CMSI Consultation Response

Respondent Details

NAME
Anonymous

COUNTRY
Australia

PERMISSION
Yes, CMSI can disclose my anonymous feedback.

STAKEHOLDER
Academia

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

4. Consolidated Standard External Assurance Process

SECTION: Who Can Conduct External Assurance?

COMMENT:

Recommendation: Consider refining the Assurance Process with more explicit guidance on auditor qualifications, frequency of audits, and the depth of external assurance required, especially for leading practice claims. Introducing third-party verification or independent assessments for certain critical Performance Areas (e.g., human rights, environmental impact) would strengthen accountability.

Rationale: The credibility of the standard hinges on rigorous, transparent, and impartial verification processes. Providing clearer assurance guidelines will help prevent potential conflicts of interest and ensure that audits are thorough and consistent.

QUESTION 1
From your perspective, does the Assurance process meet your expectations of a robust, credible, replicable and transparent approach?
Response: <mark>3: Meets expectations</mark>

> Document:
> ## Standard

Introduction

COMMENT:

Recommendation: The draft mentions potential future cross-recognition with other standards (such as the OECD or EITI), but this could be accelerated. Encourage CMSI to actively pursue formal partnerships with established initiatives and standards.

Rationale: Reducing duplication and aligning with existing frameworks would simplify compliance for companies and improve the CMSI's credibility globally.

COMMENT:

Recommendation: Add clearer, enforceable timelines for companies to achieve compliance at different levels (Foundational, Good, Leading). Consider introducing a phased implementation approach, especially for companies in high-risk regions or with legacy issues.

Rationale: While flexibility is important, the absence of concrete timelines may lead to delays in achieving higher performance levels. Providing phased milestones will encourage continuous improvement and ensure facilities don't remain at the "Foundational" level indefinitely.

Performance Area 1: Corporate Requirements

SECTION: 1.2 Sustainability Reporting, Foundational Practice, 2

COMMENT:

Recommendation: Introduce more explicit requirements on the integration of Environmental, Social, and Governance (ESG) metrics into corporate and facility-level reporting, with standardized templates.

Rationale: Consistent, transparent reporting across the mining sector will improve comparability for investors and stakeholders and could reduce reporting fatigue by adhering to global norms such as GRI, IFRS, or ESRS.

COMMENT:

Recommendation: Consider clearer differentiation between corporate and facility-level responsibilities. The draft allows flexibility in implementation, but more explicit guidance or decision trees on which requirements should be implemented at the corporate level versus the facility level could enhance clarity.

Rationale: This would ensure more efficient implementation and auditing, especially for companies with multiple facilities, potentially reducing redundancy and misalignment across operations.

COMMENT:

Recommendation: Ensure a balance between full transparency and protection of sensitive data, especially concerning indigenous communities, local stakeholders, and sensitive geopolitical contexts. While disclosure of sustainability efforts is important, more clarity is needed around how data privacy will be handled, particularly in regions with weak legal protections.

Rationale: Striking the right balance will help protect vulnerable communities and sensitive operations while maintaining the integrity of public disclosures. In high-risk areas, excessive disclosure could lead to unintended consequences, such as exploitation or retaliation against vulnerable stakeholders.

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Performance Area 10: Emergency Preparedness and Response

SECTION: 10.1 Emergency Preparedness and Response Planning

COMMENT:

Recommendation: Expand the Emergency Preparedness section to include more comprehensive strategies for responding to emerging global risks like pandemics, cybersecurity threats, and geopolitical unrest. Facilities should also be required to demonstrate community-level preparedness, beyond internal corporate responses.

Rationale: The recent COVID-19 pandemic and global supply chain disruptions have shown the need for comprehensive, forward-thinking risk management strategies. By addressing these emerging risks, the CMSI would stay ahead of the curve, ensuring companies are better prepared for future disruptions.

