

# CMSI Consultation Response

## Respondent Details

NAME

Anonymous

COUNTRY

United States

PERMISSION

Yes, CMSI can disclose my anonymous feedback.

STAKEHOLDER

Prefer not to say

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: 3: Meets expectations

### QUESTION 2

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

Response: yes

Document:  
Assurance

### QUESTION 1

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

Response: 3: Meets expectations

Document:  
Standard

## Introduction

SECTION: 2. Levels of Performance

COMMENT:

*About the levels of performance -the proposal doesn't include non-conformance. How is that is going to be evaluated if a company doesn't meet the area under evaluation? In general, it seems that there is a very fine*

*line between foundational and good practice. It is good however to introduce a leading practice, as it will highlight the excellent performance that some companies have and will be aspirational and set a benchmark to others.*

*If I understood well, it won't be allowed to use equivalency from other standards? That could generate duplication and discourage companies to apply.*

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SECTION: 6. Glossary and interpretive guidance

COMMENT:

*On Policy commitments. It really needs to be applied at a facility level. Having performance at a corporate level doesn't mean it is applied at facility level or even known.*

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COMMENT:

*On "Publicly disclosed". It needs to ensure that it is accessible to the targeted audience and also not assume that Internet is accessible by everyone. Company must demonstrate other efforts based on the communication tools used by its stakeholders at a facility level.*

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COMMENT:

*In general, it is suggested that the translations into different languages are very well reviewing to reflect the original version and spirit.*

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COMMENT:

*Does the CMSI will apply also to facilities that reprocess tailings?*

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## **Performance Area 1: Corporate Requirements**

COMMENT:

*It is suggested to use "Organizational" instead of "Corporate" to allow medium and small companies to also feel included.*

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COMMENT:

*How corporate level is defined? What happens in the case when a company is managed or operated by a controlling party (thus with more than one shareholder)? What happens when is has a shareholder composition where no one has majority? What is considered corporate? Not because one shareholder has a policy it applies at facility level. Maybe some rules should be applied.*

*On the Crisis Management and Communication, it is suggested that a Leading Practice is considered when the Plan includes active involvement and participation of external stakeholders with defined roles and responsibilities (ie., communities or local authorities), and not only as information recipients.*

*It is good that each section has its own glossary.*

*Will be good if a reference can be included related to Crisis Management and Risk Registry.*

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## **Performance Area 10: Emergency Preparedness and Response**

SECTION: 10.1 Emergency Preparedness and Response Planning, Foundational Practice, 1

COMMENT:

*This should include internal workers strikes, for instance.*

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SECTION: 10.1 Emergency Preparedness and Response Planning, Good Practice, 5

COMMENT:

*Ensure change management procedures are followed, when changes of personnel happen and avoid gaps in the system.*

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## **Performance Area 11: Security Management**

SECTION: 11.1 Security Management, Foundational Practice, 2

COMMENT:

*Must include also internal security risk including Human Rights aspects (i.e. workers's unrest or strikes)*

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## **Performance Area 12: Stakeholder Engagement**

COMMENT:

*need to clarify better the difference between right-holders and stakeholders; there is an overlap between the two terms.*

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## **Performance Area 13: Community Impacts and Benefits**

SECTION: 13.1 Identify and Address Community Impacts, Good Practice, 1

COMMENT:

*This one should be part of Foundational.*

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SECTION: 13.2 Community Development and Benefits, Leading Practice, 1

COMMENT:

*Nowadays, this is a good practice.*

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SECTION: 13.2 Community Development and Benefits, Leading Practice, 2

COMMENT:

*Nowadays, this should be a good practice.*

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## **Performance Area 15: Cultural Heritage**

COMMENT:

*Need to include that also the level may be influenced by the country's legislation.*

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## **Performance Area 17: Grievance Management**

SECTION: 17.1 Grievance Mechanism for Stakeholders and Rights

COMMENT:

*It is advised to bring as much neutrality to the system established, maybe by having a third-party managing the mechanism (receiving the complaints)*

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## **Performance Area 18: Water Stewardship**

SECTION: 18.1 Water Management and Performance, Good Practice, 1

COMMENT:

*This could be considered a Foundational practice nowadays.*

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SECTION: 18.2 Collaborative Watershed Management, Good Practice, 1

COMMENT:

*This one is considered Foundational practice nowadays*

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SECTION: 18.3 Water Reporting, Leading Practice, 1

COMMENT:

*Although may just a wording aspect, the Good Practice: ICMM Water Reporting: Good Practice Guide, can't go in a Leading practice level.*

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## **Performance Area 2: Business Integrity**

SECTION: 2.1 Legal Compliance, Good Practice

COMMENT:

*Good Practice should include cross-cutting responsibilities and not only as solely responsibility of the Legal department. A good management system should be included on capturing/monitoring, disseminating internally among areas and assigning responsibilities.*

