

# CMSI Consultation Response

## Respondent Details

NAME

NAOTO YOSHIDA

COUNTRY

Japan

PERMISSION

Yes, CMSI can disclose my feedback, name, and organisation.

STAKEHOLDER

Industry / trade organisation

ORGANISATION

Japan Mining Industry Association

## COMMENTS & QUESTIONS BY DOCUMENT

Document:  
Governance

### 1. What is the vision?

COMMENT:

第2段落の「金属バリューチェーン全体で責任あるプラクティス」は、国家や社会全体も含んだ場合、当該法人や事業者では実行不可能である。文意を明確にするため、「当該法人や事業者の事業活動の範囲内において実行可能な範囲において、金属バリューチェーン・・・」と修正することが望ましい。

The Legal Entity (name to be confirmed) and the CMSI member company responsible for the Consolidated Mining Standard (CMS) will promote responsible practices across metal value chains within the scope of their business activities.

TRANSLATION:

*If "responsible practices across the metals value chain" in the second paragraph includes the entire country or society, execution would be impossible with the applicable corporation or business. To clarify the intent of the text, it is desirable that the text be revised to "to the extent practicable within the scope of the business activities of the corporation or business concerned, the metals value chain..."*

*The Legal Entity (name to be confirmed) and the CMSI member company responsible for the Consolidated Mining Standard (CMS) will promote responsible practices across metal value chains within the scope of their business activities.*

---

### 3. What principles have guided the development of the governance model?

COMMENT:

最後の原則である「現実的」(Paragmatic)の意味が不明である。分かりやすい内容に修正し、例えば、「当該事業者の既存の知識、人材、設備を用いて実現可能な実際的内容であること」に修正する。

Pragmatic: Providing opportunity by applying existing knowledge, human resources and infrastructure of the member company.

TRANSLATION:

*The meaning of “realistic” (paragramtic), in the last general principle, is vague. Change the content to something that is easy to understand, for example, “the content must be practical and achievable using the applicable business’s existing knowledge, human resources, and facilities”.*

*Pragmatic: Providing opportunity by applying existing knowledge, human resources and infrastructure of the member company.*

---

QUESTION 1

**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: No Response

制度が複雑すぎる。事業者が高いモラルで自主的な基準を定めるという原則を守り、議論が紛糾した場合は直接の事業者が最終判断を行える意思決定プロセスが必要である。

The system is too complicated. There needs to be a decision-making process where the principle is that businesses must set their own independent standards with high morals, and in the event of a dispute, the direct business owner can make the final decision.

QUESTION 2

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

Response: unsure

Document:  
Assurance

### 3. Who Can Conduct External Assurance?

SECTION: Assurance Provider Qualifications

COMMENT:

3.1.1.3 の最低 5 年の経験の等の内容が不明確。理論のみで事業を評価あるいは保証することがないように、追加文言として「実際の事業者の使用者または雇用者として最低 5 年」、というようにすることを望みます。同様に、少なくとも「鉱山製錬業の」10 件の完了した保証業務に関与と改善することを望みます。

TRANSLATION:

*The content in 3.1.1.3 of minimum experiment of 5 years, etc., is unclear. I wish to add “minimum of 5 years as a user or employer of an actual company” so that the business will not be evaluated or guaranteed just on theory. Similarly, I wish to be involved and improve at least 10 completed assurance engagements “in the mining and smelting industry”.*

---

### 4. Consolidated Standard External Assurance Process

COMMENT:

原案は保証の評価と保証報告書が公表される内容であるが、利益を目標とする投資家も保証報告書は無償利用できることになる。そのため、投資家、利益追求団体が保証報告書の内容を利用する場合は、すべての保証プロセス経費を賄えるよう試算したレベルの保証報告書利用料を負担して、ステークホルダーのコスト負担の均等化を図る制度にしてほしい。

TRANSLATION:

*The original proposal is to publish the evaluation and the report of the guarantee; that means that investors, whose aim is to make a profit, will be able to use the guarantee report for free. Therefore, I'd like the system to be changed so that if an investor or an organization pursuing profits is to use the content of a guarantee report, they will be charged a guarantee report usage fee at a level calculated to cover all guarantee process costs, aiming to equitize the cost burden among the stakeholders.*

QUESTION 1

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

Response:

Document:  
Standard

## General comment on Performance Area

COMMENT:

全体に対する一般的なコメント

事業者が自らの活動規範を制定し、企業行動を改善する自助努力に賛成します。また、類似条項や重複規程を整理し、規程制定や書類作成、監査、認証行為そのものが目的化しないことを目指した CMSI の努力にも敬意を表します。

上記を踏まえたうえで、いくつかの改善を希望します。

1 : 安全第一

実際に操業を行っている事業者の規程ですので、パフォーマンス 9 の安全は、パフォーマンス 1 あるいは 2 にランクするべき最優先事項であるべきです。人権や社会性を優先するのは、投資家目線、評論家目線であり、事業者目線ではないと思います。

