast mines; and
	• Requirement 2: remove 'pollution/nuisance' language for baseline data; note cases where not applicable, such as remote operations.
Good Practice	• Requirement 1: note cases where not applicable, such as remote operations; and
	• Requirement 3: add commitment to publicly report on compliance against regulatory limits related to noise at the facility level.
Leading Practice	• Requirement 1: move to Good Practice Level (one comment); include rights holders; clarify reason for engaging stakeholders in participatory monitoring; and
	• Add Requirements including: develop predictive model for cumulative effects, action levels and response plans; commitment to not exceed specific noise levels.

6.4.1.25   PERFORMANCE AREA 23: CIRCULAR ECONOMY

Intent *(as stated in the draft Standard)*

Promote a circular economy through the collection, reuse and recycling of materials, the reduction of waste and increased resource efficiency in Facility design, operation, and decommissioning.

80 total comments	36 respondents	2 Performance Area sections

Top 5 Stakeholder Groups Providing Comments

Upstream Mining Industry	28
NGO/CSO	16
Consultancy	5
Government	5
All other types	26

Number of Comments on Performance Area Sections
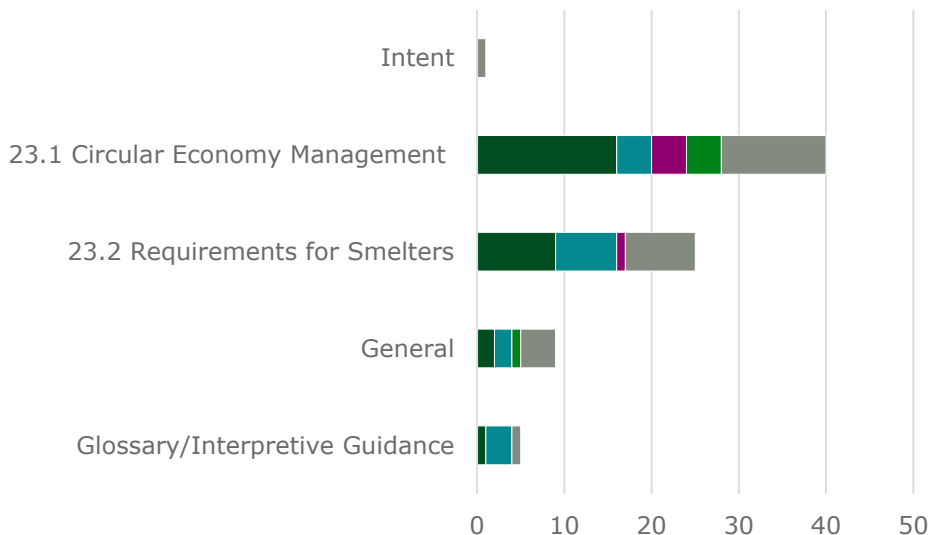
Feedback Summary

- Overall, positive sentiment and many comments expressing appreciation for a circular economy focus.

- Provide a definition for 'recycling'.

- Several comments address concern on the overlap with other Performance Areas (Hazardous Materials and Tailings) and the potential for increased work or a doubling of effort as a result.

- Suggestions from NGO/CSO commentors on Section 23.2, Additional Requirements for Smelters at the Leading Practice Requirement 1 Level, that this Requirement should be a public disclosure and not just available upon request.

Detailed Feedback by Section

All Sections	
General or Overarching	• Establish clear, measurable targets for circular economy practices; and • Add Requirement on encouraging collection, reuse and recycling of post-consumer products at end-of-life.

23.1 Circular Economy Management at all facilities	
General or Overarching	• Review and address overlap with other sections, especially Performance Area 22.
Foundational Practice	• Requirement 1: move to Good or Leading Practice Level (one comment); conflicting input on simplifying language or specifying actions; • Requirement 2: remove Requirement (one comment); specify stakeholder mapping, engagement and feedback; • Specify enforcement mechanisms; and • Add Requirements, such as labour rights; optimisation of mineral resources and reduction of waste; existing liabilities for dams and waste piles.
Good Practice	• Requirement 1: move to Foundational Practice Level (two comments); • Requirement 2: move to Foundational Practice Level (two comments); remove Requirement (two comments); add 'mine rock', 'proper tailings storage and management' and 'coarse rejects'; • Requirement 3: add 'strategically important products'; • Add process development to all Requirements; and • Add Requirements, such as mechanisms to quantify opportunities and targets for reduction; communication with stakeholders to identify their observed obstacles and risks; opportunities for utilisation of tailings in other industries.
Leading Practice	• Requirement 1: move to Good Practice Level (one comment); include enforcement mechanisms; • Requirement 2: add opportunities to collaborate with government; add tracking of recycled content through supply chain; and • Add Requirements, such as documenting progress on circularity; stakeholder collaboration; identifying and assessing labour rights, human rights and environmental risks scrap supply chain; tendency towards zero waste and zero tailings for new enterprises.

23.2 Additional Requirements for Smelters

General or Overarching	• Clarify lack of Foundational Performance Level; • Clarify if Section refers to smelters with integrated recycling facilities or standalone recyclers; and • Add Requirements for public reporting.
Good Practice	• Requirement 1: add 'develop a process for and identify'; add specificity, especially as related to 'promote'; • Requirement 2: add 'develop a process for and identify'; • Requirement 3: Move to Leading Practice Level (one comment); provide specific examples of methods; • Requirement 4: provide further clarification on monitoring scrap, such as visiting recycling facilities and sampling recycled material; and • Clarify auditability and materiality and/or include reference to disclosure framework, such as CSRD E5.
Leading Practice	• Requirement 1: move to Good Practice Level (two comments); change providing information upon request to 'publicly disclose'; • Requirement 2: expand identification and assessment to all minerals; • Requirement 3: include rights holders; and • Requirement 4: remove Requirement (two comments); provide considerations for where increasing recovery, reuse and recycling is not possible; prioritise worker safety.

6.4.1.26   PERFORMANCE AREA 24: CLOSURE

**Intent** *(as stated in the draft Standard)*

Plan and design for progressive rehabilitation and closure in consultation with relevant authorities, stakeholders and rights holders, address closure-related environmental and social risks and impacts and make financial provision to enable implementation of closure and post-closure commitments.

170 total comments	55 respondents	1 Performance Area section

Top 5 Stakeholder Groups Providing Comments

Upstream Mining Industry	50	
Consultancy	35	
Indigenous Peoples / Organisation	23	
NGO/CSO	18	
Upstream and Midstream Mining Industry	10	
All other types	34	

Number of Comments on Performance Area Sections
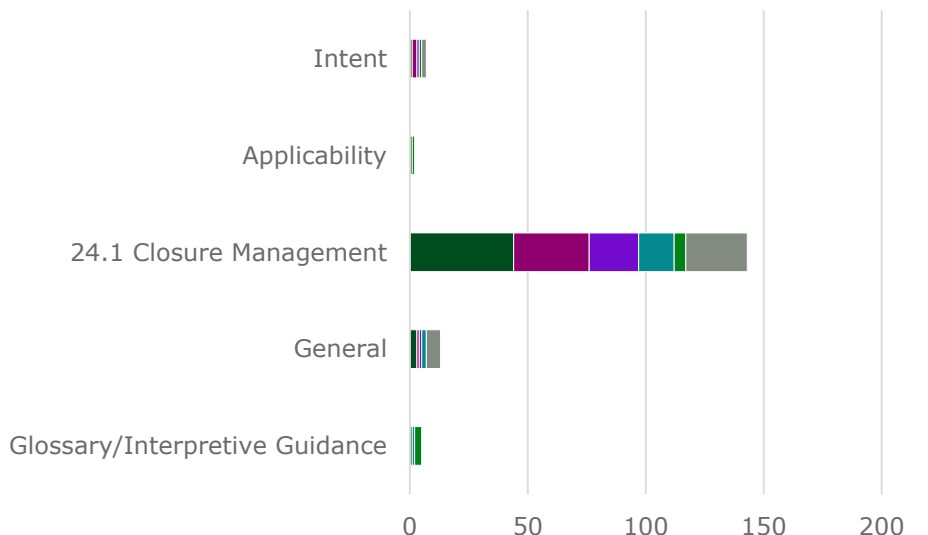
Feedback Summary

- Commentors emphasised the importance of integrating free, prior and informed consent (FPIC) into closure planning and post-closure processes. Indigenous-led monitoring and co-management practices should be included to ensure meaningful inclusion of Indigenous Peoples in decision-making.

- Concerns raised by government and consultancy highlighted the need for explicit financial mechanisms to address post-closure liabilities and ensure long-term funding. They express the need for transparent reporting of closure costs and financial provisions to ensure accountability.

- Integrate environmental, social and cultural considerations into closure planning, including nature-based solutions to achieve positive environmental and social outcomes.

- Commentors emphasised the importance of consulting stakeholders and rights holders in closure planning, recommending co-design and collaboration with relevant authorities and communities to ensure inclusive and effective closure planning.

