

# CMSI Consultation Response

## Respondent Details

NAME

Lindsey Bungartz

COUNTRY

United States

PERMISSION

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

STAKEHOLDER

Other: ESG Consultancy

ORGANISATION

ERM

## COMMENTS & QUESTIONS BY DOCUMENT

Document:  
Governance

### General comment

COMMENT:

*7. Consider becoming a Code compliant member of the ISEAL Alliance. We realize there is a concern regarding the cost of managing such programs, but the overall credibility and acceptance of the Standard is at stake, and it may be*

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### 2. What is the mandate of the Legal Entity to deliver this vision?

COMMENT:

*2. In alignment with our recommendation regarding accredited third-party assurance, if CSMI elects to self-govern the accreditation of assurance providers, they should adopt ISO/IEC 17011:2017, Conformity assessment –Requirements for accreditation bodies accrediting conformity assessment bodies, in addition to the requirements in the ISEAL Code that apply to oversight bodies.*

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COMMENT:

*3. If proxy accreditation (acceptance of accreditation under other schemes, e.g., ASI, RJC, etc.) of assurance providers is adopted, consider ISEAL Code, 7.22, specifying internal auditing against CSMI specific requirements, and that they share their findings with the CMSI Secretariat sub-committee responsible for assurance oversight.*

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### 5. What does the overall governance model look like?

COMMENT:

1. While the roles of the various bodies identified within the Governance Model are specified, what is not clear is how the organization will maintain an appropriate level of independence between standards setting and assurance. Using the ISEAL Code of Good Practice for Sustainability Systems (ISEAL Code) as a model, good governance includes clearly defined roles, responsibilities and procedures for:

- a. developing, implementing, and revising its policies and procedures;
- b. defining the qualifications and competency requirements of its staff who deliver scheme components and related strategies;
- c. identifying threats to the impartiality and integrity of each component of its scheme and related strategies;
- d. a documented dispute resolution system that is open and accessible to all stakeholders and that facilitates and supports the impartial handling and remediation of complaints and grievances;
- e. data and information management; and
- f. Oversight of assurance while maintaining independence and impartiality of the process.

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COMMENT:

6. Consider an option to establish National Panels at a regional level, rather than just at a country-level scope. There are two critical functions these panels can fulfill; interpretation of requirements and stakeholder engagement. Having flexibility in their formation, while providing more clarity in their makeup and function will benefit the implementation and acceptance of the Standard.

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## **7. How will the Board make decisions?**

COMMENT:

5. The proposed approach to decision-making does not make a distinction between routine matters and those considered critical or fundamental to the objectives of CSMI. Again, referencing the ISEAL Code, there should be separate decision-making processes for:

- a. Review and revisions to CSMI strategic planning and policies;
- b. Routine review and improvement of the Standard and associated programs, at a defined frequency;
- c. Non-substantive changes to the Standard and associated programs (e.g., clarifying language);
- d. Urgent substantive changes to the Standard, occurring outside the routine review process; and
- e. Responding to stakeholder input outside of regular consultation processes.

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## **9. How does delegated authority work and what would be the delegated responsibilities of Mining and Value Chain Committees be?**

COMMENT:

4. The term, *delegated authority*, is used to describe the functions of the Mining Committee and the Value Chain Committee. This implies that the Secretariat will not retain responsibility for the assurance process, grievance mechanism and claims policy. This description conflicts with the roles and responsibilities described in the Assurance Process. Given these are largely administrative functions, we recommend the role of the committees be modified to be consultative and linked to decision-making rather than the execution of

these functions as specified. Further, it is assumed the committee members are voluntary roles so the timely and consistent management of these key functions may be diluted under this model.

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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

Please refer to specific response provided for this section.

Document:  
Assurance

### General comment

COMMENT:

2. Consider the development of an assurance guidance manual or a Standards guidance document, to provide clarity on requirements within the Standard. There are a number of terms and phrases in the Standard that are not defined and will require either clarification within the Standard or through guidance. We would expect the existing guidance available from the CSMI partners to serve as the initial version of this guidance.

