

# Consolidated Standard:

Response to feedback received through  
the first public consultation

October 2025

Consolidated Mining Standard Initiative



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# 1 Introduction

## 1.1 Preamble

This document lays out the response of the Consolidated Mining Standard Initiative (CMSI) Partners to the feedback received on the Consolidated Standard from the CMSI public consultation between 16 October and 16 December 2024. Separate Response to Feedback Reports from the first public consultation are available for the [Governance Model](#), Assurance Process and Claims Policy (previously called Reporting and Claims Policy) on the [CMSI website](#).

In this response we have attempted to faithfully respond to all the points related to the content of the draft Consolidated Standard raised, as summarised within the [ERM Consultation Report](#). In addition, the revised Consolidated Standard includes multiple edits made in response to specific suggestions that came through in the public consultation responses but that may not have been reflected in the ERM Consultation Report, as well as from input from the CMSI's Stakeholder and Industry Advisory Groups.

The public consultation feedback has greatly helped to improve upon the consultation draft. We are indebted to all stakeholders and rights-holders that provided such considered and thoughtful feedback through the public consultation process.

A final consultation on the draft Consolidated Standard, Assurance Process, and Claims Policy will be held between 8 October and 17 November 2025.

## 1.2 Background

The Consolidated Mining Standard Initiative (CMSI) is a collaboration between The Copper Mark, ICMM, Mining Association of Canada (MAC) and World Gold Council (WGC) (i.e. the four Partners) to consolidate our different responsible mining standards into one global standard, overseen by an Independent Board with multi-stakeholder participation.

The vision for the Consolidated Mining Standard Initiative (CMSI) is for a sustainable society, enabled by the responsible production, sourcing and recycling of metals and minerals. The aim is for the Consolidated Standard to be adopted by a wide range of mining companies – large and small, across all commodities and locations – to drive performance improvement at scale.

The Consolidated Standard combines the best of four existing standards into one comprehensive and practical standard supported by a robust Assurance Process, reducing complexity in the standards landscape and increasing adoption among companies seeking to follow a credible global benchmark. It establishes clear expectations for responsible practices that span multiple Performance Areas of concern to stakeholders and rights-holders that apply to all producers committed to responsible practices, regardless of size, commodity or location. The Consolidated Standard will help drive positive outcomes for both people and the environment along individual metals' value chains – from mining to smelting, refining and beyond.

A first round of public consultation on the draft Consolidated Standard, Assurance Process, Reporting & Claims Policy and Governance Model was undertaken between 16 October and 16 December 2024. During that period, one hundred and eighty stakeholders submitted comments on the Consolidated Standard and other documents, including 40 consultancy stakeholders, 32 upstream mining industry stakeholders, 26 NGO/CSO stakeholders and a further 6 Indigenous Peoples or representative organisation stakeholders (see Figure 4 in the ERM Consultation

Report for further details). The upstream mining industry submitted 25 percent of all comments on the draft documents, consultancy stakeholders and NGO/CSO stakeholders each submitted approximately 16 percent of comments, and Indigenous Peoples or representative organisations provided 7.5 percent of comments. Overall, there were 4,060 comments received on the Consolidated Standard.

The CMSI retained Environmental Resources Management, Inc. (ERM) to develop an online portal to support the public consultation process, analyse feedback received and produce a Consultation Report that presented the feedback received.

### 1.3 Content of the Executive Summary from the Consultation Report

The content of the Executive Summary of the ERM Consultation Report related to the Consolidated Standard is as follows in italics. The highlighted text has been added by the CMSI Partners for the purposes of drawing attention to the main themes that came through the feedback provided under the following four headings:

#### ***A. Tiered Performance Structure is Supported but Requires a Stronger Foundational Practice Level***

*The Consolidated Standard was structured around three Performance Levels (Foundational, Good and Leading Practice). Feedback across all stakeholders generally approved of the three Performance Levels structure; however, feedback on the Foundational Practice Level varied. While general comments on the structure indicated that the Foundational Practice Levels could be a sufficient industry baseline or on-ramp, especially for smaller operators or facilities with limited resources, comments across the Performance Areas frequently indicated that Requirements at the Foundational Practice Level are below expectations. Specific feedback within Performance Levels note where the Foundational Practice Level could be strengthened to comply to other Standards, industry expectations and sometimes legal requirements, as well as concerns about the ability of this level to advance industry practices. Stakeholders also asked for clarity on how nonconformance or lack of achievement of the Foundational Practice Level would be reported and communicated.*

*Stakeholders expressed the need for clarity and alignment in the Performance Level tiers across Performance Areas for consistency and to drive improvement. Feedback noted a lack of alignment on the Foundational, Good and Leading Practices between Performance Levels, and there were requests for further clarity on how Requirements build upon actions from each lower Performance Level.*

*Feedback also included suggestions for moving Requirements to a higher or lower Practice Level. The Consolidated Standard included 512 Requirements, including 147 Foundational Practice Requirements, 264 Good Practice Requirements and 151 Leading Practice Requirements. Of the 512 Requirements, 201 (39 percent) received at least one suggestion to move to a different Performance Level.*

#### ***B. Clarity and Consistency are Needed Across Requirements***

*Comments across the Performance Areas, Sections and Requirements include requests for clarification on specific phrases and wording choices, definitions and timelines. Feedback requested clearer guidance and stronger language to support auditability and consistent implementation by highlighting undefined, unclear or subjective descriptors, such as 'significant' or 'where applicable.'*

*Feedback noted opportunities for consistent application of certain aspects across Performance Areas, such as requiring implementation of plans, practices and policies at the Foundational Level, stakeholder and rights holder*

engagement at the Good Practice Level and consistent application of grievance mechanisms and mitigation hierarchy across relevant Performance Areas.

### **C. Alignment with and References to Key International Standards is Expected**

Feedback on the Introduction to the Standard included the need for further information on **potential equivalency assessments** with other Standards.

Across Performance Areas, feedback included **suggestions for alignment with other standards**, especially at the Foundational Practice Level, as well as suggested references to clarify or streamline Requirements and reporting expectations. Common Standards referenced by respondents include the United Nations Guiding Principles on Business and Human Rights (UNGPs), the Organisation for Economic Co-operation and Development (OECD) Guidelines for Multinational Enterprises on Responsible Business Conduct, the International Finance Corporation (IFC) Performance Standards, United National Declaration of the Rights of Indigenous Peoples (UNDRIP), International Labour Organisation (ILO) Conventions and Global Initiative Reporting (GRI) Requirements.

### **D. Indigenous Peoples Rights and Gender-inclusive Approaches Emerged as a Crosscutting Themes**

**Indigenous Peoples rights was a consistent theme** in feedback across all documents and most Performance Areas. The word 'Indigenous' appears in 484 comments, or approximately 10 percent of all comments. Comments related to Indigenous Peoples were provided on all 4 documents and on 17 of 24 Performance Areas. Feedback consistently **noted the need to align with the UN Declaration on the Rights of Indigenous Peoples and to incorporate principles of free, prior and informed consent (FPIC) and specify engagement and co-design of plans with Indigenous Peoples.**

The need for **gender-responsive approaches and gender-sensitive language** was a consistent theme in feedback across most Performance Areas. The word 'gender' appears in 110 comments and 'women' appears in 88 comments, together representing approximately 4 percent of all submitted comments. Comments containing 'gender' or 'women' were provided on the Assurance Process, Governance Model and Standard documents, including 20 of the 24 Performance Areas. Feedback includes requests to **incorporate a comprehensive gender-sensitive approach to the Consolidated Standard** and/or emphasise the importance of **meaningful engagement with marginalised or vulnerable groups, including women and girls**, across Performance Areas.

As these matters are elaborated on in greater detail in Sections 2 and 3 of this report, only high-level observations are offered at this point.

The CMSI Partners have noted support for the tiered performance structure, yet significant concerns relating to the Foundational Practice Level in particular. There was also differing opinions on whether individual Requirements were pitched at the right level or should instead have been moved to one of the other Practice Levels.

Overall, the feedback also points to a need for the CMSI Partners to strive for greater clarity and consistency, for those implementing and assuring against the Consolidated Standard.

A recurring theme was the need for greater alignment with – and signposting to – external standards or guidelines that are generally regarded as good practice across several Performance Areas in the Consolidated Standard.

Lastly, the CMSI Partners note the need for more consistent attention to Indigenous Peoples' rights and gender-responsive approaches which were identified as cross-cutting themes that spanned several Performance Areas.

## 2 Detailed feedback from the Consultation Report

### 2.1 Responses to high level general questions

Before going into detailed responses, the ERM Consultation Report outlined the responses to some high-level questions from those stakeholders that responded, four of which related to the Consolidated Standard (shaded in blue below). Their responses are summarised below in Table 1.