Performance Area 12: Stakeholder Engagement

SECTION: 12.1 Stakeholder Identification and Engagement, Foundational Practice, 3

COMMENT:

Recommendation: Strengthen guidance on the engagement process with stakeholders and rights-holders by incorporating more structured frameworks for participatory consultation, including guidelines for how companies should engage marginalized groups, such as Indigenous Peoples and women.

Rationale: This would address the challenge of inconsistent engagement practices across jurisdictions and ensure that vulnerable groups' voices are more effectively integrated into decision-making processes, improving the legitimacy and effectiveness of stakeholder engagement.

Performance Area 15: Cultural Heritage

SECTION: 15.1 Cultural Heritage Identification and Management, Foundational Practice, 2

COMMENT:

Recommendation: Consider requiring a more formalized process for cultural heritage impact assessments that includes the engagement of local cultural experts and ensures the protection of intangible heritage (not just physical artifacts or sites).

Rationale: Mining projects often occur in culturally sensitive areas, and without robust protections, there is a risk of irreparable harm to local traditions, languages, and heritage. A more comprehensive process that integrates local knowledge and intangible heritage will strengthen protection measures.

Performance Area 16: Artisanal and Small-Scale Mining

SECTION: 16.1 ASM Risk Assessment, Engagement and Reporting

COMMENT:

Recommendation: The draft should provide clearer guidelines that differentiate requirements for large-scale industrial mining versus artisanal and small-scale mining (ASM). While ASM poses different challenges, a one-size-fits-all approach could be problematic for managing environmental and social impacts.

Rationale: ASM often involves higher risks regarding environmental degradation, child labour, and human rights abuses, but it also provides livelihoods to millions of people. Tailoring guidelines specifically for ASM could better address the unique risks and opportunities of this sector.

Performance Area 17: Grievance Management

SECTION: 17.1 Grievance Mechanism for Stakeholders and Rights, Holders, Foundational Practice

COMMENT:

Recommendation: Strengthen the requirements for establishing effective grievance mechanisms, ensuring that all stakeholders, including local communities and vulnerable groups, have easy access to these systems. Introduce measures to guarantee independence and impartiality in grievance resolution, and ensure that access to remedy is timely and effective.

Rationale: Grievance mechanisms are critical for addressing stakeholder concerns, yet they often fail to deliver results. Ensuring these systems are both accessible and effective will improve trust between companies and their stakeholders and reduce the potential for conflicts.

Performance Area 20: Climate Action

SECTION: 20.1 Corporate Climate Change Strategy (Corporate Level)

COMMENT:

Recommendation: Strengthen the Climate Action requirements by adding specific commitments to carbon neutrality, or at least science-based targets (aligned with the Paris Agreement) for emissions reductions. This should include mandatory Scope 1, 2, and where relevant, Scope 3 emissions reporting and reduction plans.

Rationale: The current draft touches on climate action but lacks strong commitments that reflect the urgency of climate change. Including science-based emissions targets and broader supply chain impact considerations will enhance credibility in sustainability efforts.

Performance Area 21: Tailings Management

SECTION: 21.1 Tailings Management, Good Practice, 4

COMMENT:

Recommendation: Tailings management needs stronger guidance, particularly concerning transparency in reporting tailings dam safety, use of the latest technology, and independent audits. Requiring the use of international best practices, such as the Global Industry Standard on Tailings Management (GISTM), should be prioritized.

Rationale: Tailings dam failures have had catastrophic impacts on local environments and communities. Stronger guidelines and independent oversight are necessary to prevent future incidents and to ensure accountability in hazardous waste management.

Performance Area 23: Circular Economy

SECTION: 23.1 Circular Economy Management at all facilities

COMMENT:

Recommendation: The inclusion of a circular economy approach is excellent. However, it would benefit from a more ambitious framework encouraging innovation beyond compliance–e.g., through partnerships with technology developers or incentives for companies that reduce waste beyond regulatory minimums.