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### 3. Who Can Conduct External Assurance?

COMMENT:

1. Consider the adoption of a formal accreditation process for assurance providers modeled on ISO/IEC 17021-1:2015, Conformity assessment –Requirements for bodies providing audit and certification of management systems. The proposed model, based on TSM and Copper Mark verification processes, has within it, several areas of risk that could be mitigated through a formal accreditation process, including:

- a. Flexibility in the qualification requirements for assurance providers that could lead to variability in assurance outcomes;
  - b. Unspecified management system requirements for assurance oversight that may not allow for efficient, consistent, and impartial delivery of the assurance process;
  - c. Acceptance of individual practitioners as assurance providers without clarity on liability ownership or related malpractice insurance;
  - d. Minimum requirements for site visits and corresponding minimum onsite audit days; and
  - e. Lack of specificity of assurance team makeup, which could lead to competency gaps in the assurance team.
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QUESTION 1

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

Response: No Response

Response provided in Specific Comments section

Document:  
Standard

## Performance Area 12: Stakeholder Engagement

SECTION: 12.1 Stakeholder Identification and Engagement, Foundational Practice, 2

COMMENT:

*“Legitimate representatives” -legitimate leaders are not always in place and may not always represent the interests of all stakeholders. This requirement should make provision for other community representatives.*

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SECTION: 12.1 Stakeholder Identification and Engagement, Good Practice, 2

COMMENT:

*This requirement should be Foundational Practice. A stakeholder engagement plan should be the bare minimum as it forms a foundation to align to most other requirements in this Performance Area.*

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SECTION: 12.1 Stakeholder Identification and Engagement, Leading Practice

COMMENT:

*Engaging stakeholders on broader facility-related topics is an expectation that should be embedded within foundational or Good Practice requirements.*

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## Performance Area 14: Indigenous Peoples

SECTION: 14.1 Managing Engagement, Impacts and Opportunities with Indigenous Peoples, Foundational Practice, 2

COMMENT:

*Indigenous Peoples rights are not universally recognized. If a country does not recognize Indigenous Peoples rights, how might that impact the application of this requirement? There is a need to consider and further define “rights and interests” in this requirement.*

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SECTION: 14.1 Managing Engagement, Impacts and Opportunities with Indigenous Peoples, Good Practice, 2

COMMENT:

*This should be Foundational Practice as the other requirements should build off a clear understanding of potential impacts and the effected parties’ participation in determining impacts and developing mitigation. Clear guidance on what would be accepted as a robust due diligence in an assurance process would be welcome.*

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SECTION: 14.1 Managing Engagement, Impacts and Opportunities with Indigenous Peoples, Good Practice, 9

COMMENT:

*Add a requirement to remedy if monitoring shows commitments are not being met.*

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

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

COMMENT:

*A minimum expectation for review cadence should be prescribed as there are opportunities for inconsistencies in auditing and the site may find it difficult.*

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

COMMENT:

*Requirement 1: This seems to only apply to new facilities. To emphasize that this is global, consider "Collaboratively design or update the mechanism..."*

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

COMMENT:

*Requirement 2: The requirement should include reference to the effectiveness of remedy.*

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

COMMENT:

*Requirement 3: This should be considered Good Practice.*

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## **Performance Area 19: Biodiversity, Ecosystem Services and Nature**

SECTION: 19.1 Biodiversity and Ecosystem Services and Nature, Foundational Practice, 4

COMMENT:

*The definition for area of influence lacks definition of a relevant spatial scale. Additional factors to consider in determining the area of influence include those listed in IFC PS6 guidance note 5.*

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SECTION: 19.1 Biodiversity and Ecosystem Services and Nature, Leading Practice, 1

COMMENT:

*Specify the criteria for establishing a baseline year.*

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

SECTION: 20.1 Corporate Climate Change Strategy (Corporate Level), Good Practice, 2

COMMENT:

*Requirement 2: Targets or objectives should not be used interchangeably. It would be better to specify that targets need to be set to meet objectives, e.g., net-zero carbon emissions by 2050.*