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## **Performance Area 20: Climate Action**

SECTION: 20.2 Climate Change Management (Facility Level), Good Practice, 3

COMMENT:

*That could occur within the evaluated period and not beyond the next assurance process.*

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### **Performance Area 21: Tailings Management**

SECTION: 21.1 Tailings Management, Leading Practice

COMMENT:

*Could include reprocessing of old tailings as a leading practice.*

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COMMENT:

*Does "tailings" include waste rock, low-grade stockpiles, and slags?*

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### **Performance Area 22: Pollution Prevention**

SECTION: 22.3 Non, GHG Air Emissions, Leading Practice

COMMENT:

*This is considered nowadays a good practice.*

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SECTION: 22.4 Mercury

COMMENT:

*This should be linked to ASM area also.*

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SECTION: 22.5 Cyanide

COMMENT:

*This should be linked to ASM area also.*

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SECTION: 22.6 Accidental Polluting Releases, Leading Practice, 1

COMMENT:

*This should be considered a good practice.*

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SECTION: 22.7 Noise, Vibration and Light pollution/nuisance, Leading Practice, 1

COMMENT:

*This should be considered a good practice.*

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COMMENT:

*Other relevant performance areas should include the ASM area given the Minamata's Convention mention.*

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## **Performance Area 24: Closure**

SECTION: 24.1 Closure Management, Foundational Practice

COMMENT:

*Should include a mention on ways to reserve resources to secure funding for final closure.*

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## **Performance Area 3: Responsible Supply Chains**

SECTION: 3.1 Responsible Supply Chain (applicable to all facilities), Good Practice, 2

COMMENT:

*Good practice must include follow-up of suppliers' actions that have been identified of non-compliance to ensure that they will comply with company's requirements.*

*It is suggested to review well some of the Leading Practice proposals and assess to pass them to the Good Practice section.*

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## **Performance Area 4: New Projects, Expansions and Resettlement**

SECTION: 4.2 Land Acquisition and Resettlement

COMMENT:

*Even though it is divided into two sections 4.1 and 4.2., it is suggested to separate Resettlement as an independent Performance Area, given that it is a complex topic and not all new projects or expansions involve resettlement.*

*Developing new project and expansions may require attention of all the other performance areas as relevant.*

*On 4.2, it appears that some of the requirements under good practice are already part of IFC Performance Standard, thus it may be repetitive.*

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## **Performance Area 6: Child Labour and Modern Slavery**

SECTION: 6.1 Risk, Mitigation and Operating Performance, Foundational Practice, 2

COMMENT:

*It should clear be mentioned also applicable local/country law applies (which won't allow younger than 18 to work).*

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## **Performance Area 7: Rights of Workers**

SECTION: 7.1 Workers' Rights Risk, Mitigation and Operational Performance, Good Practice, 13

COMMENT:

*All the mentions related to Unions, should be part of Foundational, not the Good section.*

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SECTION: 7.1 Workers' Rights Risk, Mitigation and Operational Performance, Good Practice, 2

COMMENT:

*It is suggested not to limit harassment to women, but to all workers.*

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SECTION: 7.1 Workers' Rights Risk, Mitigation and Operational Performance, Good Practice, 4

COMMENT:

*This point should be part of Foundational.*

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SECTION: 7.1 Workers' Rights Risk, Mitigation and Operational Performance, Good Practice, 5

COMMENT:

*Point 5 should be part of Foundational.*

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SECTION: 7.1 Workers' Rights Risk, Mitigation and Operational Performance, Good Practice, 9

COMMENT:

*Should be applied to staff personnel also, who sometimes have an open schedule.*

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COMMENT:

*There is a very fine line between each point among the different levels (foundational, good and leading). It should follow ILO standards. Please, review to make sure.*

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## **Performance Area 8: Diversity, Equity, and Inclusion**

SECTION: 8.1 Governance of Diversity, Equity, and Inclusion (Corporate Level), Good Practice

COMMENT:

*Some of this should be requested at the Foundational level.*

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

SECTION: 9.1 Health and Safety Management, Leading Practice, 1

COMMENT:

*It is suggested to review this level as it seems just as "good practice".*

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SECTION: 9.2 Psychological Safety and Respectful Workplaces, Foundational Practice

COMMENT:

*It is suggested to include the need to have policies and procedures in place, if not how workers can report? Based on what?*

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SECTION: 9.3 Training, Behaviour and Culture, Leading Practice, 1

COMMENT:

*This "Demonstrate that the commitment to safe, healthy, and respectful workplaces is embedded throughout the Facility" should be part of good practice.*

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SECTION: 9.4 Monitoring, Performance and Reporting, Good Practice, 6

COMMENT:

*In some countries this is mandatory, thus a foundational level.*

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COMMENT:

*Great to include and emphasize "respectful workplaces" as part of this area.*

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COMMENT:

*It should be mentioned that at a minimum facility must follow the local law.*

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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