

CMSI Consultation Response

Respondent Details

NAME

Elizabeth Armstrong

COUNTRY

Australia

PERMISSION

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

STAKEHOLDER

Assurance provider/auditor

ORGANISATION

Ithaca Impact

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

General comment on Performance Area

COMMENT:

Dear Consolidated Mining Standard Initiative (CMSI) Partners,

Thank you for providing an opportunity to comment on the draft Consolidated Mining Standards (the draft Standards). The feedback you receive will help ensure that the standards are fair, effective, and widely accepted.

Ithaca Impact brings a unique perspective to the effectiveness of the standards in conflict affected and high-risk contexts. We are a specialist advisory and training firm helping businesses, particularly mining companies, strengthen human rights in conflict-affected and high-risk contexts. This consideration is especially important given the increasing demand for critical minerals, and the need to ensure a just transition.

The draft Standards, in their current form, do not yet require firms to consider double materiality with respect to the effect of conflict and high-risk contexts, nor of the firms' potential influence on conflict, as part of the Performance Areas.

Conflict is mentioned in the draft Standard's definition of 'sustainability risks'. Conflict is not yet, however, explicitly considered in the Performance Areas which will drive companies' consideration of conflict and high-risk context status:

- Performance Area 4: New Projects, Expansion and Resettlement*
- Performance Area 5: Human Rights*
- Performance Area 11: Security Management*

We recommend that this be rectified by revising Performance Area 1 (Corporate Requirements) to explicitly require that mining firms conduct heightened human rights due diligence (HHRDD) and, as part of this, conflict sensitivity analysis as part of the risk assessment process (1.4). This requirement should be part of foundational, good and leading practice criteria. We also recommend that the Standards require a conflict lens be applied to each of the remaining Performance Areas, but particularly 4, 5 and 11.

These revisions would;

- bring the draft Standards into alignment with existing UN guidance;*
- ensure that the mining companies which comply with the Standards understand the relationship between regional conflict dynamics, company activities and decisions, and the impact on communities;*
- serve to ensure that companies do not put vulnerable groups at additional disadvantage nor expose the companies to potential breaches of international humanitarian law; and*
- mitigate any impact on the conflict itself and support peace-positive outcomes.*

Should further Information or dedicated drafting support be required, we would be pleased to engage with your drafting team directly.

Thank you again, the draft Standards are an important evolution in ensuring responsible mining.

Kind regards,

Dr Elizabeth Armstrong

Managing Director

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**

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: **2: Below 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: 2: Below 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