*It is not clear why the WRI GHG Protocol is specifically referenced here without other options/examples.*

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SECTION: 20.1 Corporate Climate Change Strategy (Corporate Level), Good Practice, 3

COMMENT:

*Requirement 3: The term “manage” will be difficult to audit effectively. The requirement should include a clear expectation for a plan to be developed and integrated into the corporate risk management framework.*

*TCFD scenario planning requirements are very high level and not appropriate to this requirement.*

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SECTION: 20.1 Corporate Climate Change Strategy (Corporate Level), Leading Practice, 1

COMMENT:

*Requirement 1: This be considered Good Practice to align with ICMM Principles.*

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SECTION: 20.1 Corporate Climate Change Strategy (Corporate Level), Leading Practice, 2

COMMENT:

*Requirement 2: The word, “collaborate” will be difficult to audit. Rather specific actions to be taken with suppliers can be referenced.*

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SECTION: 20.1 Corporate Climate Change Strategy (Corporate Level), Leading Practice, 4

COMMENT:

*Requirement 4: It is not clear what “social value” is referencing. Further definition is requested.*

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SECTION: 20.1 Corporate Climate Change Strategy (Corporate Level), Leading Practice, 6

COMMENT:

*Requirement 6: This is a foundational level requirement for ICMM member companies so to be considered a Leading Practice could be a step backward.*

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

COMMENT:

*Objectives and targets are not interchangeable. Refer to ISO 9000-2015.*

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

SECTION: 21.1 Tailings Management, Good Practice, 2

COMMENT:

*Provide clarity on what would be “relevant”, as this could be filtered through the application of the specified Standards, while allowing for a degree of ambiguity.*

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### **Performance Area 23: Circular Economy**

SECTION: 23.1 Circular Economy Management at all facilities, Good Practice

COMMENT:

*The requirement should include “and its relevance/materiality to the business” to ensure a direct connection between waste stream (or material flows) identification and the value it brings to operations. Currently the standard requires to identify opportunities to minimize waste generation, but it lacks a mechanism to quantify it, and a requirement to adopt a target for taking action. A stronger good practice would require facilities to demonstrate not only what waste streams are present, but also how much can be minimized (the value of minimization) and how that compares to the cost or value of the activities generating the scrap.*

*To be considered good practice, disclosure should not only involve disclosure about current operations but also include evidence that the facility is taking steps toward achieving both process and product circularity. Setting a measurable target could be considered as a first step in that direction.*

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SECTION: 23.1 Circular Economy Management at all facilities, Leading Practice

COMMENT:

*The intent is for facilities to demonstrate actionable progress with clear evidence of delivery on both process and product circularity. It could be preferable to state “make documented progress” instead of “advance” so that it’s clear that some delivery is expected (above the “Good Practice” standard, for which setting a measurable target should suffice).*

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COMMENT:

*There is an instance of stakeholder collaboration here in Leading Practice (23.2); but missing from 23.1.*

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SECTION: 23.2 Additional Requirements for Smelters, Good Practice

COMMENT:

*The good practice level for smelters may be improved by adding an explicit reference to a desired disclosure framework e.g. CSRD E5.*

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

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

COMMENT:

*For Requirement 2, it should be “develop and implement a due diligence system”*

*For Requirement 3, it should be “develop and implement a feedback and/or grievance mechanism”*

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SECTION: 3.1 Responsible Supply Chains (applicable to all facilities), Good Practice, 1

COMMENT:

*For Requirement 1, replace “significant” with “material”, and replace “severity or likelihood” with “severity and likelihood”, in line with the UNGPs.*

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

COMMENT:

*For Requirement 2, remove the word “reasonable”.*

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SECTION: 3.1 Responsible Supply Chains (applicable to all facilities), Good Practice, 3

COMMENT:

*For Requirement 3, replace “enable access for” to “communicate and train”.*

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SECTION: 3.1 Responsible Supply Chains (applicable to all facilities), Good Practice, 5

COMMENT:

*For Requirement 5, remove “Where appropriate”.*

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SECTION: 3.1 Responsible Supply Chains (applicable to all facilities), Good Practice, 6