Rationale: Encouraging innovation would position CMSI as a leader in promoting sustainable practices, which could give compliant companies a competitive edge in a growing market that prioritizes sustainability.

Performance Area 24: Closure

SECTION: 24.1 Closure Management, Good Practice, 5

COMMENT:

Recommendation: Extend the emphasis on closure planning throughout all stages of the operational lifecycle. The draft outlines closure plans primarily during the operational phase, but more robust early-stage integration of closure criteria (e.g., at project design) would improve accountability for long-term sustainability.

Rationale: This ensures that closure planning isn't an afterthought but a core element of project design, making transitions smoother and potentially reducing environmental and social liabilities later in the project.

Performance Area 3: Responsible Supply Chains

SECTION: 3.1 Responsible Supply Chain (applicable to all facilities)

COMMENT:

Recommendation: Strengthen the requirements for risk-based due diligence in supply chains by providing clearer frameworks and tools for companies to assess risks, particularly in conflict-affected or high-risk areas (CAHRAs).

Rationale: Ensuring that due diligence processes are robust and transparent will not only protect companies from reputational risk but also contribute to more ethical and sustainable sourcing practices across the global supply chain.

COMMENT:

Recommendation: Include more nuanced criteria for applicability of different Performance Areas (e.g., 3, 4 and 5). While certain Performance Areas (e.g., 4: New Projects and Expansions, 14: Indigenous Peoples) may not be relevant for all facilities, the screening process for applicability could be more transparent and objective.

Rationale: This would ensure consistency in how companies determine whether certain Performance Areas apply to them, avoiding gaps in critical areas like human rights, community impacts, or supply chain risks. Without stronger guidance, companies might opt out of crucial requirements, undermining the standard's effectiveness.

COMMENT:

Recommendation: Develop stricter due diligence requirements for operations in conflict-affected and high-risk areas. Incorporate the OECD's Due Diligence Guidance for Responsible Supply Chains in these contexts and mandate third-party assessments for facilities operating in such regions.

Rationale: Mining operations in conflict zones often contribute to human rights violations, corruption, and instability. Strengthening the requirements for due diligence in these areas would ensure that companies mitigate their contribution to conflicts and human rights abuses more effectively.

Performance Area 4: New Projects, Expansions and Resettlement

SECTION: 4.1 Risk and Impact Assessments of New Projects and Expansions, Good Practice, 1

COMMENT:

Recommendation: Strengthen guidance on the engagement process with stakeholders and rights-holders by incorporating more structured frameworks for participatory consultation, including guidelines for how companies should engage marginalized groups, such as Indigenous Peoples and women.

Rationale: This would address the challenge of inconsistent engagement practices across jurisdictions and ensure that vulnerable groups' voices are more effectively integrated into decision-making processes, improving the legitimacy and effectiveness of stakeholder engagement.

Performance Area 5: Human Rights

SECTION: 5.1 Human Rights, Foundational Practice, 1

COMMENT:

Recommendation: While Performance Areas 5 (Human Rights) and 6 (Child Labour and Modern Slavery) are comprehensive, they could benefit from a more robust mechanism for ensuring compliance across the entire supply chain. This could include the requirement for external audits specifically targeting human rights abuses and modern slavery risks.

Rationale: This would enhance the credibility of these sections and ensure mining companies are doing more than "box-ticking" exercises, with genuine due diligence in their supply chains.

Performance Area 6: Child Labour and Modern Slavery

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

COMMENT:

Recommendation: While Performance Areas 5 (Human Rights) and 6 (Child Labour and Modern Slavery) are comprehensive, they could benefit from a more robust mechanism for ensuring compliance across the entire supply chain. This could include the requirement for external audits specifically targeting human rights abuses and modern slavery risks.

Rationale: This would enhance the credibility of these sections and ensure mining companies are doing more than "box-ticking" exercises, with genuine due diligence in their supply chains.

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: 4: Exceeds 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