CMSI Consultation Response

Respondent Details

NAME
Eugene Jo

COUNTRY
Italy

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

STAKEHOLDER
Intergovernmental / multi-lateral organisation

ORGANISATION
ICCROM

COMMENTS & QUESTIONS BY DOCUMENT

Document:
Governance

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: `4: Exceeds expectations`

QUESTION 2
Does the proposed governance model ensure no single group is able to unduly influence decisions?
Response: `yes`

Document:
Assurance

2. Roles and Responsibilities

COMMENT:

Regulatory regime should include international conventions to highlight that national regulations and other international commitments are also being reviewed. Also, could the National Panels ensure information is provided on WH, even when mining proposed for wider setting?

4. Consolidated Standard External Assurance Process

COMMENT:

To include in the desk review, the existence of World Heritage and the No-go commitment.

QUESTION 1
From your perspective, does the Assurance process meet your expectations of a robust, credible, replicable and transparent approach?
Response: <mark>4: Exceeds expectations</mark>

> Document:
> ## Standard

Introduction

SECTION: Glossary and Interpretive Guidance

COMMENT:

In the last section on the use of mitigation hierarchy - a reference to World Heritage as also not being appropriate for compensation is needed.

COMMENT:

In f. Use of mitigation hierarchy - mention that compensation or offset is not appropriate for World Heritage .

Performance Area 13: Community Impacts and Benefits

SECTION: Applicability

COMMENT:

It would be better to specify how the Community Impacts and benefits get integrated with the social and environmental impact assessment studies covered in Performance Area 4.

Performance Area 14: Indigenous Peoples

SECTION: Intent

COMMENT:

This section would also be relevant to Performance Area 19 Biodiversity, Ecosystem services and Nature.

COMMENT:

This section would merit to be listed immediately after Performance Area 5 as a related section.

Performance Area 15: Cultural Heritage

SECTION: 15.1 Cultural Heritage Identification and Management, Foundational Practice

COMMENT:

In the foundational practice, a point should be included that any cultural heritage or World Heritage should be included within any ESIA.

COMMENT:

The foundation practice should make a reference to recognize any World Heritage. Should also make reference to Outstanding Universal Value of World Heritage (also to be added to the Glossary of the section) as it is done for the Performance Area 19.

COMMENT:

Stronger reference needs to be made to tranditional owners and the concept of rights-holders also need to be included in the foundational practice, as is done in Performance Area 19.

SECTION: 15.1 Cultural Heritage Identification and Management, Good Practice, 5

COMMENT:

This is the dangerous point suggesting that removal is a solution but doesn't recognize heritage places are place specific. Language needs changing to suggest this is an extreme option to be considered in extreme circumstances but not necessarily a solution and that there might be times when unacceptable (i.e. with WH). It might be worth referencing here the mitigation hierarchy and that WH cannot be compensated/offset.

SECTION: Glossary and Interpretive Guidance

COMMENT:

Definition of cultural heritage could be updated to encompass all heritage. The field of heritage is evolving to recognize the interconnectivity of nature and culture in forming assets that groups of people recognize as heritage.

Definition of Heritage for reference (From the Guidance and Toolkit for Impact Assessments in a World Heritage Context, 2022, UNESCO, ICCROM, ICOMOS, IUCN)

All inherited assets which people value for reasons beyond mere utility. Heritage is a broad concept and includes shared legacies from the natural environment, the creations of humans and the creations and interactions of humans and nature. It encompasses built, terrestrial, freshwater and marine environments, landscapes and seascapes, biodiversity, geodiversity, collections, cultural practices, knowledge, living experiences, etc.

COMMENT:

Include definition on Heritage, World Heritage, Cultural Heritage, Natural Heritage, Outstanding Universal Values, Rights-holders, Stakeholders

SECTION: Intent

COMMENT:

With the revision of the definition of cultural heritage in the glossary below, the intent could be revised to recognize the connection between culture and nature that form heritage, and the need to assess potential impact on heritage which includes the interdependencies between nature and cultural practices could be strengthened.

COMMENT:

This is also related to Performance Area 19.

COMMENT:

In general this section is very weak compared to Performance Area 19. Since World Heritage is applicable to both cultural and natural properties, all the elements that relate to World Heritage in PA 19 should also be repeated in this section as well.

Performance Area 19: Biodiversity, Ecosystem Services and Nature

SECTION: Glossary and Interpretive Guidance

COMMENT:

Within the Mitigation hierarchy, the option of Offset does not apply to World Heritage.

COMMENT:

Offset - it should be specified that offset is not appliable to World Heritage

COMMENT:

Add in the References

Guidance and Toolkit on Impact Assessments in a World Heritage Context (2022, UNESCO, ICCROM, ICOMOS, IUCN). https://whc.unesco.org/en/guidance-toolkit-impact-assessments/

COMMENT:

Throughout the section please replace World Heritage Sites to World Heritage Properties.

SECTION: Other Relevant Performance Areas

COMMENT:

Relevant to Performance Area 15 Cultural Heritage

Performance Area 22: Pollution Prevention

SECTION: 22.7 Noise, Vibration and Light pollution/nuisance, Foundational Practice

COMMENT:

Noise, vibration and light pollution nuisance should be considered in respect to the built environment, sense of place, cultural landscape, heritage place.

Performance Area 3: Responsible Supply Chains

SECTION: Glossary and Interpretive Guidance

COMMENT:

It would be more pertinent to separate out rights-holders from stakeholders as a separate group of actors.

Performance Area 4: New Projects, Expansions and Resettlement

SECTION: 4.1 Risk and Impact Assessments of New Projects and Expansions, Foundational Practice

COMMENT:

'No-go commitment" for World Heritage needs to be included in the Foundational Practice.

COMMENT:

Make reference to the No-go commitment for World Heritage within thd Foundational practice.

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: 4: Exceeds expectations

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: 4: Exceeds expectations

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: 3: Meets expectations

> Document:
> # Claims

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

Would opt for the 75

This will need gradual transition with the provision of necessary training and guidance to implement the requirements.