COMMENT:

*For Requirement 6, add “Publicly and annually disclose”.*

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SECTION: 3.1 Responsible Supply Chains (applicable to all facilities), Leading Practice, 1

COMMENT:

*Requirement 1 (stakeholder complaints system) should be a foundational practice, not a leading practice, and should be incorporated with Requirement 3 at the Foundational Practice level. For Leading Practice, Requirement 1 should be “Co-design a grievance mechanism in alignment with the 8 effectiveness criteria of UNGP 31”.*

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SECTION: 3.1 Responsible Supply Chains (applicable to all facilities), Leading Practice, 2

COMMENT:

*Requirement 2 (support remedy) should be a good practice, not a leading practice, and should be incorporated with Requirement 5 at the Good Practice level, and “where appropriate and feasible” should be removed.*

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SECTION: 3.1 Responsible Supply Chains (applicable to all facilities), Leading Practice, 4

COMMENT:

*For Requirement 4, replace “encourage” with “require”.*

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SECTION: 3.1 Responsible Supply Chains (applicable to all facilities), Leading Practice, 5

COMMENT:

*For Requirement 5, remove “where possible”.*

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SECTION: 3.1 Responsible Supply Chains (applicable to all facilities), Leading Practice, 6

COMMENT:

*Requirement 6 (disengagement) should be Good Practice, not Leading Practice, and the words “where possible” should be removed.*

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SECTION: 3.1 Responsible Supply Chains (applicable to all facilities), Leading Practice, 9

COMMENT:

*Requirement 9a (assessing stakeholder engagement practices) should be Good Practice, not Leading Practice.*

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SECTION: 3.1 Responsible Supply Chains (applicable to all facilities), Leading Practice

COMMENT:

*There should be a separate requirement at the Leading Practice level to “Collaborate with stakeholders to identify and address the root causes of sustainability risks in operations and supply chains”.*

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SECTION: 3.2 Responsible Mineral Sourcing, Foundational Practice, 1

COMMENT:

*For Requirement 1, it should be made clear that can be the same policy as for 3.1 Requirement 1.*

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SECTION: 3.2 Responsible Mineral Sourcing, Foundational Practice, 3

COMMENT:

*For Requirement 3 (OECD-aligned report), either outline the five steps in the requirements or in the Glossary and Interpretative Guidance.*

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SECTION: 3.2 Responsible Mineral Sourcing, Good Practice, 1

COMMENT:

*Requirement 1 (independent audit completion and disclosure) should be at the Leading Practice level, in line with other Performance Areas in this standard.*

*There should be a separate requirement at Good Practice level to conduct a CAHRA analysis. CAHRAs are referenced in the Glossary but not in the requirements.*

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SECTION: 3.2 Responsible Mineral Sourcing, Leading Practice, 1

COMMENT:

*Requirement 1 (due diligence system) should be at the Good Practice level, in line with other Performance Areas in this standard.*

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

SECTION: 4.1 Risk and Impact Assessments of New Projects and Expansions, Foundational Practice, 2

COMMENT:

*Depending on the jurisdiction, an IFC aligned ESIA and an ESIA that meets country regulations could vary vastly in content, robustness of assessment and level of stakeholder participation. As such, ESIA's that meet this Performance Level may not be consistent. It is suggested that an IFC aligned ESIA be a requirement of Good Practice.*

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

COMMENT:

*The expectation to engage with stakeholders and rightsholders during baseline data collection is broadly accepted and this requirement should be Foundational Practice.*

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SECTION: 4.1 Risk and Impact Assessments of New Projects and Expansions, Good Practice, 2

COMMENT:

*The consideration of alternatives and cumulative impacts should be Foundational Practice.*

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SECTION: 4.1 Risk and Impact Assessments of New Projects and Expansions, Good Practice, 3

COMMENT:

*The development of mitigation measures and management plans to manage adverse impacts should be Foundational Practice, with the exception of the management of cumulative impacts, recognizing the complexity involved in managing cumulative impacts.*

