

CMSI Consultation Response

Respondent Details

NAME

Anonymous

COUNTRY

Switzerland

PERMISSION

Yes, CMSI can disclose my anonymous feedback.

STAKEHOLDER

Intergovernmental / multi-lateral organisation

ORGANISATION

Anonymous

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: No Response

QUESTION 2

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

Response: unsure

Document:
Assurance

QUESTION 1

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

Response: No Response

Document:
Standard

Performance Area 10: Emergency Preparedness and Response

SECTION: 10.1 Emergency Preparedness and Response Planning

COMMENT:

An emergency response plan, specific to an opencast

mine, should be established by the employer in charge of the mine, in cooperation with workers, external emergency services and other relevant bodies, for reasonably foreseeable industrial incidents and natural disasters. Risk assessment may be an appropriate means to identify relevant potential industrial incidents and natural disasters.

Good practice would include cooperation with workers, external emergency services and other relevant bodies.

https://www.ilo.org/sites/default/files/wcmsp5/groups/public/%40ed_dialogue/%40sector/documents/normativeinstrument

Performance Area 2: Business Integrity

COMMENT:

Business integrity should also include actions designed to ensure inclusive, responsible and sustainable workplace practices.

The ILO Governing Body adopted the MNE Declaration to provide direct guidance to enterprises (multinational and national) on social policy and inclusive, responsible and sustainable workplace practices.

It is the only global instrument in this area and the only one that was elaborated and adopted by governments, employers and workers from around the world. Its principles are addressed to multinational and national enterprises, governments of home and host countries, and employers' and workers' organizations providing guidance in such areas as employment, training, conditions of work and life, industrial relations as well as general policies. The guidance is founded substantially on principles contained in international labour standards.

You might consider including labour-related requirements to this performance area.

<https://www.ilo.org/publications/tripartite-declaration-principles-concerning-multinational-enterprises-and-3>

Performance Area 3: Responsible Supply Chains

COMMENT:

The respect, promotion and realization of fundamental principles and rights at work is essential to the attainment of decent work in supply chains.

Failures at all levels within global supply chains have contributed to decent work deficits for working conditions such as in the areas of occupational safety and health, wages, working time, and which impact on the employment relationship and the protections it can offer. Such failures have also contributed to the undermining of labour rights, particularly freedom of association and collective bargaining.

There are no requirements here proposed that touch on the issue of labour rights. While there is a specific performance area, it is important to ensure that supply chains are also covered.

Performance Area 5: Human Rights

SECTION: Glossary and Interpretive Guidance

COMMENT:

It is important to establish that labour rights are human rights. They protect against unjust and hazardous conditions of work that harm not only the workers, but their families, employers and members of local communities.

International labour standards give expression to human rights in the civil and political, as well as in the economic, social and cultural sphere.

Performance Area 7: Rights of Workers

SECTION: Intent

COMMENT:

Given that the performance area deals with harassment in the work place, it should be aligned also with the ILO Violence and Harassment Convention, 2019 (No. 190).

https://normlex.ilo.org/dyn/normlex/en/f?p=NORMLEXPUB:12100:0::NO::P12100_ILO_CODE:C190

Performance Area 8: Diversity, Equity, and Inclusion

SECTION: Intent

COMMENT:

Mention could be made to ILO Discrimination (Employment and Occupation) Convention, 1958 (No. 111), Vocational Rehabilitation and Employment (Disabled Persons) Convention, 1983 (No. 159)

Performance Area 9: Safe, Healthy and Respectful Workplaces

SECTION: 9.1 Health and Safety Management

COMMENT:

Based on the Code of practice on safety and health in opencast mines, adopted by the ILO tripartite constituents, at every mine, a safety and health committee consisting of representatives of workers and the employer should be established and should meet regularly and whenever necessary to discuss all aspects of safety and health at the mine.

It should be considered as an expected practice.

<https://www.ilo.org/resource/other/code-practice-safety-and-health-opencast-mines>

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: **3: Meets 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: **3: Meets 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