Table 1: Summary of General Question Responses for all Stakeholder Types

Question	*	% All Respondents
From your perspective, does the <b>Consolidated Standard system</b> (including Assurance, Governance, Reporting and Claims) <b>meet expectations for driving performance improvement</b> across the industry at a global scale?	+	63
	-	37
Does the <b>scope, content, and narrative style</b> of the Consolidated Standard meet your individual expectations and the <b>collective industry expectation for responsible production practices</b> ?	+	67
	-	33
Do the <b>Requirements</b> meet your expectations for being <b>sufficiently clear</b> to support <b>consistent</b> and <b>practical implementation</b> and to achieve necessary performance improvement?	+	56
	-	44
From your perspective, does the <b>three-level performance structure</b> (Foundational, Good, Leading) of the Consolidated Standard meet your expectations for providing an <b>effective on-ramp</b> and clear articulation of good practice and effective path to <b>continuous improvement</b> ?	+	66
	-	34
From your perspective, does the <b>Assurance process</b> meet your expectations of a <b>robust, credible, replicable and transparent approach</b> ?	+	70
	-	30
The <b>governance principles</b> that guided the development of the Governance Model are <b>inclusive, effective, credible, impact-driven, pragmatic and efficient</b> . From your perspective, does the proposed Governance Model meet expectations for consistency with these principles?	+	72
	-	28
Does the proposed <b>Governance Model</b> ensure no single group is able to <b>unduly influence decisions</b> ?	Yes	31
	No	11

*\*Note: '+' indicates combined Meets Expectations, Exceeds Expectations, and Significantly Exceeds Expectations responses and '-' indicates combined Below Expectations and Significantly Below Expectations responses.*

The CMSI Partners have three main observations from Table 1. The first is that overall, the scope and content of the Consolidated Standard align with the expectations for responsible production practices of two-thirds (67%) of respondents. The second is that notwithstanding this strong alignment, only a small majority of respondents (56%) regarded the Requirements as being sufficiently clear to support consistent and practical implementation and achieve necessary performance improvement. The third is that overall, the three-level performance structure

in the Consolidated Standard meets the expectations of almost two-thirds of respondents (64%). However, the broadly supportive responses mask differentiated perspectives among stakeholder groups, especially among NGO/CSO respondents (see Section 2.2 below).

## 2.2 Responses to high-level questions differentiated by stakeholder type

Table 2 provides more detail on the responses to high-level questions from those that responded differentiated by stakeholder type, four of which related to the Consolidated Standard (shaded in blue below). This reveals markedly differing views between the mining industry and NGOs/CSOs on the ability of the Consolidated Standard to improve performance, with a majority of respondents from other stakeholder types providing favourable responses on the ability of the Consolidated Standard to improve performance. It also reveals a high level of comfort with the scope, content and narrative style of the Consolidated Standard, except from NGOs/CSOs. There were mixed perspectives on the clarity and applicability of Requirements with the midstream/downstream industry and NGO/CSO respondents voicing the strongest concerns. Those same two groups were also less supportive of the three-level performance structure than other groups of respondents.

Table 2 Summary of General Question Responses for Stakeholder Types with 10 or more Question Respondents

Question	*	% Consultancy	% Midstream/ Downstream Industry	% Upstream Mining Industry	% Industry/ Trade Organisation	% NGO/CSO
Ability of Standard to Improve Performance	+	63	57	92	67	14
	-	38	43	8	33	86
Scope, Content and Narrative of Standard	+	63	89	88	75	26
	-	38	11	12	25	74
Clarity and Consistency of Requirements	+	50	13	81	64	28
	-	50	88	19	36	72
Three-Level Performance Structure	+	63	38	92	64	33
	-	38	63	8	36	67
Assurance Process Approach	+	68	43	96	71	38
	-	32	57	4	29	62
Governance Principles and Model	+	78	71	88	89	35
	-	22	29	12	11	65
Governance Decision-Making**	Yes	21	10	59	21	23
	No	5	10	10	0	23

\*Note 1: '+' indicates combined Meets Expectations, Exceeds Expectations, and Significantly Exceeds Expectations responses and '-' indicates combined Below Expectations and Significantly Below Expectations responses.

\*\*Note 2: Most respondents to this question were undecided

Note 3: Please note that the percentages referred to in Table 2 may not equal 100 percent due to rounding.



The first key takeaway for the CMSI Partners from Table 2 is that, in marked contrast to all other stakeholder groups, NGOs/CSOs were unconvinced by the ability of the Consolidated Standard to improve performance, and by the scope, content and narrative style of the Consolidated Standard. The second key takeaway is that the midstream/downstream in particular and NGO/CSOs had strong reservations around the clarity and applicability of Requirements. Consequently, these have been a major area of focus for the CMSI Partners in reworking the Consolidated Standard content following the first public consultation. The third key takeaway is that the three-level performance structure is regarded as problematic for reasons that are important to better understand.

Further insight is provided in Tables 3-6, which summarises the text responses to these four questions. In summary, they reveal that:

- A recurring area of concern that is reflected in the critical responses across all four questions was that the Foundational Practice Level Requirements do not meet minimum expectations and therefore do not represent acceptable entry level standards. This in turn reflects concerns that Foundational Practice might come to be regarded as an ‘acceptable’ level of attainment or enable companies implementing CMSI to claim a level of achievement or recognition under a claims process. Neither of these situations is intended, yet the CMSI Partners failed to clearly demonstrate this in the documents shared during the first public consultation. The revised documents aim to address this.
- An area of concern that also recurs in the critical responses in Tables 4 and 5 is that there is insufficient detail for consistent interpretation of the Requirements, or that further guidance and specificity is needed across the Consolidated Standard for effective implementation and auditing. This has been a major focus for the CMSI Partners in reworking the Consolidated Standard content, both to sharpen areas that may have been lacking in clarity and to expand on the ‘Glossary and Interpretative Guidance’ sections of the Performance Areas. However, the Consolidated Standard does not and should not be considered a substitute for external good practice guidance that is widely available, and additional references to those sources of guidance have been included in the revised draft.

**Table 3: Summary of text responses on ability to improve performance**

	Response	Total Responses	Number of Optional Text Responses	Summary of Optional Text Responses
Meets or exceeds	Significantly exceeds expectations	2	1	CMSI is a foundational path forward due to a true continuous improvement philosophy and specific, detailed Requirements.
	Exceeds expectations	23	6	CMSI will yield tangible benefits by enabling companies to focus on performance, advance resource stewardship, and engagement with outside stakeholders. Comments noted some concerns related to the Claims policies, adoption by the industry, and additional management or monitoring needs.
	Meets expectations	56	15	CMSI framework and intent meets expectations pending improvements shared in the consultation period. Further attention needed on the technical quality of the documents, clarity on timelines for implementation, streamlining executive and Board accountability, embedding sustainability metrics into decision-making,

	Response	Total Responses	Number of Optional Text Responses	Summary of Optional Text Responses
				further developing stakeholder engagement frameworks, and examples of quantifiable measures.
Falls below	Below expectations	33	19	Further clarity and specificity needed across the CMSI. Lack of alignment with international Standards and global applicability of CMSI. Three comments expressed concern that the Foundational Practice Level is not sufficient and/or there should be a zero qualification level. Requests for clarity on specific topics include tailings management, closure, artisanal and small-scale mining (ASM) and large-scale mining (LSM), Environmental, Social and Governance assessments, responsible security management, conflict sensitivity, and respect for international humanitarian law.
	Significantly below expectations	14	9	Five comments expressed concern that the CMSI is less stringent than or misaligned with other Standards such as Initiative for Responsible Mining Assurance (IRMA), IFC, UNGPs, Corporate Sustainability Reporting Directive (CSRD), GRI, and OECD guidance, lack of alignment with international laws related to human rights, child labour, and Indigenous Peoples. Lack of incentive for companies to move beyond the Good Practice Level and/or that the Foundational Practice Level is insufficient. Two comments expressed that the overall CMSI system gives too much control to the industry, particularly in the Assurance Process and Governance Model.

Table 4: Summary of text responses on scope, content, and narrative style meets expectations

	Response	Total Responses	Number of Optional Text Responses	Summary of Optional Text Responses
Meets or exceeds	Significantly exceeds expectations	3	0	Not applicable.
	Exceeds expectations	32	7	Comprehensive scope and content exceeds expectations for responsible production practices through easy-to-follow style and concise but complete coverage of material topics. Narrative structure could more clearly present links between Performance Areas.
	Meets expectations	59	7	Scope and content are generally comprehensive but require further coverage of specific topics such as FPIC, deforestation, prevention of greenwashing and industrial hygiene, among others. Further review of language and potential Requirement consolidations needed.
Falls below	Below expectations	32	12	Inadequate detail for consistent implementation and lack of alignment with international Standards such as UNGPs, OECD Guidelines, IFC Performance Standards, and ILO Conventions. Implementation challenges due to additional reporting, process, and review burdens.



Response	Total Responses	Number of Optional Text Responses	Summary of Optional Text Responses
Significantly below expectations	15	4	Lack of rigorous, measurable criteria for effective implementation and auditing. Foundational and Good Practice Levels fall short of other international Standards.

Table 5: Summary of text responses on clarity and consistency to support practical implementation

Response	Total Responses	Number of Optional Text Responses	Summary of Optional Text Responses
Significantly exceeds expectations	1	0	Not applicable.
Exceeds expectations	16	2	Clear Requirements support consistent and practice implementation and performance improvement. Transition to CMSI is likely supported by ongoing work to comply with international Standards, but additional guidance and accessibility may help uptake for smaller facilities.
Meets expectations	60	10	Further clarification of Requirements needed, including accessible language, logical and systemic organisation, and practical examples of evidence needed for audits.
Below expectations	47	18	Further guidance and specificity needed across the Standard for effective implementation and auditing, including suggested addition of a guidance document. Clarify references to other Standards that could make the Standard more complex to implement.
Significantly below expectations	14	3	Ensure Foundational Level meets minimum existing Requirements and escalation between levels reflects actual improvement. CMSI is below other existing Standards, particularly as related to human rights.