*Mitigating cumulative effects is difficult to accomplish as typically, a proponent can only mitigate effects related to their project.*

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SECTION: 4.1 Risk and Impact Assessments of New Projects and Expansions, Good Practice, 4

COMMENT:

*Add "or permit conditions"*

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SECTION: 4.1 Risk and Impact Assessments of New Projects and Expansions, Good Practice, 5

COMMENT:

*The disclosure of ESIA outcomes should be Foundational Practice.*

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

COMMENT:

*This should be included in good practice as a proponent cannot gather the information for a baseline without undertaking engagement.*

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SECTION: 4.1 Risk and Impact Assessments of New Projects and Expansions, Leading Practice, 2

COMMENT:

*“where relevant” should be included in this statement.*

*Restructure to Collaborate with local stakeholders and rights-holders to conduct joint monitoring and implementation of management plans.*

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SECTION: 4.1 Risk and Impact Assessments of New Projects and Expansions, Leading Practice, 3

COMMENT:

*A individual proponent cannot be expected to spearhead collaborative initiative and this should be taking place at a governmental / industry level.*

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COMMENT:

*This Performance Area would benefit from further revision as the performance level does not build from Foundational Practice to Leading Practice in a practical and logical manner. There are a number of requirements in Performance Area 4.1 that may not be placed in the appropriate performance level. Further comment provided on specific requirements.*

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## **Performance Area 5: Human Rights**

SECTION: 5.1 Human Rights, Foundational Practice, 2

COMMENT:

*Requirement 2 is too broad. Replace with Good Practice Requirement 1 (human rights policy) and include vulnerable/under-represented groups, not just HRDs e.g. women, children, Indigenous peoples, migrants, disabled, elderly, in alignment with the UNGPs.*

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SECTION: 5.1 Human Rights, Foundational Practice, 3

COMMENT:

*Requirement 3 (grievance mechanisms) should incorporate the language from Good Practice Requirement 4.*

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SECTION: 5.1 Human Rights, Foundational Practice, 4

COMMENT:

*For Requirement 4 (training), replace “at defined intervals for staff...” with “on an annual basis for all staff”.*

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SECTION: 5.1 Human Rights, Foundational Practice

COMMENT:

*There should also be a separate requirement at the Foundational Level to conduct an annual human rights risk assessment.*

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SECTION: 5.1 Human Rights, Good Practice, 1

COMMENT:

*Requirement 1 (human rights policy) should be Foundational Practice, not Good Practice, and should replace Foundational Practice Requirement 1.*

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SECTION: 5.1 Human Rights, Good Practice, 2

COMMENT:

*Requirement 2 should not call out HRDs to the exclusion of other vulnerable/underrepresented groups, in line with the UNGPs.*

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SECTION: 5.1 Human Rights, Good Practice, 3

COMMENT:

*Requirement 3 (due diligence process) should have a frequency requirement -annually.*

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SECTION: 5.1 Human Rights, Good Practice, 4

COMMENT:

*Requirement 4 (grievance mechanism) should be at the Foundational Level, not Good Practice, and should be added to Foundational Practice Requirement 3.*

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SECTION: 5.1 Human Rights, Good Practice, 6

COMMENT:

*For Requirement 6, remove "Where operations or operating contexts pose risks of severe human rights impacts" and add "Publicly and annually...". There should also be a separate requirement at the Good Practice level to "Develop and implement a human rights management plan, including allocation of roles, responsibilities and resources, to adequately address identified impacts".*

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SECTION: 5.1 Human Rights, Leading Practice, 3

COMMENT:

*Requirement 3 should be expanded, replacing "human rights defenders" with "affected stakeholders and rightsholders", and "inform" should be replaced with "co-design and review".*

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SECTION: 5.1 Human Rights, Leading Practice

COMMENT:

*There should also be a separate requirement at the Leading Practice level to embed human rights throughout the organization and across departments, particularly the environmental due diligence.*

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COMMENT:

*There should be a separate requirement at the Leading Practice level to "Collaborate with stakeholders to identify and address the root causes of human rights infringements in operations and supply chains".*