2 : 項目数の圧縮と簡素化

項目が多すぎます。項目数を半分程度に整理圧縮して簡潔にし、中小事業者も確実に対応できる内容、数量になるからです。また、項目数が多いと、規程作成、管理、監査そのものが業務の目的になり、外部の業務受託会社や評論家、アナリストの仕事を増やすだけになるリスクが大きくなります。

3 : 分類数を 3 つに圧縮

原案は、ベーシック、グッド、リーディングと不合格の 4 分類ですが、ベーシックとグッドの差異があまりありません。2 つを統合して、不合格、グッド、リーディングの 3 分類としてシンプル化した方が分かりやすいです。

TRANSLATION:

*General comments for the overall situation*

*I agree with the self-supporting effort for businesses to establish their own code of conduct and improve their company actions. I also admire the efforts by CMSI aiming to not set the actions themselves (such as regulation enactment, document creation, audit, and certification) as the goals.*

With that said, I wish for the following:

1. *Safety first* The regulations are for businesses that are actually performing the operation; therefore, the safety of Performance 9 should be a priority matter that should be ranked in Performance 1 or 2. Prioritizing human rights and sociability is the perspective of investors/critics, and is not the perspective of the business.
2. *Compression and simplification of the number of items* There are too many items. The number of items should be reduced to about half by organizing/compressing and simplifying, which would become the content and volume that small to mid sized businesses can handle for sure. In addition, the large number of items make the objective the actions themselves such as regulation creation, management, and audit, and the risk of creating more work for external businesses, critics, and analysts will increase.
3. *Compress the number of categories to 3* There are 4 categories in the original proposal: basic, good, leading, and fail. However, the distinguishment between basic and good is vague. These two should be integrated to make the categories fail, good, and leading for more simplified categories.

---

## Performance Area 9: Safe, Healthy and Respectful Workplaces

SECTION: 9.1 Health and Safety Management, Foundational Practice

COMMENT:

数値目標の記載：

プラント現場における安全は抽象論では達成されません。基本中の基本として、災害件数や死傷者数値などの目標を実数で記載した定量的な目標設定を行うべきです。9.4 のモニタリングも、この数値に沿って行うべきです。

TRANSLATION:

*Indication of numerical targets: The safety of plant site will not be achieved with an abstract argument. As basic of basics, a quantitative target, which is the actual number of cases of accidents and fatalities, should be set. Monitoring in 9.4 should also be performed using this number.*

---

SECTION: 9.4 Monitoring, Performance and Reporting, Good Practice, 5

COMMENT:

安全に対する結果責任論の支持：

末尾の「死亡者ゼロ (9.4 G5)」の解釈論に賛成します。いかなる事業場においても、結果として死亡災害が発生した場合、少なくとも事業場単位では安全面で不合格あるいは低評価とする原案に賛成します。

TRANSLATION:

*Supporting the responsibility for safety results:*

*I agree with the interpretation of "Zero fatality (9.4 G4)" at the end. I agree with the original proposal that the business site should at least be a failed or rated low if a fatal accident occurs as a result in any business.*

---

QUESTION 1

**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: **2: Below expectations**

対象項目、内容が多すぎて実用性が低くなっている。シンプルだが事業者が必ず守らなければいけない内容のみを厳選して実用性を高めてほしい。

The practicability is low due to the high number of target items and contents. Please increase the practicability by carefully screening only simple contents that have to be complied with by the business.

QUESTION 2

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

Response: No Response

QUESTION 3

**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: 2: Below expectations

不合格も含めて分類数が多すぎる。規程が複雑化して理論優先的になり実用性が低くなっている。

There are too many categories including the fail category. The practicability is low due to the complex regulations, and because the theory being prioritized.

Document:  
Claims

### 3. Types of Reporting & Claims

SECTION: Minimum Threshold for Obtaining the Performance Claim

COMMENT:

項目により閾値を変えることに賛成します。その中で、安全、環境に関する閾値は100%や90%に高める必要があります。なぜならば、この規程は実際の生産活動を行っている事業者向けの規程だからです。安全、環境は最優先事項です。

TRANSLATION:

*I agree with changing the threshold depending on the item. In this, the threshold related to safety and environment needs to be increased to 100% or 90%. This is because these are regulations for businesses that are performing actual production activities. The safety and environment are top priority.*

COMMENT:

保証サイクルを原案の4年から6年に延長することを提案します。必要書類と審査回数が増えても保証や審査機関の受注業務と書類の量が増えるだけである。優良な事業者に対しては保証サイクルを長くする動機付けも必要である。

TRANSLATION:

*I propose extending the guarantee cycle from the original proposal of 4 years up to 6 years. Requiring more documents and more frequent inspections will only mean more order acceptance tasks of guarantees and inspection institutions as well as increased volume of documentations. Motivation to extend the guarantee cycle is needed for excellent businesses.*

QUESTION 1

**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.**

Response: No Response