Table 6: Summary of text responses on three-level performance structure

Response	Total Responses	Number of Optional Text Responses	Summary of Optional Text Responses
Significantly exceeds expectations	6	2	Incremental improvement structure works well and can be motivational. Content needs further refinement.
Exceeds expectations	26	3	Three-level structure is an excellent and effective approach, providing entry-level operators with an appropriate Foundational Practice Level achievable with limited resources.
Meets expectations	60	9	Three-level structure supports compliance and continuous improvement. The distribution and descriptions of Practice Levels need some adjustments throughout, and several stakeholders express concern related to companies not meeting the Foundational Level

Response		Total Responses	Number of Optional Text Responses	Summary of Optional Text Responses
				and recognition for moving from Good to Leading Practice Level.
Falls below	Below expectations	29	16	Current three-level structure does not reflect a true Foundational Practice Level nor actual improvement at Good and Leading Practice Levels. Stakeholders provided conflicting input on reducing or increasing number of Performance Levels and suggestions for renaming the Performance Levels. Other concerns include communication on achieving different Performance Levels and contradiction between Performance Levels across various Performance Areas.
	Significantly below expectations	19	8	Foundational Level does not meet minimum expectations and acceptable entry-level Standards, and in certain cases could prevent facilities from moving to the Good Practice Level. A more neutral terminology for the Performance Levels is recommended.

## 2.3 Responses to Key Fundamental and Structural Feedback

Beyond the comments on specific Performance Areas, the ERM Consultation Report summarised a number of points of ‘Key Fundamental and Structural Feedback’. This feedback is presented verbatim in columns 1 and 2 of Table 7 and the CMSI Partners’ responses are included in column 3:

**Table 7: Responses to key fundamental and structural points of feedback flagged in the ERM Consultation Report**

Aspect	Key points raised	CMSI Partner Responses
<b>Three level structure and Foundational Level:</b> Feedback appeared to generally approve of the three-level performance structure, while highlighting concerns about the sufficiency of the Foundational Practice Level to advance industry practices (see section 6.1 in ERM Consultation Report)	<b>Overall structure and Performance Level terminology:</b> Many stakeholders fundamentally agreed with the three-level structure in the draft documents. Some stakeholders raised concerns that the terminology of ‘Foundational’, ‘Good’ and ‘Leading’ may be misleading based on each level’s relationship to driving performance improvement, or that the structure could be increased to more tiers or reduced to two tiers.	The CMSI Partners remain committed to the three-level structure but have changed ‘Foundational Practice’ to ‘Towards Good Practice’, and reframed the narrative to underscore that this is a starting position to put Facilities on the path to reach Good Practice and on which a Facility can build and improve its performance. Facilities at the Towards Good Practice Level have made a commitment to responsible mining but are still “on the road” to implementing Good Practice (see also below regarding requirements for continuous improvement).
	<b>Foundational Practice Level as minimum threshold:</b> Feedback included concerns that the Foundational Practice Level requirements are generally below industry expectations or that the Foundational Practice Level does not provide a functional minimum baseline in the scoring of the Consolidated	Linked to the point above, Towards Good Practice is an on-ramp, not a destination, and is intentionally below Good Practice. There are no Performance Claims or ‘certifications’ that apply at this level, and Facilities cannot ‘sit’ at this level given the continuous improvement requirements that are part of the Assurance Process. Facilities scores against the 24 Performance Areas will also

Aspect	Key points raised	CMSI Partner Responses
	Standard. The Foundational Practice Level also raised questions on language and public reporting of nonconformance or a zero-score, with some requests for adding a distinct tier for nonachievement.	be transparently disclosed, enabling interested stakeholders to understand where they are on their journey to conformance.
	<b>Agreement with Foundational Practice Level:</b> Along with general agreement with the three-tier Performance structure, some stakeholders found that the Foundational Practice Level is a sufficient industry baseline or on-ramp, especially for smaller operators and/or Facilities with limited resources.	The intention is that the Towards Good Practice Level serves as an on-ramp which is followed by a model of continuous improvement.
	<b>Alignment between Performance Levels and Building on Prior Levels:</b> Many stakeholders raised concerns across Performance Areas that there is a lack of alignment between the Foundational, Good and Leading Practices and that some requirements are at contradictory levels between Performance Areas. Stakeholders requested further clarity on how requirements build upon actions from the previous Performance Level and noted opportunities for more clearly mapping requirements between Performance Areas to help ensure alignment between Performance Levels in different Sections.	The CMSI Partners have tried to ensure alignment in terms of the types of Requirements that apply at each of the three Performance Levels (Towards Good Practice, Good Practice, Leading Practice). What is consistent for all Performance Areas is that the Performance Levels build upon one another. To reach a certain Performance Level for any given Performance Area, the Facility needs to meet all of the applicable Requirements at that level, as well as all the Requirements at the lower Performance Level(s).
	<b>Performance Claims and Driving Improvement at the Leading Practice Level:</b> Stakeholders raised questions seeking further clarification on the Leading Practice Level claim, expressing concern that the current structure does not incentivise companies to reach for the Leading Practice Level, therefore limiting the CMSI's ability to drive improvement.	The incentive to reach Leading Practice are less clear than for Good Practice and come down to a choice by a Facility or company for differentiation in Performance Areas. Given that the achievement of Good Practice is a heavy lift, the CMSI Partners think this is fine for now – but the Board may elect to review whether further incentives might be created after a period of implementation experience has passed.
<b>Adjustments to requirement Practice Levels:</b> Stakeholder feedback included suggestions for moving almost 40 percent of Requirements between the Foundational, Good	173 of the Good and Leading Practice Level requirements were recommended to move to a lower Practice Level, supporting comments that requirements are set below current industry practices and/or stakeholder expectations.  In contrast, 23 Foundational and Good Practice Requirements were	As part of the process of revising the Consolidated Standard, several Requirements have moved between levels – however not nearly as many as suggested in the comments. In part, these requests stemmed from a concern that the Towards Good Practice Level needed to set a high bar in order to represent a level of conformance that would be regarded as an acceptable end point or have claims associated with it. As clarified above, this is not the case.

Aspect	Key points raised	CMSI Partner Responses
and Leading Practice Levels to reflect current industry practices, stakeholder expectations, drive industry improvement and/or provide alignment between Performance Areas.	recommended to move to a higher Practice Level. While many Requirements received one to two comments with requests to move Practice Levels, some received a higher number of comments with similar requests, indicating some agreement on certain Requirements that are below or above expectations at their current Practice Level.	
<b>Alignment with and reference to other standards:</b> Many comments requested alignment with or reference to existing Standards.	Common Standards referenced by respondents include UNGPs, OECD Guidelines, IFC Performance Standards, UNDRIP Articles, ILO Conventions and GRI reporting Requirements. Performance Level analyses include further details on specific references suggested by stakeholders.	Across all Performance Areas, the Partners have sought clearer alignment with external standards (see Tables 8.A – 8.24 in Section 3 of this report for further details).
<b>Timelines and expectations for improvements:</b> Includes timelines for implementation overall and to undertake specific Requirements.	<b>Timeline for Implementation and Improvement:</b> Stakeholders requested clarification on the suggested or required timeline for implementing the Consolidated Standard at the Foundational Practice Level, as well as suggested or required timelines for reaching the Good and Leading Practice Levels. A few stakeholders expressed concern that companies staying at one Performance Level for several years would not demonstrate a continuous improvement philosophy.	There are no fixed timeframes for conformance set by CMSI, noting that some CMSI Partners may establish timelines for conformance to a certain level as a condition of membership. As part of its continual improvement model, all Facilities that use the Consolidated Standard and Assurance Process commit to achieve, at a minimum, Good Practice Level over time. If a Facility fails to show meaningful progress against published improvement plans to achieve Good Practice in two consecutive assurance cycles, the Secretariat will engage the Facility to discuss their commitment to the Consolidated Standard. Continued failure to improve performance may lead to the Facility becoming ineligible to participate in the Consolidated Standard.
	<b>Timelines within Requirements:</b> Across Performance Areas, stakeholders requested further clarity and specificity on timelines for numerous types of actions, such as internal and external reviews, updating subject-specific management plans and conducting community engagement. Feedback varied with suggestions for specific time-based schedules, such as quarterly or annually, while others suggested risk- or material-based schedules. Feedback occasionally conflicts on suggested timelines, such as whether a time-based	On balance, the CMSI Partners have taken the view that in most instances, Facilities should have flexibility but need to clearly indicate their chosen intervals, which would then be subject to independent assurance. In some instances, specific timeframes are prescribed, e.g. annual intervals apply to reporting on sustainability performance and reviewing and updating risk registers in Performance Area 1 (Corporate Requirements), or meeting senior members of the local first responder agencies (where they exist) in Performance Area 10 (Emergency Preparedness and Response), or reviewing and updating