Detailed Feedback by Section

24.1 Closure Management	
General or Overarching	• Add Requirements, such as maintaining a form of certification for closed mines to ensure high-standard closure and rehabilitation activities; Specific measures for biodiversity enhancements in closure plans; divestment processes; timing of closure plan and financial assurance; and • Emphasise importance of social and environmental outcomes.
Foundational Practice	• Requirement 1: develop closure plans in collaboration with Indigenous Peoples; add responsible transition to post-mining uses; include timing for plan development; reference Standards for determining risk materiality and what constitutes responsible closure; clarify engagement efforts required; • Requirement 2: move to Good Practice Level (one comment); add additional details for closure plan, such as water management strategies, input from stakeholders and rights holders and socioeconomic transition plan; add implementation of plan; and • Add Requirements, such as progressive implementation of closure during operating life; securing funding for final closure; estimate the costs to implement the closure and rehabilitation plan.
Good Practice	• Requirement 1: move to Foundational Practice Level (one comment); specify engagement with Indigenous Peoples and Indigenous-led monitoring and co-management; add 'seafloor'; specify 'consultation' with stakeholders and rights holders; include management and mitigation of risks; • Requirement 2: move to Foundational Practice Level (one comment); specify 'co-design' of opportunities; clarify 'post-mine communities' and/or considerations for where communities are not nearby; prioritise Indigenous communities; • Requirement 3: move to Foundational Practice Level (one comment); change 'collaborate' to 'consult' or 'engage'; ensure planning aligns with sustainable long-term outcomes with Indigenous Peoples; specify air quality and physical stability; add monitoring and mitigation of invasive species; add monitoring wells throughout lifecycle; • Requirement 4: change phrasing to 'as closure approaches'; clarify frequency and timing of stakeholder engagement; specify engagement

24.1 Closure Management	
	with Indigenous Peoples, incorporate FPIC, and address sacred sites, traditional land uses and community-led priorities; include potential partnership opportunities;
	• Requirement 5: move to Leading Practice Level (two comments); include closure planning through all stages of lifecycle; consider situations where progressive closure is not feasible; incorporate adaptive monitoring approach with Indigenous ecological knowledge, co-management practices and FPIC; include climate change effects;
	• Requirement 6: move to Foundational Practice Level (one comment); add pre-defined frequency and funding for monitoring; add commitment to transparent reporting on progress against closure objectives and activities;
	• Requirement 7: move to Foundational Practice Level (one comment); add full closure cost estimation; clarify information to be publicly disclosed; include estimate scenarios for unplanned closure; ensure financial assurance is independently guaranteed, reliable and readily liquid; require published cost figures and undiscounted figures;
	• Requirement 8: move to Foundational Practice Level (one comment); combine with Requirement 7 (one comment); clarify Requirement in relation to regulatory Requirements;
	• Requirement 9: define or rephrase 'high level of confidence';
	• Requirement 10: move to Leading Practice Level (one comment); add revisions after material changes to mine plan;
	• Requirement 11: move to Leading Practice Level (one comment); include emergency preparedness; and
	• Add Requirements, such as reducing water treatment needs at closure; gender-inclusivity and inclusivity of disadvantaged and vulnerable groups; establish rehabilitation trial areas to inform closure plan; engage in progressive closure during operation phase; review and apply lessons from previously closed sites; develop time-bound and measurable post-closure monitoring Requirements.
Leading Practice	• Requirement 1: move to Good or Foundational Practice Level (three comments); clarify level of detail and method for publicly disclosing closure costs; include disclosing provisions specifically allocated for addressing cultural, environmental and economic priorities of Indigenous Peoples and other rights holders;
	• Requirement 2: move to Good Practice Level (one comment); address redundancy with Good Practice Requirement 2; add input on

24.1 Closure Management

environmental and cultural considerations and employment opportunities; specify collaboration with Indigenous Peoples, incorporating FPIC into process; and

- Add Requirements, such as eliminating water treatment in perpetuity as a closure solution; efforts to decommission dams; add assessments related to mine closure into active mine; regenerative approaches, linking to circular economy principles; include support and collaboration on closure and reclamation research; establish financial assurance for all closure and post-closure costs, including worst-case scenarios; annual disclosure of financial provisions for all facilities.

6.5 GOVERNANCE MODEL

There were 162 comments received on the Governance Model. Sixty-seven stakeholders submitted comments on the Governance Model, including 13 consultancy stakeholders, 12 NGO/CSO stakeholders, and 11 upstream industry stakeholders.

After general comments, the areas of the document that received the most comments were '1. What is the vision?', at 26 comments, and '6. What will the composition of the Board look like?', at 23 comments.

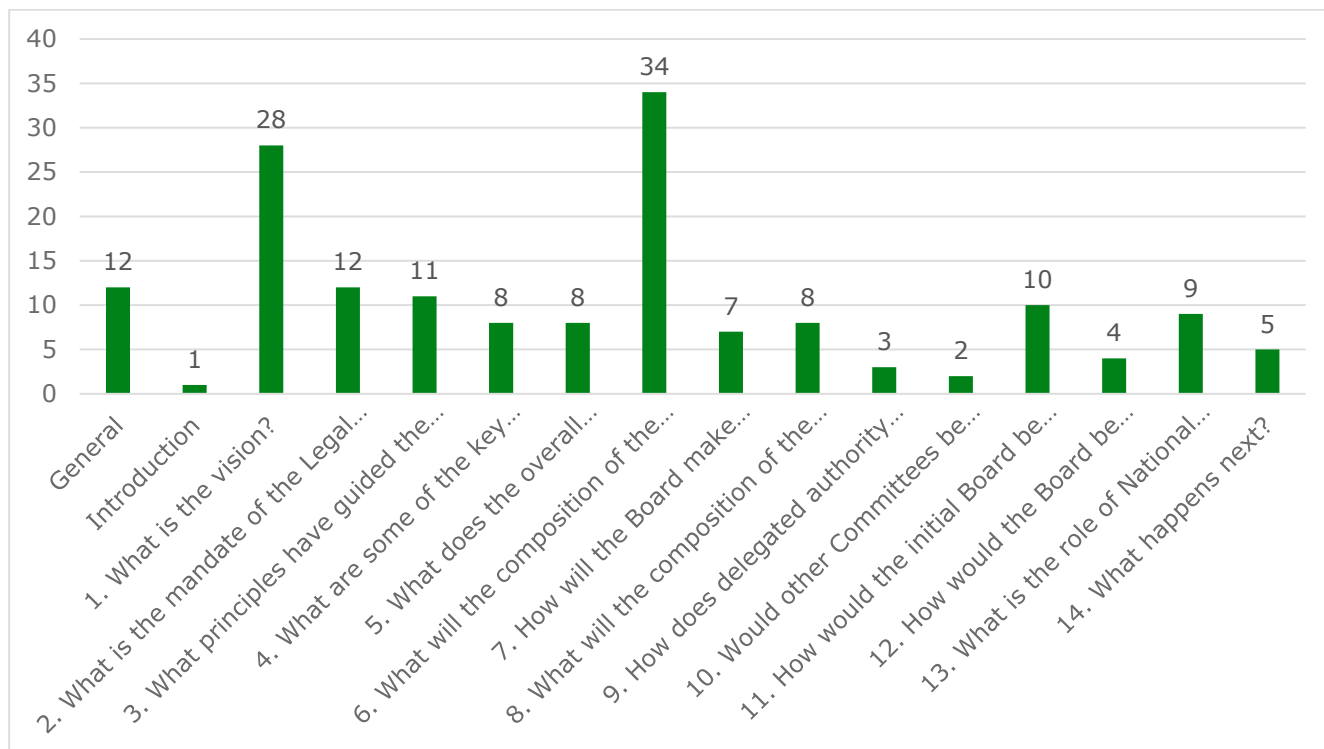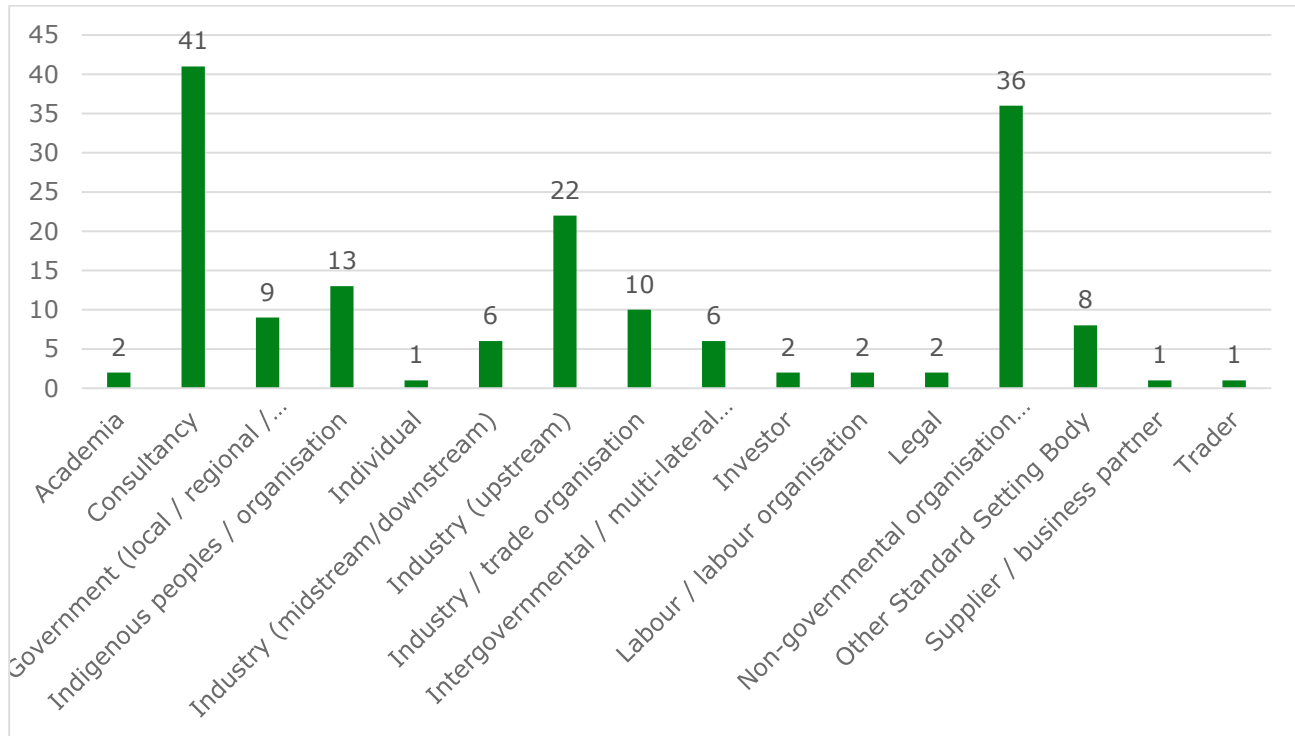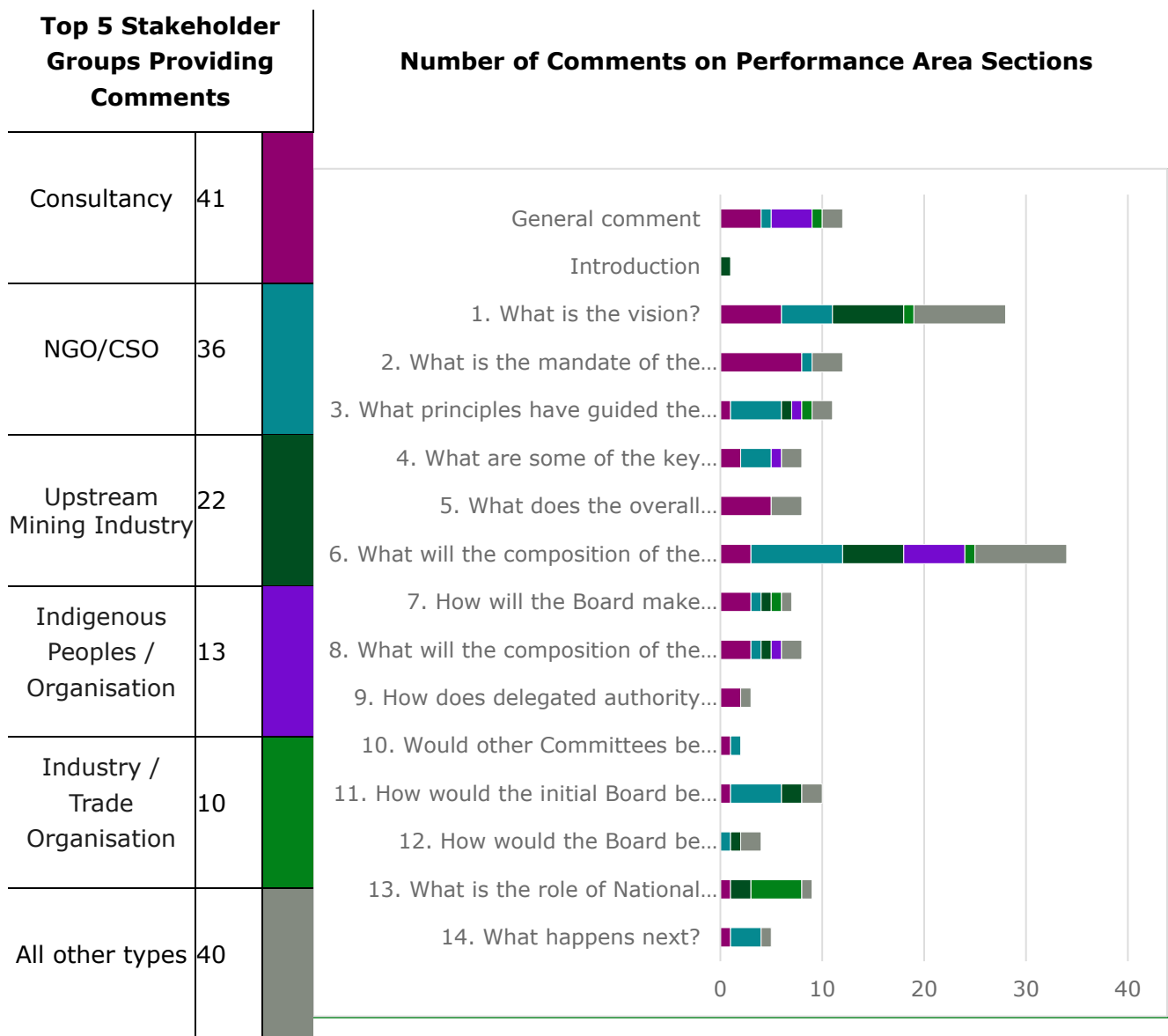FIGURE 11 NUMBER OF COMMENTS BY GOVERNANCE MODEL SECTION