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

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

COMMENT:

*For Requirement 2 (minimum age), remove the exception for 14 year olds.*

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SECTION: 6.1 Risk, Mitigation and Operating Performance, Foundational Practice, 3

COMMENT:

*For Requirement 3 (risks) include "geographic, industry, and product or service risks".*

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SECTION: 6.1 Risk, Mitigation and Operating Performance, Foundational Practice, 4

COMMENT:

*For Requirement 4, replace "mitigate" with the mitigation hierarchy i.e. "prevent, mitigate, account for or remediate".*

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SECTION: 6.1 Risk, Mitigation and Operating Performance, Foundational Practice, 5

COMMENT:

*For Requirement 5, remove "Based on identified risks".*

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SECTION: 6.1 Risk, Mitigation and Operating Performance, Foundational Practice, 6

COMMENT:

*For Requirement 6 (young workers), define "appropriate measures" in the glossary.*

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SECTION: 6.1 Risk, Mitigation and Operating Performance, Foundational Practice, 7

COMMENT:

*For requirement 7 (cease and report), remove "If the facility has no ability to act".*

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

COMMENT:

*Replace Requirements 1 and 2 with a single requirement to "Require contractors to implement all Foundational Practice requirements outlined in this Performance Area".*

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SECTION: 6.1 Risk, Mitigation and Operating Performance, Good Practice, 3

COMMENT:

*Requirement 3 (Employer Pays Principle) should be at the Foundational Level, not the Good Practice level, and should also include in the glossary: "provide employment conditions and contracts in a format and language that workers can understand" and "ensure that workers have freedom of movement and are free to leave their employment within notice periods in line with local legislation".*

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SECTION: 6.1 Risk, Mitigation and Operating Performance, Good Practice, 5

COMMENT:

*For Requirement 5, include “publicly and annually disclose”. There should be a separate requirement at the Good Practice level to “provide annual training to all employees on child labour and modern slavery”.*

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SECTION: 6.1 Risk, Mitigation and Operating Performance, Leading Practice, 1

COMMENT:

*For Requirement 1 (collaboration), remove “where there are identifiable risks of child labour and modern slavery at the facility”.*

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

COMMENT:

*Requirement 2 (internal review) should be a Good Practice, not a Leading Practice -replace this with “an independent review in collaboration with affected stakeholders”.*

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SECTION: 6.1 Risk, Mitigation and Operating Performance, Leading Practice, 3

COMMENT:

*Requirement 3 is contradictory -“internal audit programme or independent risk-based audit programme” - internal should be at the Good Practice level, independent at the Leading Practice level. There should be a separate requirement at the Leading Practice level to “Collaborate with stakeholders to identify and address the root causes of child labour and modern slavery in operations and supply chains”.*

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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: No Response

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: No Response

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: No Response

Document:  
Claims

### General comment

COMMENT:

*1. It has been our experience through working with other responsible mining standards, that companies are not always driven by a desire for continual improvement. They are sometimes mandated to meet minimum*

requirements for conformity to fulfill a contractual obligation. As a result, CSMI should consider that Foundational or Good Practice levels of performance may be the end goal of an implementing company. Any claims being made should reflect this approach and so allowing for flexibility in which performance areas they can conform with may not result in the highest level of performance achievable. We therefore recommend that any claim be based on full conformity to the specified level, i.e., a Good Practice claim is based on full conformity at the Foundational and Good Practice levels. Similar to the Copper Mark, and other schemes, conformity can be achieved through an approved corrective action plan, with timeframes aligned to ISO-accredited processes. Accepting a percentage-based level of alignment creates the potential for critical areas of risk being overlooked with an overstatement of conformity through public claims.

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COMMENT:

2. Consider establishing both a responsible sourcing standard and a chain of custody model to support the reporting and claims policy. These processes should be aligned with current legislated models (e.g., CS-DDD), commodity listing requirements (e.g., LME), and relevant chain of custody models (modeled on ISO 22095:2020, Chain of custody –General terminology and models). The existing Copper Mark models could serve as the seed documents for these new standards.

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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: