

CMSI Consultation Response

Respondent Details

NAME

Anonymous

COUNTRY

Canada

PERMISSION

Yes, CMSI can disclose my anonymous feedback.

STAKEHOLDER

Industry (midstream/downstream)

ORGANISATION

Anonymous

COMMENTS & QUESTIONS BY DOCUMENT

Document:
Governance

13. What is the role of National Panels?

COMMENT:

ICMM categorizes the members of the decision-making board as 6 from industry and 6 from "stakeholders," meaning industrial actors and their lenders/investors could easily dominate the board (one seat is specifically allocated to a labor representative, and two are specifically allocated to "Indigenous" shareholders). Only 70% agreement is needed for decision-making, so it's pretty easy to see a scenario where non-industry members feel tokenized.

The governance proposal also includes creation of two delegated decision-making committees. One is entirely industry, as far as I can tell. The other is "Value Chain", which may include up to a third of its participants from civil society or government.

With this type of imbalance, ICMM will struggle to demonstrate that this is a multi-stakeholder initiative, I think.

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: 3: Meets 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:

Depending of the level of details required, Self-Assess annually for each assets could demand a lot of time and effort. More details are needed to evaluate the level of work would require.

4. Consolidated Standard External Assurance Process

COMMENT:

A mandatory annual self-assessment update adds a lot of work to already busy agenda the business has and will impose significant challenges and cost to the companies. Each business should have the flexibility to define the frequency in which it would conduct a self-assessment and update their improvement plans. It is ok to have it being published on an annual basis, however, there should be no requirement to demonstrate any changes or progress every year as this depend on how each business will address their gaps according to its internal plans. Moreover, some improvements and gaps can be multi year effort.

QUESTION 1

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

Response: 4: Exceeds expectations

Document:
Standard

Introduction

COMMENT:

Equivalency with other standards

Given the intent of the CMSI is to reduce complexity of having many standards for the mining industry, it is fundamental that a benchmarking on equivalency of this new standard is conducted with ASI (Aluminum Stewardship Initiative) for the Performance Standard v3 and that periodic updates are conducted as each of them are updated (as currently done for ICMM Performance Expectations and Position Statements). This equivalency must be done as soon as possible once the standard is finalized and completed early in the adoption period of the new CMSI so that it avoid any significant disruption for Aluminum companies which have their ASI and ICMM implementation and assurance audits integrated. In case this is not done, it can have a big impact for Aluminum companies as it will be necessary to have separate self-assessments and assurance processes for the new CMSI in each asset which will add complexity as oppose of the intent of the CMSI.

COMMENT:

Overall, the requirements are very prescriptive in what needs to be in place, almost as if it was extracted from an internal standard. It is important to reflect on the level of flexibility companies will have to implement the requirements and how perscriptive this standard should be to avoid challenges in its implementation. Perhaps the requirements under each performance level could be reviewed to reflect a maturity / level of detail curve on the specific topic of the requirement with less details for the Foundational step and more details for Leading practice. The majority of requirements seems to be placed under "good practice" level. Couldn't some be

included in Leading practice so there is a better balance of the number and details of each requirement in each performance level?

Performance Area 19: Biodiversity, Ecosystem Services and Nature

SECTION: Applicability, Foundational Practice, 2

COMMENT:

Foundational Practice point 2.

KBAs are not applied through a consistent systematic process, typically having no legal framework for protection as they are not usually applied through a government process. Not sure of the request i am making, just a note really. This requirement has two parts. For the first part, typically, as there is no jurisdictional protection for a KBA, there are no 'restrictions' so there would typically be nothing to apply. Perhaps KBA should be removed from the first part?. For the second part of the requirement is reasonable and appropriate.

SECTION: Applicability, Leading Practice

COMMENT:

Leading practice is a big challenge

Performance Area 24: Closure

SECTION: Applicability, Good Practice

COMMENT:

Big challenge for Good Practice with significant requirements for consultation.

SECTION: Glossary and Interpretive Guidance

COMMENT:

The definition for rehabilitation should be the same as the one that ICMM have used in their Nature Position Statement.

Performance Area 3: Responsible Supply Chains

COMMENT:

Concern is over the cost, timing and management of a third party audit of our program. Would ASI be acceptable, would LME be acceptable to reduce cost and rework.

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**

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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

Disclaimer

COMMENT:

No particular comment for this document

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