FIGURE 12 NUMBER OF COMMENTS ON GOVERNANCE MODEL BY STAKEHOLDER TYPE

NGO/CSO stakeholders and other types of stakeholders showed the highest interest in the Governance Model, with 34 and 32 comments, respectively; followed by supplier/business partner respondents and Upstream Mining Industry respondents, with 22 and 21 comments, respectively.

Top 5 Stakeholder Groups Providing Comments

Consultancy	41
NGO/CSO	36
Upstream Mining Industry	22
Indigenous Peoples / Organisation	13
Industry / Trade Organisation	10
All other types	40

Number of Comments on Performance Area Sections

General comment
Introduction
1. What is the vision?
2. What is the mandate of the…
3. What principles have guided the…
4. What are some of the key…
5. What does the overall…
6. What will the composition of the…
7. How will the Board make…
8. What will the composition of the…
9. How does delegated authority…
10. Would other Committees be…
11. How would the initial Board be…
12. How would the Board be…
13. What is the role of National…
14. What happens next?

0   10   20   30   40

Feedback Summary

There were conflicting opinions regarding the makeup of the Board. Some felt it was industry-dominated and would be skewed towards industry supporters because three of the four founding organisations are industry associations. In contrast, others stated the role of industry would be diminished and the evolution of the Consolidated Standard and its governance would lose sight of the need for practicality. Respondents provided suggested alternatives for how the Board seats could be selected and renewed. Stakeholders also expressed concern that the four CMSI Partners would select the independent chair, who is, in turn, charged with overseeing the formation of the Board, potentially resulting in a biased selection process.

Feedback Summary

- Indigenous Peoples' rights, as articulated in UNDRIP and ILO 169 (e.g. FPIC), were cited by multiple stakeholders to argue that Indigenous Peoples' involvement must go beyond advisory roles, ensuring that decisions impacting their lands and communities reflect their input.

- There was strong support for the governing principles with some suggested additions, such as gender equity. It was felt that 'going beyond DEI' was confusing. Regarding a multi-stakeholder Board, suggest committing to giving multi-stakeholder groups that report to the Board authority to independently decide on matters within their mandate or 'sandbox'.

- Recommendations for Board decision-making, with specific recommendations on consensus-based approaches and 'systemic consensing'.

- The delegation of authority seemed to conflict with the role of the Secretariat and prompted several comments seeking clarification.

- The criteria for selection of an independent chair should be included in the second round of public consultation.

- The role of National Panels gathered comments with concern about their role as nonmandatory. It was unclear what would incentivise their creation.

Detailed Feedback by Section

All Sections	
General Comments	• The Board structure heavily favours industry, limiting Indigenous Peoples' and non-industry stakeholder influence. For meaningful governance, Indigenous Peoples, rights holders and other non-industry voices must share decision-making authority to ensure balanced power, transparency and accountability; • Only 10 out of 53 Board seats are allocated to 'mining-affected stakeholders', a term that groups Indigenous Peoples with labour and environmental advocates. This broad categorisation risks diluting Indigenous Peoples' perspectives and influence; and • Commit to Transparency and Accountability: Real-time reporting, independent audits and explicit accountability measures will enhance the CMSI's transparency and credibility.
1. What is the vision?	• Consider the European Union Critical Raw Materials Act definition of multi-stakeholder governance; • Concern that the four CMSI Partners will select the independent chair, who is, in turn, charged with overseeing the formation of the Board. No transparency over the criteria or process being used to guide the selection of the leaders who will drive decision-making, or more

All Sections

	critically, of the 'independent chair' tasks with oversight of the Board; and • Generally, respondents gave strong support for the governing principles.
2. What is the mandate of the Legal Entity to deliver this vision?	• Concern that if the Assurance Process culminates in the Board finally resolving client-assurer disputes by qualified-majority vote, this could potentially place untenable public and political pressure upon the assurance provider. Recommended that both the client and the assurance provider be represented in the group that decides how the dispute is resolved; and • There is potential for conflict of interest if the clients of the assurance providers fund the Secretariat.
3. What principles have guided the development of the Governance Model?	• The meaning of 'realistic' (i.e. pragmatic) in the last general principle is vague; • The wording of 'include and go beyond DEI criteria' was seen as odd phrasing; and • Suggested adding a specific mention of gender considerations and the inclusion of women's voices.
4. What are some of the key features the Governance Model needs to include?	• Several respondents focused on multi-stakeholder oversight. They considered it is not enough to just have multi-stakeholder oversight because there needs to be multi-stakeholder decision-making in all aspects of the certification scheme. This includes agreement around the design of the Consolidated Standard and its Governance Model; and • There were comments suggesting governments appear to be omitted from the proposed structure, yet they are uniquely positioned to help mining companies meet the Requirements of the CMSI.
5. What does the overall Governance Model look like?	• There were questions concerning to whom the Board will be accountable; and • There should be a description of the conflict resolution process in the terms of reference of the Board.
6. What will the composition of the Board look like?	• If director terms are three years, can a new director from the same company apply to be on the Board? Or is it also the company term for a director seat? How long does a company have to wait until they can be on the Board again?; and • Some felt it was important that major mining representatives be included in governance.

All Sections	
7. How will the Board make decisions?	• This question was suggested to extend to the Secretariat and committees; and • The transition period for the Copper Mark Board to be replaced by relevant commercial or stakeholder interests should be stipulated upfront rather than 'in due course', which is too vague.
8. What will the composition of the Mining and Value Chain Committees look like?	• How will the CMSI ensure recruitment of representatives from small or mid-tier companies, fabricators and recyclers?; and • The mining committee should be comprised entirely of mining industry representatives. To ensure that all mining types are adequately represented, the committee should be comprised of any national level mining association and mining company representative that wants to participate.
9. How does delegated authority work and what would the delegated responsibilities of Mining and Value Chain Committees be?	• Duplication of Board members in the committees would set up the potential for dominant 'Board' voices at the committee level; and to diminish independence of review/oversight role of the Board for those directors; and • The term 'delegated authority' is used to describe the functions of the mining committee and the value chain committee. This implies that the Secretariat will not retain responsibility for the assurance process, grievance mechanism and Claims Policy.
10. Would other Committees be established?	• No specific comment on this topic.
11. How would the initial Board be established?	• Some respondents felt there is no transparency around the specific criteria or process used to guide the selection of the leaders driving decision-making on the Board, or more critically, of the 'independent chair' tasked with overseeing it. Additionally, they stated this lack of transparency could extend to the committee level where industry interests might still disproportionately influence decisions; • Others stated the basis for the selection process is not clearly defined and that a set of criteria should be established; and • It was suggested the criteria for selection of an independent chair should be included in the second round of public consultation.

All Sections	
12. How would the Board be renewed over time?	• There were limited comments, but the comments were focused on the balance of mining stakeholders with Indigenous Peoples and other non-mining stakeholders.
13. What is the role of National Panels?	• It was stated the ability to 'provide country-specific interpretation to implementers and assurance providers' would need some guard rails and regular oversight from the main Secretariat; • Given the proposed national panels are not mandatory, what is the priority of the CMSI in this regard? How will the CMSI incentivise their creation?; and • A number of suggestions were provided as to the makeup of the National Panels to include independent experts reflecting a balance of individuals from different backgrounds, including civil society, community, private sectors (both mining and value chain) and existing relevant initiatives.
14. What happens next?	• The language outlining who is classified as a mining and value chain stakeholder was stated as needing to be strengthened to guarantee the perspectives of rights holders and civil society will be represented.

6.6 ASSURANCE PROCESS

Stakeholders submitted 359 comments on the proposed Assurance Process document. Eighty-two stakeholders provided feedback on the Assurance Process, including 18 consultancy stakeholders, 17 upstream industry stakeholders and 11 NGO/CSO stakeholders.

Approximately 48 percent of the comments were submitted on Section 4, Consolidated Standard External Assurance Process. Figure 12 illustrates the number of comments submitted on each section of the proposed Assurance Process. Several areas of concern were identified, with multiple comments expressing similar sentiments summarised below.
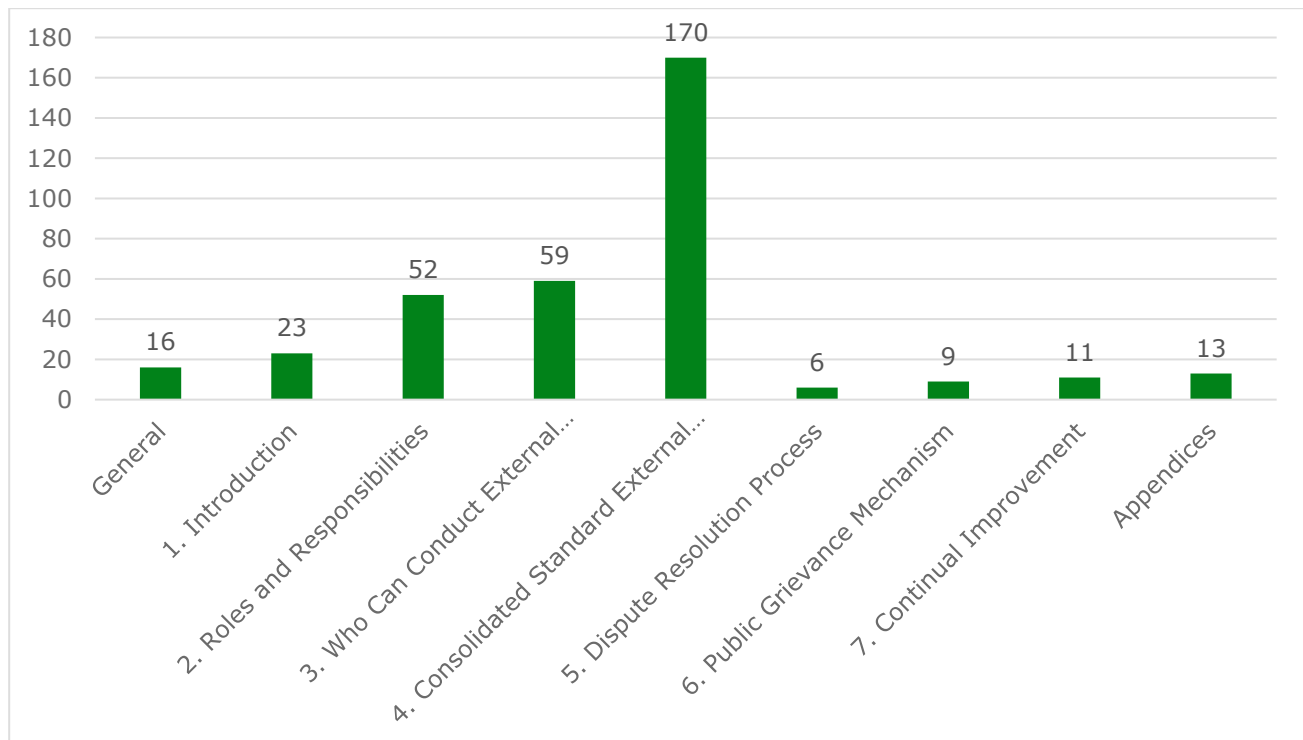
FIGURE 13 NUMBER OF COMMENTS BY ASSURANCE PROCESS SECTION

FIGURE 14 COMMENTS BY STAKEHOLDER TYPE ON ASSURANCE PROCESS

Top 5 Stakeholder Groups Providing Comments

Upstream Mining Industry	134	
NGO/CSO	59	
Consultancy	47	
Industry (Midstream/ Downstream)	30	
Assurance Provider / Auditor	18	
All other types	71	

Number of Comments on Performance Area Sections
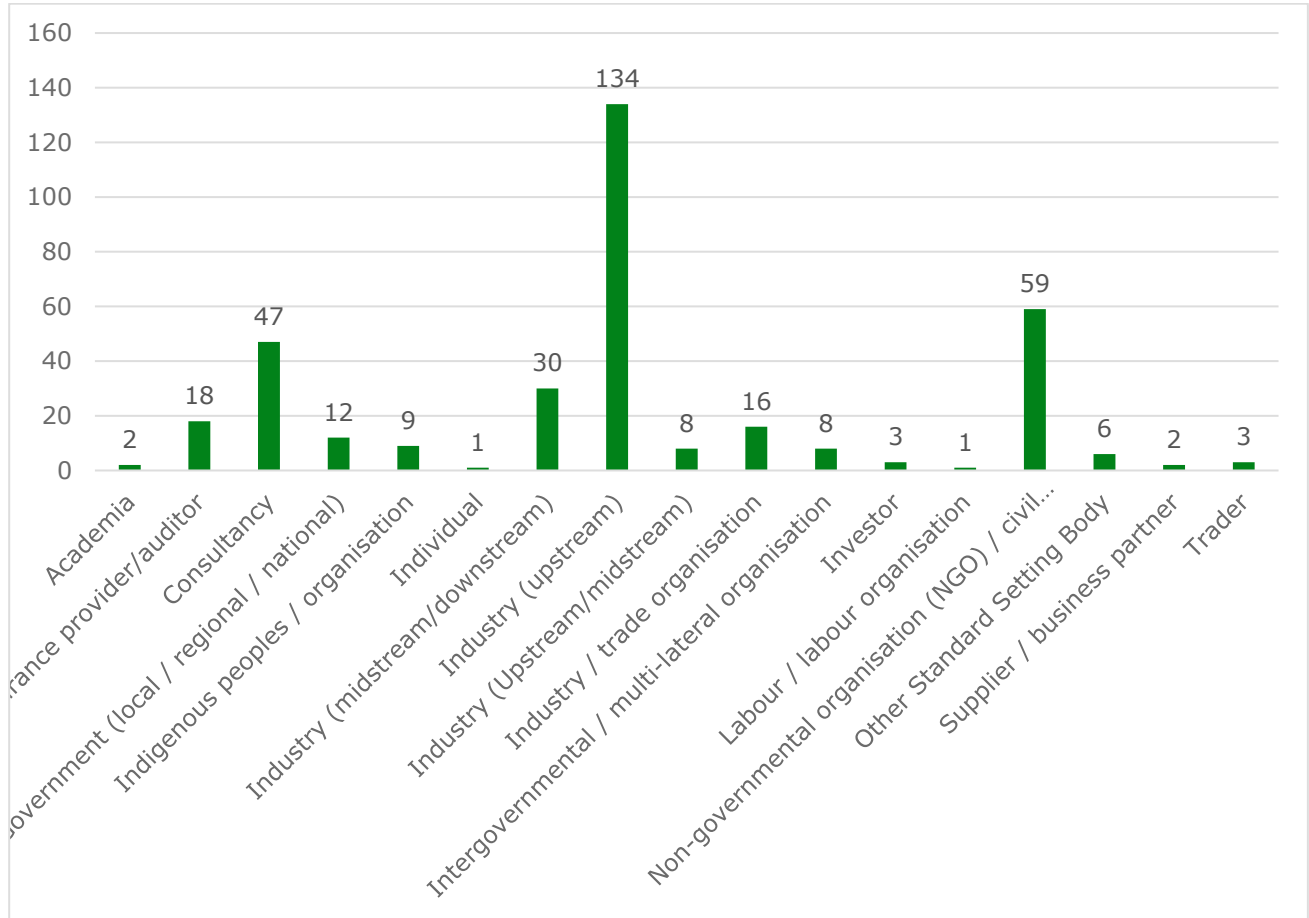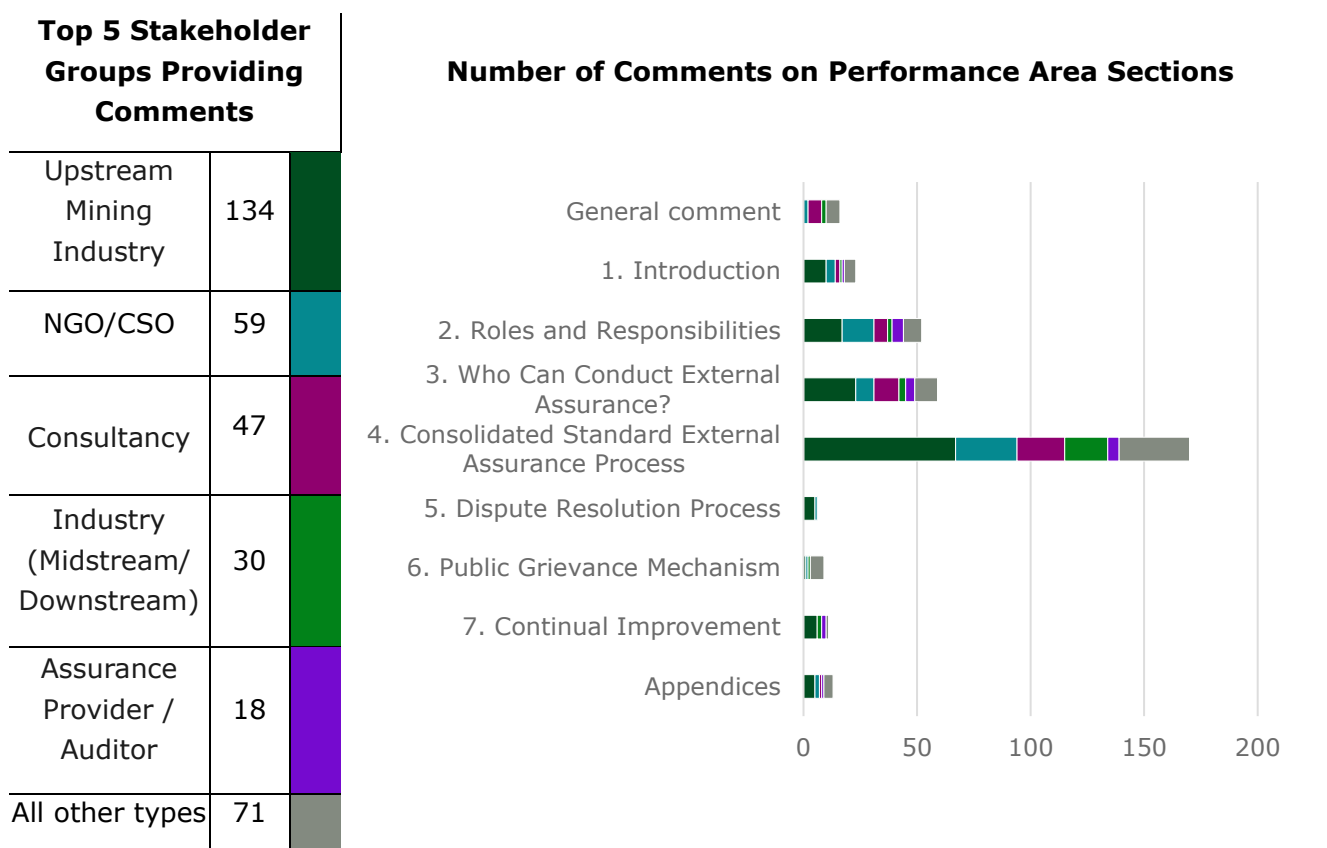
Feedback Summary

- There was concern regarding the process of identifying, notifying and engaging with stakeholders during the audit process. The process currently states the facility will identify and notify the stakeholder groups. This was seen as a potential conflict of interest and may create reluctance on the part of stakeholders to participate for fear of reprisal. The specific role of Indigenous Peoples was a focus for several respondents who felt the engagement process did not align with UNDRIP.

- Auditor qualifications and accreditation received numerous comments. This included lack of clarity on training versus competency, auditor oversight and selection. Several respondents stated the Secretariat and not the facility should be selecting the auditor. Accreditation was suggested to be at the enterprise level and not the individual auditor level, with ISO 17021 being a preferred process. DEI training for auditors was also mentioned, and the role of technical experts was felt to lack clarity, with terms such as 'demonstrate technical expertise' being too vague.

- The dispute resolution and grievance mechanisms were commented on, with the latter focused on lack of alignment to the UNGPs and its associated focus on remedy. A number of comments identified these processes should be moved to the Governance Model rather than the audit procedure.

Feedback Summary
• The level of transparency of the audit process was also commented on, which included the need for more detailed public audit reports and transparency around nonconformity and corrective action.
• The role of National Panels in assurance was identified as being not well defined.
• There were comments on the timelines associated with the assurance process, ensuring there would be adequate time for notification, reporting and continual improvement planning.

Detailed Feedback by Section

All Sections	
1. Introduction	• Incorrect reference to ISO 19011;
	• Clarify use of terms, certification versus assurance;
	• How are multi-site facilities managed? Clarify company versus facility audits;
	• Concern with the mine identifying the stakeholders and rights holders and providing the auditors with a list;
	• Perception that when the company compensates the auditors, they are compromised;
	• Audit public report lacks sufficient details. Audit reports need to focus on details and not summaries at Performance Area and Performance Level;
	• Suggesting independent management of accreditation and auditor selection / qualification;
	• System lacks adequate accreditation – consider ISO 17021;
	• Need clarity on number of audit days; and
	• Rather than assign conformance to the lowest level of performance, there can be minor or major nonconformance to a higher level of performance with corrective action requests.
2. Roles and Responsibilities	• Decision-making authority unclear;
	• Role in dispute resolution unclear;
	• Unclear timelines, using 'as soon as';
	• Secretariat needs to be involved in media scan;
	• Need better definition of role of national panels;

All Sections	
	• Need clarity on definition of operational control. What about contracted operations;
	• Provide DEI training to auditors. Ensure data are gender-disaggregated;
	• Concept of National Panels does not address multi-jurisdictional supply chains; suggest jurisdictional panels; and
	• Should not continual improvement plans be required for all facilities falling short of Good Practice?
3. Who Can Conduct External Audits	• More guidance on auditor qualifications;
	• Technical disciplines – there is no one person who can cover all topics. Tailings expertise is a small pool, so this needs to be considered in audit team selection;
	• Clarify how auditors are disqualified. Inadequate safeguards against auditor conflicts of interest;
	• 'Demonstrate technical expertise' is a vague Requirement;
	• Should be an auditor competency test;
	• Need clarity on rotation of auditors and timeframes; and
	• Need to emphasise subject matter expertise, not just auditor qualifications.
4. Consolidated Standard External Assurance Process	• Will stakeholder lists be published?;
	• Recommend following AA1000;
	• What is meant by 'sufficient numbers of Indigenous rights holders'?;
	• Clarification on whether assurance level is higher for Leading Practice claims;
	• How will corporate performance be assessed?;
	• Are media scans to be shared with the company? Who pays for this?;
	• CAR within 30 days of final report leaves insufficient time. Suggest 90 days;
	• No remote audits could be an issue;
	• Who chooses the auditor, the site or the Secretariat?;
	• 30 days' notice of audit not enough;

All Sections	
	• No apparent incentive to achieve a higher Performance Level. How will you enforce achievement of Good Practice over time? What are the consequences of noncompliance? Recommend a mandatory 2-year period to achieve Good Practice Level;
	• Concept of risk-based audits is unclear and conflicts with UNGPs;
	• Annual update of self-assessment creates more work than needed. Facilities should define their update cycle;
	• Stipulate that when interpreters are used that they must be independent of the facility; and
	• Indigenous Peoples' engagement not aligned with UNDRIP and ILO Convention 169. Decision-making processes not clear.
5. Dispute Resolution Process	• Does this reference a subcommittee of the Board? Not in the Governance Model.
6. Public Grievance Mechanism	• CSO respondents supports this;
	• Will multiple languages be supported?;
	• This should be in the governance document, not assurance; and
	• Should be UNGP-aligned.
7. Continual Improvement	• Unclear how this is planned; and
	• What does 'regular' mean?
Appendices	• Reliance on ISO auditors will not address cultural uniqueness;
	• How will you address geopolitical situations preventing audit agencies from operating in certain areas?;
	• Add Exemplar Global and International Register of Certificated Auditors lead auditor training; and
	• Inadequate detail in reporting exacerbates vagueness within the Consolidated Standard.

6.7 REPORTING AND CLAIMS POLICY

Stakeholders submitted 92 comments on the proposed Assurance Process document. Approximately 44 percent of the comments were submitted on Section 3, Types of Reporting and Claims. The figure below illustrates the number of comments submitted for each section of the proposed Reporting and Claims Policy.

FIGURE 15 NUMBER OF COMMENTS BY REPORTING AND CLAIMS POLICY SECTION
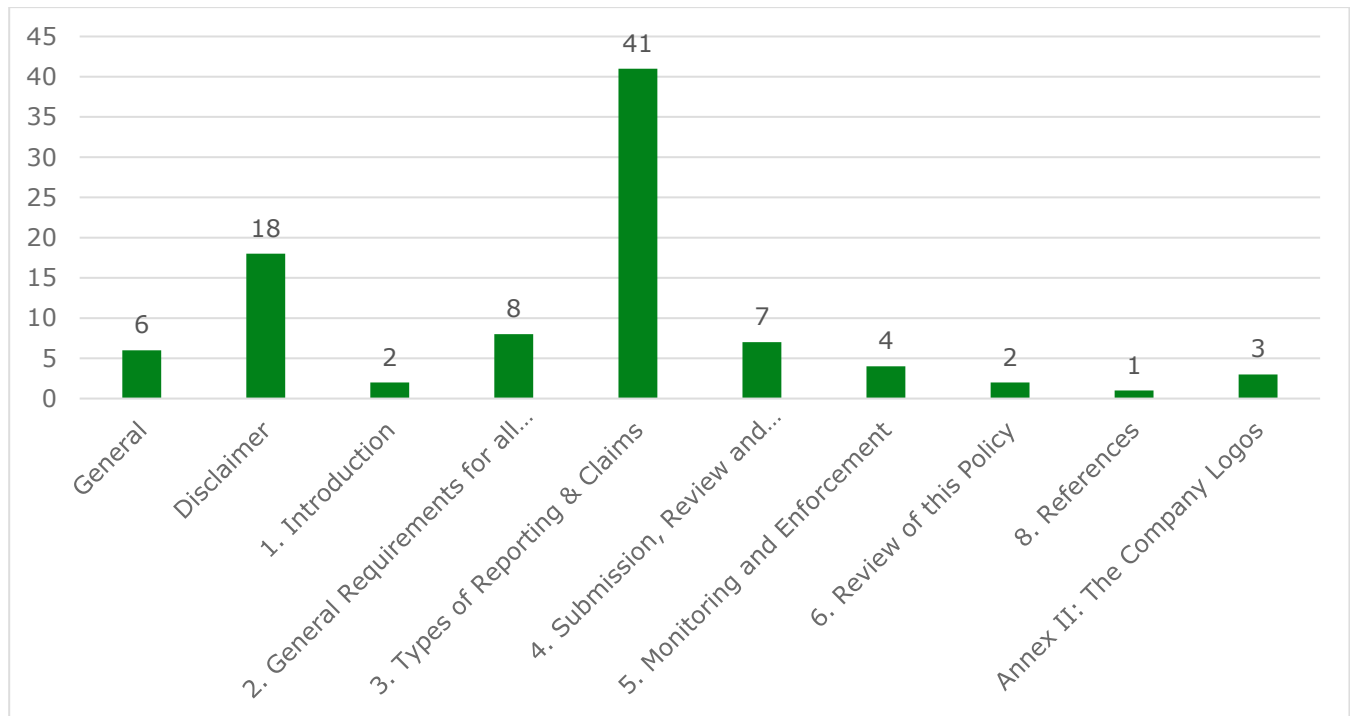
FIGURE 16 NUMBER OF COMMENTS BY STAKEHOLDER TYPE
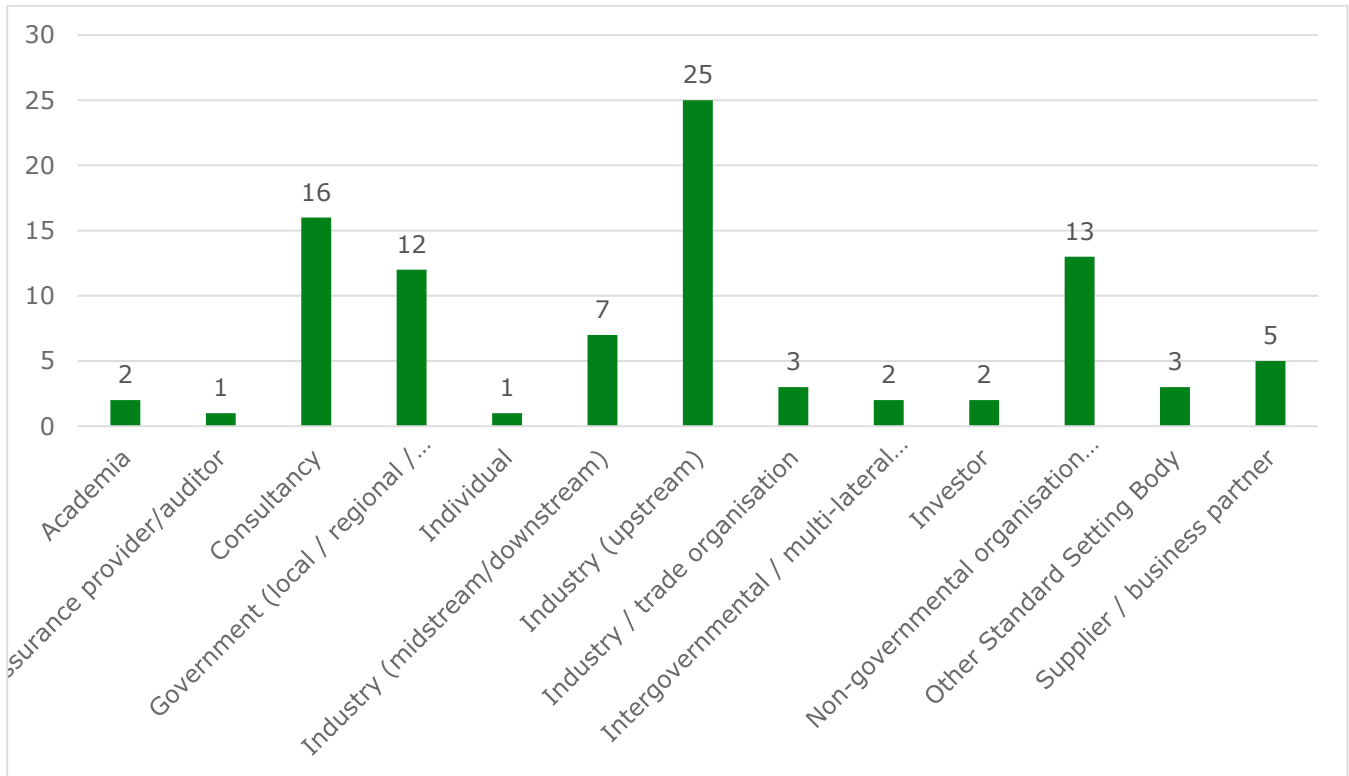
Top 5 Stakeholder Groups Providing Comments

Upstream Mining Industry	25	
Consultancy	16	
NGO/CSO	13	
Government	12	
Industry (Midstream/ Downstream)	7	
All other types	19	

Number of Comments on Performance Area Sections
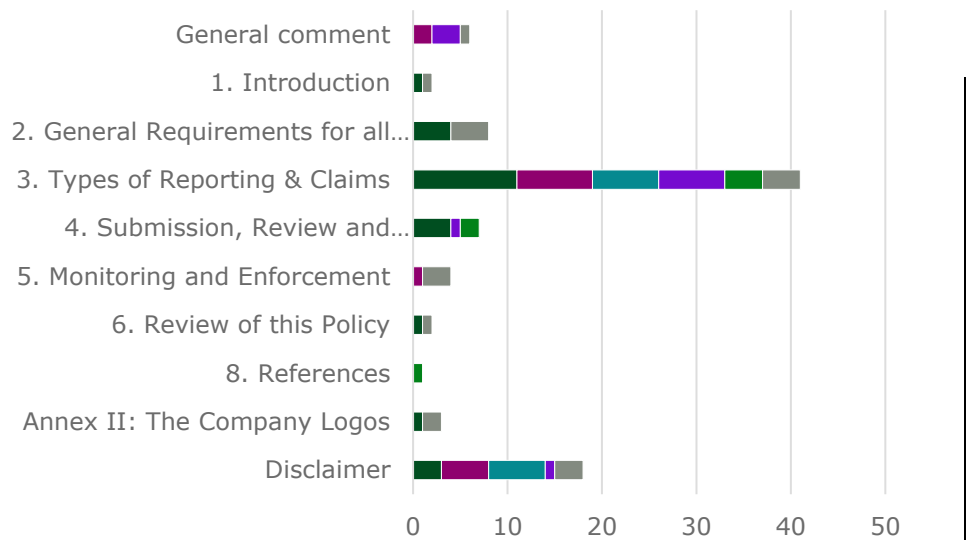
Feedback Summary

- Opinions regarding the Percent Claims methodologies varied. Some agreed with the 80 percent model. Some disagreed with the 75/75 model. A larger number felt anything less than 100 percent would be misleading or create critical performance gaps in areas such as human rights or child and forced labour, while still enabling a claim of Good Practice. Several alternative approaches were suggested, such as establishing critical Requirements within each Performance Area. Others pointed out there was no model for Leading Practice achievement included.

- A number of respondents highlighted that a Participant Claim seemed like greenwashing, as no level of performance was yet assured.

- There was some confusion over timelines, with specific references to discrepancies within this document and with the Assurance Process. Responsibilities for publishing reports were also noted as being inconsistent.

- There was concern over the lack of a process for misuse of claims and a focus on immediate corrective action.

- The continued use of metal marks was confusing to some who were wondering if this was a legacy feature to be either eliminated or expanded upon with other metals.

Detailed Feedback by Section

All Sections	
General Comments	• Ensure clarity on which metals a facility produces are to be included;
	• Consider both a sourcing and chain of custody Consolidated Standard, using CuMark as seed documents; and
	• Add a glossary of terms.
Disclaimer	• Companies may be concerned about how to comply with regulations on green claims and green washing - suggest some general information on how the CMSI can support them in meeting these Requirements;
	• Will there be guidance on equivalencies?;
	• Unclear what the incentive is for achieving Leading Practice Level; and
	• The policy should be 100-percent compliant at Good Practice Level to make a claim. Anything less presents issues on performance in areas such as child labour or human rights, thus making a claim meaningless.
1. Introduction	• Can there be explicit guidance on use of Claims once a Consolidated Standard is revised and facility transitions in the adoption of the revised Consolidated Standard?
2. General Requirements for all Consolidated Standard-Related Reporting and Claims	• Lack of clarity of publishing reports (self-assessment, audit) on websites; • Consider an implementation of a one-year grace period; and • Provide examples of each claim for clarity.
3. Types of Reporting and Claims	• Having a 'participant' claim seems like greenwashing; • Not practical to put a percent achievement on Good Practice. It is also potentially misleading to make such a claim if not all Requirements have been met; • If a percent score is used, a granular scoring approach is required at the Performance Area sublevel. Subsequently, this requires an opinion to weight what is important; • Whatever the performance claim Consolidated Standard ends up being, it needs to be really simple for the public to understand;

All Sections	
	• Others stated the 80 percent Standard described here is clean and simple; • Some kind of incentive, maybe a higher level performance claim, should be available to facilities achieving Leading Practice in many areas, as it would be the only real incentive to move beyond Good Practice; • Consider a progressive claim model for facilities showing significant improvement; • The CMSI should consider options for different Requirements for ASM, medium-sized facilities and LSM facilities; • Timelines and responsibilities for publishing assured reports does not align within the document or the Assurance Procedure. Conflicting information on publication of self-assessment reports; • Rather than performance thresholds, consider saliency or materiality of issues to determine performance thresholds; • Some Performance Areas / risk areas should be prerequisite to any claim (e.g. human rights, child / forced labour and tailings management). Concept of critical criteria for each Performance Area to achieve any level of performance and associated claim should be adopted; and • Concern that facilities could prioritise certain Performance Areas to achieve a claim, which is similar to IRMA.
4. Submission, Review and Approval of Reporting and Claims	• Recommended to specify that for its review and approval of reporting and claims, the Secretariat will consult the assessment results through a participatory consultation, giving the relevant stakeholders an opportunity to express caveats or objections. Or, if the Secretariat does not actively approach stakeholders, provide an easily accessible and properly announced channel for feedback and objections and allow for stakeholders to trace how their feedback is considered.
5. Monitoring and Enforcement	• This seems like creating a Standards police; • Misuse of claims requires more immediate action on the part of the facility in terms of outreach and notification within their supply chain; and • Suggest defining what constitutes a 'violation' and providing examples of possible enforcement actions. A clearer distinction between minor and major violations and their consequences would add clarity.

All Sections	
Annex II: Company Logos	- Not clear what a metal mark is. Are other metal marks planned? Is this a transition from the other programmes and will eventually be replaced? Why are logos being retained?; and - Suggestion to include a mandatory link to a webpage with more information explaining the meaning of 'behind the logo' and what 'responsibly produced' means (particularly under the Green Claims and Empowering Consumers Directives).

7.   REFERENCES

[1] Source: https://miningstandardinitiative.org/consultation

[2] Source: https://miningstandardinitiative.org/

APPENDIX A   CONSULTATION RESPONDENTS

First Name	Second Name	Organisation	Country
FERNANDO	ALARCON	AFS ENGINNERING & CONSULTING	Peru
Monika	Andersson	Zinkgruvan Mining	Sweden
James	Anstey	Prediktivity Pty Ltd	Australia
Sophia	Areias		Spain
Elizabeth	Armstrong	Ithaca Impact	Australia
Caroline	Avan	Business and Human Rights Resource Centre	United Kingdom
Elizaveta	Azrapkina	Horizon Corporate Finance	Russian Federation
Simone	Bailey	WSP	Canada
Cecilia	Balby	Independent Consultant at Ciliar SS Ltda	Brazil
Stephen	Barrie	Church of England Pensions Board	United Kingdom
Simon	Barry	Cohort International	South Africa
Louise	Beaton	WSP Australia	Australia
Grégoire	Bellois	IGF / IISD	Switzerland
Gregory	Berry	Accountability Counsel	United States
Nada	Bessassi	ICoCA	Switzerland
Jennifer	Black	World Benchmarking Alliance	Netherlands
Shane	Borchardt	Cameco Corporation	Canada

First Name	Second Name	Organisation	Country
Tania	Bossi	International Platinum Group Metals Association	Germany
Henry	Brehaut	GSS inc	Canada
David	Brereton	The University of Queensland	Australia
David	Brereton		Australia
Laura	Brunello	Aluminium Stewardship Initiative	Netherlands
Lindsey	Bungartz	ERM	United States
Anna	Burdzy	DCAF- Geneva Centre for Security Sector Governance	Switzerland
Genevieve	Campbell	Re:wild	Canada
Luis	Campos	SmartAccEss	United States
Ana	Carballo	Transparency International Australia	Australia
Nalori	Chakma	First Peoples Wordwide at CU Boulder	United States
Yoginder	Chugh		United States
David	Clarry	Innotain Inc.	Canada
PATRICIO	CONTRERAS	KPSERVICES SPA	Chile
Allison	Coppel	IWIM	United States
DALLAS	Davis	Edge Exploration Inc.	Canada
Alex	de Lima Castro	AECOM do Brasil	Brazil
Jack	Denton	TMP Public C.I.C.	United Kingdom
Macarena	Donoso	CODELCO	Chile

First Name	Second Name	Organisation	Country
Johannes	Drielsma	Drielsma Resources Europe / BK International Network	Netherlands
AnnaMae	Dziallo	First Peoples Worldwide at CU Boulder	United States
Richard	Elmer	Knight Piésold Limited	United Kingdom
Dania	El-Sayed	Vale Base Metals	Canada
Alice	Evans	SRK Consulting	United Kingdom
Kim	Ferguson	WSP	Canada
Balakarthik Reddy	Gajjala	University of Dundee	United Kingdom
Terry	Garde	Self Employed	United Kingdom
Jeff	Geipel	Engineers Without Borders Canada	Canada
Alice	Gottesman	LandScale	United Kingdom
Olivia	Green	Pact	United Kingdom
Renee	Grogan	JANA	Australia
Benjamin	Hitchcock	Earthworks	United States
Chelsea	Hodgkins	Public Citizen	United States
Devin	Holterman	WWF-Canada	Canada
Fernanda	Hopenhaym	UN-OHCHR	Switzerland
Kyla	Horsting-Minnabarriet	Citxw Nlaka'pamux Assembly	Canada
Kirsten Margrethe	Hovi	Norsk Hydro ASA	Norway

First Name	Second Name	Organisation	Country
Kim	Hudson	2 Ways of Knowing Project	Canada
Eugene	Jo	ICCROM	Italy
Sally	Johnson	Fairfields Consulting	United Kingdom
Cassia	Johnson	University of Exeter	Canada
Mora	Johnson	Voluntary Principles Initiative (Multi-stakeholder Initiative)	Canada
Susan	Joyce	On Common Ground Consultants Inc.	Canada
Keerit	Jutla	AME	Canada
James	Keneally	Ryerson Networks	Australia
Tobias	Kluge	Svemin AB	Sweden
Alex	Kopp		United States
Judy	Kreps	Gone Native	United States
Rolf	Kuby	Euromines	Belgium
Nicole	Kulp	PDAC	Canada
Luc	Lapointe	Capitals Hub Canada	Canada
Kjersti Hartvig	Larsen	Norsk Bergindustri (Norwegian Mineral Industry)	Norway
Tamara	Leves	Equipare	Chile
Estelle	Levin-Nally	Levin Sources	United Kingdom
Johanna	Lindkvist	Boliden Mineral AB	Sweden
ROBERT	Magowan	InfluenceMap	United Kingdom

First Name	Second Name	Organisation	Country
Shahrzad	Manoochehri	World Resources Forum Association	Switzerland
Tom	Mather	ICoCA	Switzerland
Aubrey	Menard	Oxfam	United States
john	metzger	AssetAssurance Monitoring	United States
Elise	Milroy	Pillar Two	Australia
Sunny	Misser	AccountAbility	United Kingdom
Bernd	Mosshammer	Audi AG	Germany
Nicolas	Moureau	The Metals Company	Canada
Glen	Mpufane	IndustriALL Global Union	South Africa
Chairperson	N/A	Social Practice Forum	Canada
ROBERT	Pitman	Natural Resource Governance institute	United States
Noora	Puro	Global Reporting Initiative	Netherlands
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Maria Jose	Rodriguez Montano	AIME - Asociacion de Ingenieros Mineros de Ecuador	Ecuador
Amina	Russell	Amazon	United Kingdom
Christina	Saulich	Federal Ministry for Economic Cooperation and Development (BMZ)	Germany
Eric	Schwamberger	International Cyanide Management Institute	United States
Kady	Seguin	IMPACT	Canada

First Name	Second Name	Organisation	Country
Francisca	sepulveda	sonami	Chile
David	Shirley	Corporate Integrity	United Kingdom
Raika Katiuscia Alves	Silva	RP Soluções Engenharia	Brazil
Marie-Alice	Small	Pilbara Minerals Ltd	Australia
Linda	Smids	The Finnish Mining Association	Finland
Gina	Snyman	Synergy Global Consulting	United Kingdom
Laura	Sonter	The Biodiversity Consultancy	Australia
Isobel	Standfast	Thiess	Australia
Teresa	Steele-Schober	SRK Consulting (UK)	United Kingdom
Rachel	Stonehouse	Institute of Materials, Minerals and Mining (IOM3)	United Kingdom
Matthew	Storey	Storey & ward Lawyers	Australia
Kevin	Thomas	Share	Canada
Andrea	Vaccari	Freeport-McMoRan, Inc.	United States
Rick	Valenta	University of Queensland Sustainable Mineral Institute	Australia
Laura	Väyrynen	ECOS (Environmental Coalition on Standards)	Belgium
Anna	Wendt	U.S. Department of Energy	United States
Jarrod	Wilson	Dynamiq	Australia
NAOTO	YOSHIDA	Japan Mining Industry Association	Japan

First Name	Second Name	Organisation	Country
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Joel	Zandvliet	Queen's University	Canada
ICARO	ZAPPAROLI	Nexa Resources S.A	Brazil
		Swiss Federal Office for the Environment	Switzerland
		Office of the Queensland Mine Rehabilitation Commissioner	Australia
Anonymous Stakeholder 1			Peru
Anonymous Stakeholder 2			Chile
Anonymous Stakeholder 3			Canada
Anonymous Stakeholder 4			United Kingdom
Anonymous Stakeholder 5			United Kingdom
Anonymous Stakeholder 6			Canada
Anonymous Stakeholder 7			Canada
Anonymous Stakeholder 8			Canada
Anonymous Stakeholder 9			Canada
Anonymous Stakeholder 10			Belgium
Anonymous Stakeholder 11			Canada
Anonymous Stakeholder 12			Canada
Anonymous Stakeholder 13			Sweden
Anonymous Stakeholder 14			Belgium
Anonymous Stakeholder 15			Netherlands

First Name	Second Name	Organisation	Country
Anonymous Stakeholder 16			Canada
Anonymous Stakeholder 17			United Kingdom
Anonymous Stakeholder 18			United Kingdom
Anonymous Stakeholder 19			Canada
Anonymous Stakeholder 20			Germany
Anonymous Stakeholder 21			Germany
Anonymous Stakeholder 22			United States
Anonymous Stakeholder 23			South Africa
Anonymous Stakeholder 24			Canada
Anonymous Stakeholder 25			Germany
Anonymous Stakeholder 26			Australia
Anonymous Stakeholder 27			South Africa
Anonymous Stakeholder 28			Italy
Anonymous Stakeholder 29			Canada
Anonymous Stakeholder 30			United Kingdom
Anonymous Stakeholder 31			Switzerland
Anonymous Stakeholder 32			Canada
Anonymous Stakeholder 33			United States
Anonymous Stakeholder 34			Canada
Anonymous Stakeholder 35			United States

First Name	Second Name	Organisation	Country
Anonymous Stakeholder 36			Switzerland
Anonymous Stakeholder 37			Peru
Anonymous Stakeholder 38			Spain
Anonymous Stakeholder 39			United States
Anonymous Stakeholder 40			United States
Anonymous Stakeholder 41			United Kingdom
Anonymous Stakeholder 42			Peru
Anonymous Stakeholder 43			Switzerland
Anonymous Stakeholder 44			United States
Anonymous Stakeholder 45			Congo, The Democratic Republic Of The
Anonymous Stakeholder 46			Canada
Anonymous Stakeholder 47			Canada
Anonymous Stakeholder 48			Australia
Anonymous Stakeholder 49			Canada
Anonymous Stakeholder 50			China
Anonymous Stakeholder 51			France
Anonymous Stakeholder 52			United Kingdom
Anonymous Stakeholder 53			South Africa
Anonymous Stakeholder 54			France
Anonymous Stakeholder 55			Singapore

First Name	Second Name	Organisation	Country
Anonymous Stakeholder 56			United Kingdom
Anonymous Stakeholder 57			United Kingdom
Anonymous Stakeholder 58			France
Anonymous Stakeholder 59			Australia
Anonymous Stakeholder 60			United States
Anonymous Stakeholder 61			Canada
Anonymous Stakeholder 62			Russian Federation
Anonymous Stakeholder 63			Brazil
Anonymous Stakeholder 64			Switzerland
Anonymous Stakeholder 65			United Kingdom
Anonymous Stakeholder 66			Canada
Anonymous Stakeholder 67			Canada
Anonymous Stakeholder 68			Canada
Anonymous Stakeholder 69			Germany
Anonymous Stakeholder 70			United Kingdom
Anonymous Stakeholder 71			Ireland
Anonymous Stakeholder 72			China
Anonymous Stakeholder 73			United States
Anonymous Stakeholder 74			Belgium
Anonymous Stakeholder 75			United States

First Name	Second Name	Organisation	Country
Anonymous Stakeholder 76			United States
Anonymous Stakeholder 77			Switzerland

APPENDIX B GENERAL QUESTION SURVEY CONTENT

- o **All Documents**
  - ▪ From your perspective, does the Consolidated Standard system (including Assurance, Governance, Reporting & Claims) meet expectations for driving performance improvement across the industry at a global scale?
    - 1 - Significantly below expectations
    - 2 - Below expectations
    - 3 - Meets expectations
    - 4 - Exceeds expectations
    - 5 - Significantly exceeds expectations
- o **Consolidated Standard**
  - ▪ Does the scope, content, and narrative style of the Consolidated Standard meet your individual expectations and the collective industry expectation for responsible production practices?
    - 1 - Significantly below expectations
    - 2 - Below expectations
    - 3 - Meets expectations
    - 4 - Exceeds expectations
    - 5 - Significantly exceeds expectations

- Do the Requirements meet your expectations for being sufficiently clear to support consistent and practical implementation and to achieve necessary performance improvement?
  - 1 - Significantly below expectations
  - 2 - Below expectations
  - 3 - Meets expectations
  - 4 - Exceeds expectations
  - 5 - Significantly exceeds expectations
- From your perspective, does the three-level performance structure (Foundational, Good, Leading) of the Consolidated Standard meet your expectations for providing an effective on-ramp and clear articulation of Good Practice and effective path to continuous improvement?
  - 1 - Significantly below expectations
  - 2 - Below expectations
  - 3 - Meets expectations
  - 4 - Exceeds expectations
  - 5 - Significantly exceeds expectations

- **Assurance Process**
  - From your perspective, does the Assurance Process meet your expectations of a robust, credible, replicable and transparent approach?
    - 1 - Significantly below expectations
    - 2 - Below expectations
    - 3 - Meets expectations
    - 4 - Exceeds expectations
    - 5 - Significantly exceeds expectations

- **Governance Model**

- The governance principles that guided the development of the Governance Model are inclusive, effective, credible, impact-driven, pragmatic and efficient. From your perspective, does the proposed Governance Model meet expectations for consistency with these principles?
    - 1 - Significantly below expectations
    - 2 - Below expectations
    - 3 - Meets expectations
    - 4 - Exceeds expectations
    - 5 - Significantly exceeds expectations
- Does the proposed Governance Model ensure no single group is able to unduly influence decisions?
    - Yes
    - Unsure
    - No

- **Reporting and Claims Policy**

- We would value perspectives on a few additional questions related to threshold of performance associated with achievement claims. Please click here see page 11 of Reporting and Claims Policy.
    - *Open text box response.*

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Ireland	Taiwan	
Italy	Thailand	
Japan	UAE	
Kazakhstan	UK	
Kenya	US	
Malaysia	Vietnam	
Mexico		