Aspect	Key points raised	CMSI Partner Responses
	schedule should or should not be specified based on the requirement and context.	stakeholder maps and engagement plans in Performance Area 12 (Engagement).
<b>Terminology and definitions:</b> Numerous comments request clarity on terminology and definitions used throughout the Consolidated Standard.	Included alternative text suggestions, requests for clearer definitions and requests for terms that are undefined, unclear or potentially too subjective to effectively audit. Notable examples include uses of 'significant' and 'reasonable action'.	Several additional definitions and points of interpretative guidance have been added to the Overarching Glossary and to individual Performance Area Glossaries, including 'significant' and 'reasonable'.
	Stakeholders also noted various terms that can be vague, misinterpreted or not consistently applied, such as 'where applicable', 'where appropriate', 'likelihood' and 'where possible', among others.	The Partners have tried to limit the use of vague terms, or otherwise to more clearly define such terms when used.
<b>Consistent application across Performance Areas:</b> Feedback included questions and requests for more consistent application of specific topics across Performance Areas for clarity and auditability.	<b>Grievance mechanisms:</b> Requests for consistent application of grievance mechanisms across all relevant Performance Areas.	The two main sections on grievances are in Performance Area 7 (Rights of Workers) and Performance Area 17 (Grievance Management) (for local communities, including stakeholders and rights-holders, which encompasses Indigenous Peoples). This provides comprehensive coverage for all those potentially affected by a Facility.
	<b>Mitigation hierarchy:</b> Requests for consistent references to a standard mitigation hierarchy across all relevant Performance Areas rather than uses of 'avoid, minimise, restore, offset'.	We have not done this, as although the mitigation hierarchy and related stages have been around as a concept since the 1980s, a specific version of it has gained broad acceptance for biodiversity. However, the basic stages are common across Performance Areas (avoid, minimise, rehabilitate/restore, compensate).
	<b>Requiring implementation at Foundational Practice Level:</b> To strengthen Foundational Practice Level, require implementation of plans, practices or policies listed, rather than just the design of or commitment to plans, practices or policies.	Implementation is typically at the Good Practice Level, but some Towards Good Practice Requirements do refer to implementation where this is regarded as an essential part of this practice level. The concerns around this will hopefully lessen given the classifications provided on this Performance Level earlier in this table.
	<b>Stakeholder and rights-holders terminology and engagement at Good Practice Level:</b> Requirements involving stakeholder and rights-holder engagement should be implemented at the Good Practice Level for consistency across Performance Areas. Terminology related to stakeholders, rights-holders and communities should also be consistent throughout.	The CMSI Partners have standardised the terminology on stakeholders and rights-holders as suggested. Stakeholder and rights-holder engagement is now consistently required at (and occasionally below) Good Practice Level. In some instances, engagement is regarded as an essential part of Towards Good Practice Level.

Aspect	Key points raised	CMSI Partner Responses
<p><b>Crosscutting Themes:</b> During the categorisation and review process, ERM identified two key crosscutting themes that appear in a substantial number of comments and across a broad range of Performance Areas. (see section 6.3 in <i>ERM Consultation Report</i>).</p>	<p><b>Indigenous Peoples:</b> The word 'Indigenous' appears in 484 comments, or around 10 percent of all comments. Comments related to Indigenous Peoples were provided on all 4 documents and on 17 of 24 Performance Areas. Several specific areas of concern with the Consolidated Standard were flagged by ERM, which are addressed in detail under the relevant Performance Areas in section 3 below. For completeness, these include requests to:</p> <ul style="list-style-type: none"> <li>○ Include alignment with FPIC and further incorporate FPIC into Requirements, particularly at Foundational Levels;</li> <li>○ Add additional Requirements and/or clarity around meaningful consultation processes;</li> <li>○ Provide further guidance when the Requirements related to Indigenous Peoples do or do not apply to a Facility;</li> <li>○ In Performance Area 3, include Indigenous Peoples' rights and protections in supply chain policies and further inclusion of Indigenous Peoples' communities or land impacted by supply chain activities throughout the Requirements;</li> <li>○ In Performance Area 4, include recommendations to specify the engagement of Indigenous Peoples and rights-holders in the data collection process, risk and impact assessments and development of mitigation plans;</li> <li>○ In Performance Area 12, clarify and/or specify in the Requirements where mentions of community engagement or consultation include Indigenous Peoples;</li> <li>○ In Performance Area 13, incorporate details on human rights, health and cultural impacts for communities, including Indigenous communities;</li> <li>○ In Performance Area 13, ensure engagement and involvement of</li> </ul>	<p>While not every comment related to Indigenous Peoples has been addressed, many have - and in all instances, the CMSI Partners have given due consideration to where it was decided not to explicitly include additional provisions related to Indigenous Peoples. For example, we have not responded to the suggestion to include specific provisions relating to Indigenous Peoples in Performance Area 3 (Responsible Supply Chains) as that same rationale applies to multiple other Performance Areas – noting that we have listed Performance Area 14 (Indigenous Peoples), as one of the other relevant Performance Areas to consider in Performance Area 3 (Responsible Supply Chains).</p> <p>Some examples of where we have incorporated comments and suggestions related to Indigenous Peoples in response to the specific bullet points below include:</p> <ul style="list-style-type: none"> <li>○ Alignment with FPIC for Requirements at the Towards Good Practice and Good Practice Levels (e.g. in Performance Areas 4, 14 and 15);</li> <li>○ Clearer direction on the applicability of Performance Area 14 (Indigenous Peoples);</li> <li>○ Clear provisions relating to the engagement of Indigenous Peoples and rights-holders in data collection, impact assessment and mitigation plans in Performance Area 4 (New Projects, Expansions and Resettlement);</li> <li>○ Clear direction on Indigenous engagement in the Applicability section of Performance Areas 12 and 13;</li> <li>○ Changes to Performance Area 14 (Indigenous Peoples) to address various concerns raised (see Table 8.14 in Section 3 of this report for further details);</li> <li>○ Inclusion of wording in Performance Area 15 (Cultural Heritage) to reflect FPIC as well as the engagement of Indigenous Peoples in identifying and assessing risks;</li> <li>○ Stronger emphasis in Performance Area 17 (Grievance Management) on grievance handling in local languages and culturally relevant communication for all affected communities including Indigenous Peoples;</li> <li>○ Reference to incorporating Indigenous Ecological Knowledge in Performance Area 19</li> </ul>



Aspect	Key points raised	CMSI Partner Responses
	<p>Indigenous Peoples in mitigation plans, social and economic priorities, investment plans and procurement and contracting opportunities;</p> <ul style="list-style-type: none"> <li>○ In Performance Area 14, include clearer language in the Requirements related to Indigenous engagement, FPIC and/or Indigenous Peoples in voluntary isolation, including emphasis on early engagement, decision-making processes and cultural awareness;</li> <li>○ In Performance Area 14, concern that the Foundational Practice Levels are not sufficient and should be fully aligned with FPIC and that Good and Leading Practices are sometimes insufficient or repetitive;</li> <li>○ In Performance Area 15, involve Indigenous Peoples in identifying cultural heritage, potential impacts and more clarity around cultural heritage training;</li> <li>○ In Performance Area 17, include further provisions for culturally appropriate grievance handling for Indigenous Peoples, including integrating Indigenous languages and local communication methods and Indigenous representatives in the grievance mechanism design and review process; and</li> <li>○ In Performance Area 19, enable further involvement of Indigenous Peoples and/or greater sensitivity towards local and Indigenous knowledge.</li> </ul>	<p>(Biodiversity, Ecosystem Services and Nature) for establishing baselines.</p>
	<p><b>Gender:</b> The word ‘gender’ appears in 110 comments and ‘women’ appears in 88 comments, together representing approximately 4 percent of all submitted comments. Comments containing ‘gender’ or ‘women’ were provided on 20 of the 24 Performance Areas. Key requests on gender included:</p> <ul style="list-style-type: none"> <li>○ To incorporate a comprehensive gender approach and/or emphasise the importance of meaningful</li> </ul>	<p>While not every request to include a gender-responsive approach has been addressed, many have and in all instances, the CMSI Partners have given due consideration where it was not explicitly included.</p> <p>There is a sharper focus on <i>vulnerable and underrepresented groups</i> (defined to include gender or age as a basis for heightened risk from adverse impacts) across several Performance Areas, including Performance Area 4 (New Projects,</p>

Aspect	Key points raised	CMSI Partner Responses
	<p>engagement with marginalised or vulnerable groups, including women and girls;</p> <ul style="list-style-type: none"> <li>○ In Performance Areas 1 and 10, to include gender-responsive planning for Crisis Management and Communications and Emergency Preparedness;</li> <li>○ In Performance Area 4, to incorporate guidance or structured frameworks to promote the consultation and inclusion of vulnerable groups, including women;</li> <li>○ In Performance Area 7, requests to ensure certain considerations related to workers' rights are not limited to only women;</li> <li>○ In Performance Area 12, for clearer guidance on engagement processes for marginalised or vulnerable groups, including women and girls;</li> <li>○ In Performance Area 13, to explicitly mandate inclusion of women and girls, particularly Indigenous women and girls; and</li> <li>○ In Performance Area 16, to include a gender-sensitive approach and specific measures to address needs of vulnerable groups, including women and child labourers.</li> </ul>	<p>Expansions and Resettlement), which requires 'separate consultation sessions with women, vulnerable and underrepresented stakeholders and rights-holders must be conducted' where relevant to the impacts identified. Similarly, Performance Area 6 (Child Labour and Modern Slavery) refers to the need to identify 'risks of child labour and forced labour, including to women and girls, vulnerable and/or underrepresented groups', and Performance Area 7 (Rights of Workers) explicitly mentions the need for the grievance mechanism to cover 'gender-based violence'.</p> <p>Similarly, Performance Area 12 (Engagement) has a Requirement to 'hold separate engagements with women, vulnerable and/or underrepresented groups where appropriate' and to support their capacity for effective engagement.</p> <p>Performance Area 16 (Artisanal and Small-scale Mining) has a specific focus on women and children, both in the assessment of risks and impacts and also for supporting alternative or complementary livelihoods, economic development and other social improvements in ASM communities.</p> <p>Noting the request to expand certain considerations of Performance Area 7 (Rights of Workers) beyond women, this now requires Facilities to 'Implement policies and practices to respect the rights and interests of women and other vulnerable and marginalised groups that reflect gender-and culturally informed approaches'.</p>

Many of the more specific points of concern come though more clearly in the detailed feedback outlined in the ERM Consultation Report.

The next section includes a tabular summary of that detailed feedback, broken down by Introduction and individual Performance Areas, coupled with the response from the CMSI Partners on how we have responded to that feedback.

### 3 CMSI Partners response to the detailed feedback

As mentioned above, 4,060 comments were received on the draft Consolidated Standard from 180 stakeholders. The ERM Consultation Report provides detailed information on which stakeholders provided feedback on each section of the Consolidated Standard, but overall, the upstream Mining Industry submitted 25 percent of all comments on the draft documents, consultancy stakeholders and NGO/CSO stakeholders each submitted approximately 16 percent of comments, and Indigenous Peoples or representative organisations provided 7.5 percent of comments.

All 24 Performance Areas received comments, with the number of comments per Performance Area ranging from a high of 295 comments on Performance Area 4 (New Projects, Expansions and Resettlement) to as low as 62 comments on Performance Area 8 (Diversity, Equity and Inclusion). Six Performance Areas attracted over 200 comments, 6 received 150-199 comments, 4 received 100-149 comments, and the remaining 8 Performance Areas received between 62 and 99 comments.

Indigenous stakeholders and rightsholders' feedback (see Section 6.2 of ERM Consultation Report) frequently included suggestions for aligning Requirements with the principles of FPIC, as well as comments requesting clearer language on inclusion, consultation and co-design/co-development across Requirements. NGO/CSO respondents suggested many additions to Requirements, as well as language clarifications around cultural and contextual factors, such as gender-sensitive language and considerations, clarity on engagement expectations and culturally appropriate support and engagement.

Industry and consulting feedback (see Section 6.2 of ERM Consultation Report) included questions and considerations for where Requirements are not applicable or require more flexibility based on jurisdiction, current industry practices, type of mining or other unique situations. Industry stakeholders also frequently provided input on proposed timelines for recurring activities, such as reviewing plans or disclosing information. Industry respondents also provided feedback on Performance Areas with technical and/or mining operations and lifecycle focus, such as Performance Area 4 (New Projects, Expansions and Resettlement); Performance Area 18 (Water Stewardship); Performance Area 20 (Climate Action); Performance Area 21 (Tailings Management); Performance Area 22 (Pollution Prevention); and Performance Area 24 (Closure).

The CMSI Partners' responses to the detailed feedback on each section of the Consolidated Standard is summarised in the series of tables that follows. The first two columns are taken directly from the ERM Consultation Report, which summarised the detailed feedback from stakeholders on the Introduction and each Performance Area (PA) that was publicly consulted on. As part of the revision process, subject matter experts from the CMSI Partners also reviewed all the detailed feedback from stakeholders. Where these reviews identified additional important points of feedback which may have not been picked up in the ERM Consultation Report, that feedback is integrated into the second column of the tables below, but in *italicised bold text* to differentiate it from the ERM content. The third column provides the response of the CMSI Partners, which is reflected in the revised Consolidated Standard.

As noted in the preamble, we have attempted to faithfully respond to all of the points as summarised within the ERM Consultation Report. In addition, the revised Standard includes multiple other edits made in response to specific suggestions that came through in the public consultation responses, which have greatly helped to improve upon the original draft. We are indebted to the stakeholders that provided feedback through the public consultation process.

Table 8.A: Detailed consultation feedback and CMSI Partner responses on the Consolidated Standard Introduction

Sub-Sections	Consultation feedback	CMSI Partner responses
<b>Structure of the Consolidated Standard</b>	<ul style="list-style-type: none"> <li>Clarify Pillar titles, such as aligning with Environmental, Social and Governance language; and</li> <li>Provide quick links to Performance Area and Pillar structure and other relevant Performance Areas throughout.</li> </ul>	<ul style="list-style-type: none"> <li>The pillar titles broadly align with Environmental, Social and Governance. The original four-pillar structure of Ethical Business Practices, Worker &amp; Social Safeguards, Social Performance and Environmental Stewardship defined with the Stakeholder and Industry Advisory Groups will be retained.</li> <li>These links will be embedded in the final documents.</li> </ul>
<b>Levels of Performance</b>	<ul style="list-style-type: none"> <li>Add level for nonconformance/no Requirements met;</li> <li>Suggestions for terminology changes;</li> <li>Requirements at Foundational Level are insufficient and not aligned with other Standards or expected industry practices; Good Practice Level should be minimum for affiliation with the CMSI;</li> <li>Reconsider current Foundational, Good, Leading Practice Level terminology;</li> <li>Ensure clear escalation of practices between Performance Levels; and</li> <li>Clarify contradictions between the level Requirements of related Performance Areas.</li> </ul>	<ul style="list-style-type: none"> <li>As the related scoring disclosures will make non-conformance transparently clear, it was deemed not necessary to create a non-conformance level.</li> <li>Foundational Practice Level has been renamed as 'Towards Good Practice' and changes have been made to reframe this Performance Level to better reflect Partner intention.</li> <li>As part of the CMSI continual improvement model, all Facilities that use the Consolidated Standard and Assurance Process commit to achieve, at a minimum, Good Practice Level over time. Towards Good Practice Level is a starting position to put Facilities on the path to reach Good Practice Level and upon which a Facility can build and improve its performance.</li> <li>Note terminology change from 'Foundational' to 'Towards Good Practice Level'.</li> <li>Across all Performance Areas, progressing from Towards Good Practice to Good Practice and then to Leading Practice requires an increased level of performance.</li> <li>Identified contradictions have been noted and addressed.</li> </ul>
<b>Equivalency with other Standards</b>	<ul style="list-style-type: none"> <li>Establish as a key priority to further development of the CMSI; accelerate cross-recognition with other Standards to simplify compliance and improve global credibility;</li> <li>Remove section until equivalencies are established; and</li> <li>Consider opportunity for equivalency mapping in Introduction.</li> </ul>	<ul style="list-style-type: none"> <li>While the Partners recognise the importance of equivalency, the current priority is to progress the finalisation of the CMSI, which will provide the basis for future planned equivalency work and achieve the desired simplification of the responsible standards landscape.</li> <li>Removed section for the second public consultation.</li> </ul>

		<ul style="list-style-type: none"> <li>As mentioned above, equivalency will be considered in more detail in the future, and the equivalencies section has been removed for the second public consultation.</li> </ul>
Implementation of the Consolidated Standard	<ul style="list-style-type: none"> <li>4b: Clarify processes related to pre-operational Requirements if sites are only reporting during operation; and</li> <li>4c: Provide clearer guidance on process for determining if a Performance Area is applicable/nonapplicable.</li> </ul>	<ul style="list-style-type: none"> <li>This has been clarified in both the Introduction (Sections 4 Implementation of the Consolidated Standard and Section 8 Key Terms and Guidance) and in the Applicability Section of PA 4.</li> <li>Clearer guidance is included on applicability in the Introduction as well as across all Performance Areas.</li> </ul>
Reporting performance against the Consolidated Standard	<ul style="list-style-type: none"> <li>Clarify language on public disclosure of Good versus Leading Practice Level achievement;</li> </ul>	<ul style="list-style-type: none"> <li>This is covered in some detail in the Claims Policy and summarised in Section 6 of the Introduction (Performance scoring and claims).</li> </ul>
Implementation Timelines	<ul style="list-style-type: none"> <li>Provide clear timelines for companies to achieve compliance with different Performance Levels, including a timeline for current phrasing ‘eventually achieve’; and</li> <li>Consider if allowing several years at a lower level demonstrates continuous improvement philosophy.</li> </ul>	<ul style="list-style-type: none"> <li>Wording of ‘eventually’ has been removed. There are no fixed timeframes for conformance set by CMSI, noting that some CMSI Partners may establish timelines for conformance to a certain level as a condition of membership. As part of its continual improvement model, all Facilities that participate in the Consolidated Standard and Assurance Process commit to achieve, at a minimum, the Good Practice Level of performance over time.</li> <li>If a Facility fails to show meaningful progress against its published improvement plans to achieve Good Practice in two consecutive assurance cycles, the Secretariat will engage the Facility to discuss their commitment to the Consolidated Standard. Continued failure to improve performance may lead to the Facility becoming ineligible to participate in the Consolidated Standard.</li> </ul>
Materiality	<ul style="list-style-type: none"> <li>Include materiality analysis as a basis for the complete Standard and provide overview in the Introduction.</li> </ul>	<ul style="list-style-type: none"> <li>The ‘Applicability’ section is what guides whether a Facility should implement Requirements. At the same time, the Assurance Provider is encouraged to apply a risk-based approach to the Assurance Process to ensure the majority of their time and effort are focused on the most material Performance Areas.</li> </ul>
Pillars and Performance Area Alignment	<ul style="list-style-type: none"> <li>Move Emergency Preparedness and Response under Ethical Business Practices;</li> <li>Decouple Risk Management from Performance Area 1 Corporate Requirements;</li> <li>Integrate closure throughout other Performance Areas; and</li> </ul>	<ul style="list-style-type: none"> <li>As there was widespread support from the Advisory Groups and from early engagement for the current structure, the first three bullet point suggestions have not been incorporated. There is also no perfect solution and moving one section can raise other potential structural issues. The fourth bullet point is addressed in the Introduction (Section 4 Implementation of the Consolidated Standard) and PA 4.</li> </ul>

	<ul style="list-style-type: none"> <li>• Address exploration and development phases.</li> </ul>	
Clarity	<ul style="list-style-type: none"> <li>• Further clarity is needed across the Standard to provide meaningful guidance and enable effective auditing; and</li> <li>• Review for consistency in outcomes versus actions; actions such as ‘create’ or ‘develop’ are not measurable and should be replaced with outcomes.</li> </ul>	<ul style="list-style-type: none"> <li>• Through the editing process, care has been taken to sharpen many Requirements to enable effective auditing and additional guidance provided (typically in the Glossary and Interpretative Guidance sections).</li> </ul>

Table 8.1: Detailed consultation feedback and CMSI Partner responses on Performance Area 1: Corporate Requirements

Sub-Sections	Consultation feedback	CMSI Partner responses
<b>1.1 - Corporate Accountability</b>		
Foundational Practice (Now Towards Good Practice)	<ul style="list-style-type: none"> <li>• Executives should be added to the leadership team responsible for performance. Clarify senior management accountability and responsibility; and</li> <li>• NGOs/CSOs believe that the Foundational Level falls short of OECD guidelines.</li> <li>• <i>Public commitments should be at Foundational Level.</i></li> </ul>	<ul style="list-style-type: none"> <li>• One or more individuals from senior management to be designated. Replaced ‘responsible’ with ‘accountable’ to further strengthen Towards Good Practice (Towards Good Practice 1).</li> <li>• Towards Good Practice Level is an on-ramp, not a destination, and is intentionally below Good Practice Level. See Table 6 in Section 2.2 (Responses to high-level questions differentiated by stakeholder type) above for further details.</li> <li>• Public disclosure of commitments has been moved from Good Practice Level to Towards Good Practice Level.</li> </ul>
Good Practice	<ul style="list-style-type: none"> <li>• Add detail and clarity on Board accountability.</li> <li>• Requirement 2: Intergovernmental / Multi-Lateral Organisation stakeholders suggest alignment with the OECD guidelines, UNGPs and other international Standards,</li> <li>• Upstream Mining Industry expressed concern about the difficulty in demonstrating integration of applicable Performance Areas into corporate strategy and investments; and</li> <li>• Assurance provider/auditor respondents suggested several additional Good Practice Level Requirements, including identifying sustainability related risks, emergency management and identification of potentially affected stakeholders.</li> </ul>	<ul style="list-style-type: none"> <li>• Details of Board accountability fall outside the scope of the Consolidated Standard. For publicly listed companies this is regulated by independent jurisdictional securities oversight agencies.</li> <li>• Alignment with OECD guidelines, UNGPs and others, is addressed throughout the other Performance Areas of the Consolidated Standard (particularly PA 3 for OECD alignment, and PA 5 and PA 17 for UNGP alignment).</li> <li>• Based on the experience of the Partner organisations, integration of applicable Performance Areas into corporate strategy can be demonstrated.</li> <li>• Suggestions from Assurance Provider respondents are addressed in subsequent Sections of PA 1 (i.e., sustainability related risks in PA 1.4) and</li> </ul>



		other Performance Areas (i.e., emergency management suggestions are addressed in PA 10 and stakeholder mapping suggestions in PA 12).
<b>Leading Practice</b>	<ul style="list-style-type: none"> <li>Clarify differences between metrics tied to compensation and materiality of metrics in the industry; and</li> <li>Requirement 2: clarify qualification, training and guidance for individuals overseeing corporate-wide sustainability.</li> </ul>	<ul style="list-style-type: none"> <li>Details of materiality of metrics are beyond the scope of the Consolidated Standard; however, linking compensation to the performance in the Consolidated Standard (as in Leading Practice 1) inherently ties the performance to material risks faced by the Facility and/or company.</li> <li>On Requirement 2, this level of specificity is difficult to prescribe in a standard, as the skill sets of Boards will be different based on company context and material issues.</li> </ul>
<b>1.2 - Sustainability Reporting</b>		
<b>Foundational Practice</b>	<ul style="list-style-type: none"> <li>Requirements 1 and 2: strengthen and align to established reporting frameworks such as the CSRD.</li> </ul>	<ul style="list-style-type: none"> <li>Alignment with a recognised impact materiality reporting standard (such as GRI) is addressed at Good Practice Level, whereas double materiality (such as CSRD) is addressed at Leading Practice Level.</li> </ul>
<b>Good Practice</b>	<ul style="list-style-type: none"> <li>Align to internationally recognised reporting Standards.</li> </ul>	<ul style="list-style-type: none"> <li>Specific references to reporting standards have been added to the Interpretive Guidance, and the Requirement at Good Practice Level to report to a standard which uses impact materiality has been maintained.</li> </ul>
<b>Leading Practice</b>	<ul style="list-style-type: none"> <li>NGO/CSO respondents stated that double materiality is not a Leading Practice and should be moved to a lower Practice Level, whereas Upstream Mining Industry respondents requested clarity on double materiality methodologies; and</li> <li>Upstream Mining Industry respondents suggested that there is misalignment between terminology used in the Requirement and the Glossary and Interpretive Guidance.</li> </ul>	<ul style="list-style-type: none"> <li>Clarified that the Good Practice Requirement now requires impact materiality standard (i.e., GRI), whereas double materiality (i.e., CSRD/ESRS) is now required at Leading Practice Level. Where jurisdictional regulations require CSRD reporting (i.e., the E.U.), companies must comply irrespective of their Performance Level of the Consolidated Standard.</li> <li>Glossary definitions have been corrected/aligned with Requirements.</li> </ul>
<b>1.3 - Transparency of Mineral Revenues</b>		
<b>General or Overarching</b>	<ul style="list-style-type: none"> <li>Concerns and recommendations related to project-level payments to governments, non-EITI implementing countries, responsible tax and disclosure related to the supply chain.</li> </ul>	<ul style="list-style-type: none"> <li>See details below.</li> </ul>
<b>Foundational Practice</b>	<ul style="list-style-type: none"> <li>Requirement 1: clarification on how to treat disclosures in countries that are not EITI signatories.</li> <li>Requirement 2: clarity needed on public disclosure Requirements; and</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 1 has been edited to clarify public support requires disclosure, which needs to be consistent with the principles of EITI. This applies even if operating in non-EITI countries.</li> <li>Public disclosure of material payments is now required 'at a country and project level' at Towards Good Practice Level.</li> </ul>

	<ul style="list-style-type: none"> <li>• NGO/CSO and Government respondents provided recommended additions including country-by-country tax reporting, anti-corruption policy and disclosure of ownership structure.</li> </ul>	<ul style="list-style-type: none"> <li>• Country and project reporting have been added, anti-corruption policies are covered in PA 2 and disclosure of beneficial owners has been added to Requirements in Leading Practice.</li> </ul>
Good Practice	<ul style="list-style-type: none"> <li>• Clarify EITI compliance and disclosure, particularly in countries where EITI is not implemented or where disclosures may be legally prohibited; and</li> <li>• Intergovernmental / multi-lateral organisations and NGO/CSO stakeholders requested to add disclosure on tax administration, beneficial ownership and disclosure of all contracts entered into after January 1, 2021.</li> </ul>	<ul style="list-style-type: none"> <li>• Clarification on EITI compliance and disclosure has been added to Section 1.3 and in the Glossary and Interpretive Guidance under '<i>Disclosure of contracts</i>.' This includes clarification, drawn from EITI, of the Requirement where there are barriers to disclosure. Additional guidance on EITI compliance and disclosure is provided in references.</li> <li>• A beneficial ownership Requirement has been added to Leading Practice Level. Disclosure of new contracts applies after Board approval of the Consolidated Standard. Existing commitments from any of the four Partner organisations (i.e., disclosure of contracts from January 2021) will be maintained by those organisations.</li> </ul>
Leading Practice	<ul style="list-style-type: none"> <li>• Requirement 1: move to the Good Practice Level (three comments).</li> </ul>	<ul style="list-style-type: none"> <li>• Requirement 1 remains at Leading Practice given the number of companies operating in non-EITI countries, the bulk of whom report in line with the principles of EITI but under national regulations (i.e., ESTMA in Canada). This Requirement at the Leading Practice Level also does not change the pre-existing obligations of EITI supporting companies to meet the EITI Requirements.</li> </ul>
<b>1.4 - Risk Assessment</b>		
General or Overarching	<ul style="list-style-type: none"> <li>• Section requires more detail on the scope of risk assessments, level of stakeholder engagement required and relationship to other Performance Areas and Sections.</li> </ul>	<ul style="list-style-type: none"> <li>• Edits have been made and a footnote has been added to this Section to provide more clarity - see details below.</li> </ul>
Foundational Practice	<ul style="list-style-type: none"> <li>• Requirement 2: add detail on risk assessment and prioritisation.</li> </ul>	<ul style="list-style-type: none"> <li>• A footnote has been added to this section to provide more detail. Further detail is beyond the scope of the Consolidated Standard.</li> </ul>
Good Practice	<ul style="list-style-type: none"> <li>• Requirement 1: move to Foundational Practice Level (two comments); and</li> <li>• Requirement 3: update the risk register more frequently than annually (three comments).</li> <li>• Two comments from assurance provider/auditor stakeholders and one comment from an NGO/CSO stakeholder suggested additions including: linking to other risk assessment standards;</li> </ul>	<ul style="list-style-type: none"> <li>• Creating a risk register is considered Good Practice Level and builds on the risk assessment and prioritisation process in Towards Good Practice Level.</li> <li>• Requirement 3 frequency has been revised to 'at least annually'.</li> <li>• Clarification on the Requirements in this section has been added, including how the risk assessment process is linked with other management systems and other Requirements related to risk in the Consolidated Standard.</li> </ul>

	linking to Board or Risk Committee; expanding risk management structure within the company; covering environmental, social and governance risks; and third-party validation of risk-registers.	<p>Expanding the risk management structure within the company is beyond the scope of the Consolidated Standard.</p> <ul style="list-style-type: none"> <li>Leading Practice Requirement 2 now requires reporting of key risks and mitigation plans to the Board or Board Committee. These risks would include material ESG risks.</li> </ul>
Leading Practice	<ul style="list-style-type: none"> <li>Requirement 1: received significantly more comments than others in the Performance Area (15 comments) including comments from assurance providers/auditors, Indigenous Peoples / organisations, Upstream Mining Industry, industry / trade organisations, and NGOs/CSOs stakeholder types; clarify the definition of ‘engagement’; include external stakeholders and rights holders in engagement; and move Requirement to the Good or Foundational Practice Level (two comments).</li> </ul>	<ul style="list-style-type: none"> <li>The term ‘rights-holders’ has been added to ‘external stakeholders’ throughout.</li> <li>Engagement in the risk assessment process will vary depending on the context, making it difficult to provide a more specific definition within the Consolidated Standard. In general, it means involving external stakeholders and rights-holders in the risk assessment process. The actual risks to stakeholders and rights-holders from the activities of the Facility are included in the assessment of risks which is required at Towards Good Practice Level. Engagement of external stakeholders and rights-holders in the risk assessment process itself is at Leading Practice Level because it is an exercise typically conducted by internal stakeholders only, often due to the commercially sensitive and confidential nature of the content.</li> </ul>
<b>1.5 - Corporate Crisis Management</b>		
Foundational Practice	<ul style="list-style-type: none"> <li>Include additions incorporating the Oxford Scenario Planning Approach, explicitly mentioning rights holders as a potentially affected community, regular reviews of Corporate Crisis Response Plans, Board visibility and role in response and designating multiple senior executives accountable for crisis response and communications</li> </ul>	<ul style="list-style-type: none"> <li>Oxford Scenario Planning was deemed too specific for this Standard.</li> <li>As above, explicit mention of ‘rights-holders’ has been added throughout.</li> <li>A single senior executive, rather than multiple executives, is preferred to be accountable for overall crisis response, although multiple executives will be allocated roles. As the plan requires endorsement of the CEO, this will require visibility of the Board.</li> </ul>
Good Practice	<ul style="list-style-type: none"> <li>Requirement 1: add stakeholder groups including rights holders, CSOs, community leaders and first responders; and</li> <li>Across the Good Practice Level, clarity on language and timelines needed, including for Requirements 3 and 4 related to full crisis simulations and material changes to identified emergency crisis scenarios.</li> </ul>	<ul style="list-style-type: none"> <li>Section 1.5 focuses on crisis response planning at the corporate level, and involvement of community leaders may not be practical. For Facility level Requirements, see PA 10.</li> <li>Explicit mention of ‘rights-holders’ has been added throughout PA 1.5.</li> <li>Definitions have been added to Glossary and Interpretive Guidance for ‘Crisis simulation exercise’ and ‘Crisis control centre’.</li> </ul>

### Leading Practice

- Requirements 1: clarity and recognition of Emergency Response activations and suggestion to conduct simulation exercises annually; and
- Across Practice Level, varying opinions on frequency for crisis simulation exercises and reviewing crisis plans; clarity on differentiation between crisis management and emergency management, including relationship with other Performance Areas.
- PA 1.5 focuses on crisis response planning at the corporate level; for Facility level Requirements, see PA 10.
- Testing of notification mechanisms and table-top exercise areas required annually at Good Practice Level. The timing of preparedness exercises is aligned with PA 10.

Table 8.2: Detailed consultation feedback and CMSI Partner responses on Performance Area 2: Business Integrity

Sub-Sections	Consultation feedback	CMSI Partner responses
<b>2.1 - Legal Compliance</b>		
<b>General or Overarching</b>	<ul style="list-style-type: none"> <li>• Add more detailed reporting at the Good and Leading Practice Levels, add public disclosure of fines and regulatory actions to the Foundational Practice Level;</li> <li>• Add public disclosure of corrective actions at the Good Practice Level;</li> <li>• Add how corrective actions are incorporated into company procedures; and</li> <li>• Integrate legal compliance with broader governance frameworks.</li> </ul>	<ul style="list-style-type: none"> <li>• Additional disclosures have been included for corrective actions at Good Practice Level; while disclosures for trends in whistleblower complaints and remedial actions and lobbying/influence disclosures at Leading Practice Level.</li> <li>• Public disclosure of fines has been retained as Good Practice Level.</li> <li>• A Requirement to disclose corrective actions taken or planned on significant regulatory actions has been included at Good Practice Level.</li> <li>• Included an internal review of effectiveness of processes, practices and controls for regulatory compliance and tracking corrective actions at Leading Practice Level. Prescription was avoided to enable companies to integrate as suits their systems.</li> <li>• The description of legal obligations has been modified to include, where applicable, commitments to broader stakeholders, ESG frameworks and international standards.</li> </ul>
<b>Foundational Practice (Now Towards Good Practice)</b>	<ul style="list-style-type: none"> <li>• Requirements 1 and 2: eight comments requesting clarification on the phrases ‘significant legal obligation’, ‘process to comply’ and scope of ‘applicable laws’, including concern that the phrases are too broad or ambiguous; and</li> <li>• Add Requirements including: a legal compliance register, facilitating government monitoring and commitment to endorsing B Team Responsible Tax Principles.</li> </ul>	<ul style="list-style-type: none"> <li>• Definitions for legal obligations have been modified or added providing specific detail on what is captured. A definition on process to comply was not included to avoid being overly prescriptive. The ‘<i>Applicable laws</i>’ definition has been modified to cover the types of laws applicable and the relationship with the Consolidated Standard.</li> <li>• Responsible Tax Principles is not within scope of PA 2. Tax payment disclosure is covered under PA 1.3.</li> </ul>
<b>Good Practice</b>	<ul style="list-style-type: none"> <li>• Requirement 1: move to Foundational Level;</li> <li>• Requirement 2: concerns about feasibility of the register of legal obligations;</li> <li>• Requirements 1 and 2: use/definition of ‘significant’; and</li> <li>• Additional Requirements including stabilisation, OECD Guiding Principles on Durable Extractive Contracts and responsible tax.</li> </ul>	<ul style="list-style-type: none"> <li>• ‘Conducting internal reviews of compliance’ was not moved from Good Practice Level to Towards Good Practice Level as this level puts in place the necessary processes that enable those reviews at Good Practice Level.</li> <li>• To address unnecessary burden, the text for the Requirement and the definition have been modified to focus on ‘material legal obligations’, enabling only relevant Requirements to be included.</li> <li>• ‘Significant’ has been replaced by ‘material’ for the purposes of the register and the term ‘significant’ in the context of fines has been explicitly defined.</li> </ul>

		<ul style="list-style-type: none"> <li>Responsible Tax Principles is not within scope of PA 2. Tax payment disclosure is covered under PA 1.3.</li> </ul>
Leading Practice	<ul style="list-style-type: none"> <li>Leading Practice 1: move to Good Practice Level (four comments).</li> </ul>	<ul style="list-style-type: none"> <li>Good Practice has been modified to include a review of compliance, causes and corrective action. To better differentiate, Leading Practice Level has been bolstered to include a review of effectiveness on the performance of processes, practices and controls, including the implementing and tracking of corrective actions.</li> </ul>
2.2 - Business Ethics and Accountability		
General or Overarching	<ul style="list-style-type: none"> <li>Two comments recommend the addition of an anti-bribery and anticorruption compliance programme, including references to United Kingdom and Australia Anti-Bribery guidance.</li> </ul>	<ul style="list-style-type: none"> <li>Globally relevant antibribery and corruption references have been added. These include the Australian Bribery Prevention Network &amp; Transparency International's Anti-bribery guidance.</li> </ul>
Foundational Practice	<ul style="list-style-type: none"> <li>Requirement 1: Two comments suggest alignment with OECD Guidelines; other comments suggest mandating the disclosure of beneficial ownership, disclosure of policy outlining ethical and integrity based business practices and sufficient level of detail for policies;</li> <li>Requirement 2: additions including periodic refreshers, publication on websites and extending the Code of Conduct beyond workers and addressing key ethical and integrity risks;</li> <li>Requirement 4: additions including a definition for 'worker;' additional clarity related to whistleblowers and an internal procedure for reporting ethical and integrity-related concerns; and</li> <li>Add Requirements including anti-corruption measures and responsible policy engagement.</li> </ul>	<ul style="list-style-type: none"> <li>These have been included in the reference and would form part of the policy commitments Requirements. Beneficial ownership is dealt with in Leading Practice Level of PA 1.3</li> <li>The Requirement to publicly disclose the ethics and integrity policy is Towards Good Practice Requirement 1. Prescribing the level of detail is managed by requiring the policy to deal with the specific risks faced by the company.</li> <li>The policy is required to be disclosed. The code of conduct operationalises the policy for workers and breaches are required to be disclosed in Leading Practice Requirement 2. Training refreshers are included at defined intervals.</li> <li>Third parties are captured under the definition of 'Workers' provided in the PA 7 Glossary, which includes both directly employed workers that have contracts with the Facility, and indirectly employed workers that regularly work at the Facility, in addition to those that have employment contracts with a third party, such as a labour agent, labour provider or contractor/subcontractor.</li> <li>Additional detail has been included, requiring internal process to confidentially receive and resolve ethical and integrity complaints.</li> <li>Responsible policy engagement with government has been included in the Code of Conduct at Good Practice Level.</li> </ul>



<p><b>Good Practice</b></p>	<ul style="list-style-type: none"> <li>• Requirement 1: move to the Foundational Practice Level (two comments);</li> <li>• Requirements 2, 3, 4, 5, and 6: suggest alignment with OECD Guidelines;</li> <li>• Requirement 7: move to the Foundational Practice Level (two comments); three comments suggest revisions to strengthen whistleblower mechanisms; and</li> <li>• Add Requirements including monitoring and status reporting, responsible corporate lobbying practices and public disclosure of policy positions, engagements and spending.</li> </ul>	<ul style="list-style-type: none"> <li>• This change was not made as a Code of Conduct is still required but there is a progression in specificity of Requirements from Towards Good Practice Level and Good Practice Level.</li> <li>• This change was not made as the '<i>Management system</i>' definition largely covers these issues. The OECD guidelines have been referenced.</li> <li>• This Requirement has been maintained at Good Practice Level, as it enables a graduation of maturity from a confidential complaints process to a formal whistleblower mechanism. The whistleblower Requirements have been strengthened to include confidentiality, anonymity and remedial actions.</li> <li>• A review of the Code of Conduct and whistleblower mechanism at defined intervals forms part of Leading Practice Requirements.</li> <li>• Responsible lobbying has been included in the Code of Conduct at Good Practice Level and at Leading Practice Level as new Requirements to disclose the organisation's position on significant policy issues and lobbying, including differences between the organisation's position and the position of representative bodies.</li> </ul>
<p><b>Leading Practice</b></p>	<ul style="list-style-type: none"> <li>• Requirement 1: move to Good or Foundational Practice Level (two comments);</li> <li>• Requirement 2: conflicting input, including: removing the Requirement, moving Requirement to a lower Practice Level and significant additions on disclosing allegations of corruption; and</li> <li>• Recommendations to move Leading Practice Requirements to a lower Practice Level or strengthened with significant additions such as actively preventing or combating corruption and bribery, additions related to monitoring, prohibiting third-party agents for business translations and illegal political contributions.</li> </ul>	<ul style="list-style-type: none"> <li>• The Requirement to conduct a review has been retained at Good Practice Level as this builds on the Requirements of the earlier levels to develop and implement management systems with increasing levels of maturity.</li> <li>• Requirement 2 is retained as transparency on performance is a consistent Leading Practice Requirements across the Consolidated Standard. For the same reason, this was not moved up to Good Practice Level.</li> <li>• The recommended specificity on risks, such as third parties, is covered under the risk assessment Requirements which specifies each risk area at a high level. The Requirements have been retained at Leading Practice Level as review and additional transparency around performance are consistent Leading Practice Level measures. Additions have been made to Leading Practice Level (supply chain influence, lobbying) to further differentiate from Good Practice Level.</li> </ul>

Table 8.3: Detailed consultation feedback and CMSI Partner responses on Performance Area 3: Responsible Supply Chains

Sub-Sections	Consultation feedback	CMSI Partner responses
<b>3.1 - Responsible Supply Chain (applicable to all Facilities)</b>		
<b>General or Overarching</b>	<ul style="list-style-type: none"> <li>Two comments: shift Good and Leading Practices to a lower Practice Level, especially Leading Practices 1, 4, 5, 6 and 10;</li> <li>Two comments: too many Requirements across the Section and some are repetitive; and</li> <li>Stricter or more nuanced Requirements needed across the Section, especially as related to risk-based due diligence, applicability of different Performance Areas, engaging with external stakeholders and capacity in business relationships.</li> </ul>	<ul style="list-style-type: none"> <li>All the Requirements in PA 3.1 were reviewed to identify repetition and overlaps within, and across, the Practice Levels. Changes were made at the Good Practice and Leading Practice Levels to address the overlap and repetition. Details are provided below.</li> <li>Clarification was provided across the Performance Levels on a range of issues, including risk-based supply chain due diligence management system, and Requirements to align with the OECD Due Diligence Guidance for Responsible Business Conduct. Details are provided below.</li> </ul>
<b>Foundational Practice (Now Towards Good Practice)</b>	<ul style="list-style-type: none"> <li>Suggested additions include supporting participation of local businesses, supply chain stakeholder identification, managing and reducing sustainability risks and implementation of human rights due diligence in supply chains;</li> <li>Three comments: Requirements at the Foundational Level should be strengthened;</li> <li>Requirement 1: further clarity on the supply chain policy contents;</li> <li>Requirement 2: suggested alternative phrasings; one comment suggesting moving the Requirement to a higher Practice Level and one comment noting a large gap between the Foundational and Good Practice Requirements; and</li> <li>Requirement 3: two comments suggest adding a mechanism for responding to inquiries.</li> </ul>	<ul style="list-style-type: none"> <li>Requirements at the Towards Good Practice Level have been strengthened to include the need to develop systems and policies (including public disclosure) that are aligned with the OECD Due Diligence Guidance for Responsible Business Conduct.</li> <li>Requirement 1 now requires Facilities to publicly disclose a responsible supply chain policy aligned with the OECD Due Diligence Guidance for Responsible Business Conduct.</li> <li>Requirement 2 now requires the need to communicate, and include in contracts, the Facility's Requirements of suppliers related to responsible business conduct.</li> <li>Requirement 3 has been revised to develop a system to screen suppliers for compliance related to responsible business conduct.</li> </ul>
<b>Good Practice</b>	<ul style="list-style-type: none"> <li>Requirement 1: concerns related to vague phrasing such as 'most significant', 'parts or segments' and 'likelihood'; requesting clearer phrasing and criteria; two comments suggest moving to the Foundational Level;</li> <li>Requirement 2: seven comments request clarification, change, or removal of the phrase 'reasonable action';</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 1 has been revised to clarify the need to develop and implement a risk-based supply chain due diligence management system aligned with the OECD Due Diligence Guidance for Responsible Business Conduct.</li> </ul>

	<ul style="list-style-type: none"> <li>Requirement 3: clarity needed on phrasing; requests to expand the scope to affected communities and rights holders;</li> <li>Requirement 5: phrasing concerns including frequency, use of 'where appropriate' and 'prioritised business relationships'; and</li> <li>Requirement 6: conflicting feedback, with one comment suggesting removal, two comments requesting further specificity on due diligence aspects to be disclosed and general concern for potential confidential information.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 2 has been clarified with the need to take reasonable action to prevent and/or mitigate prioritised sustainability-related risks in the Facility's supply chain. It has also been re-numbered to Requirement 3.</li> <li>Requirement 3 has been re-written to require, when conducting due diligence, the consideration of information raised through the Facility's early warning system (i.e., hotline) and grievance mechanisms with a cross-reference to PA 17. It has also been re-numbered to Requirement 2.</li> <li>Requirement 5 has been revised to require the Facility to play a role in the remediation process where adverse human rights impacts have occurred that the Facility has not caused or contributed to, but which are directly linked to its operations, products or services by a business relationship. It also cross-references PA 5 and PA 17. It has also been re-numbered to Requirement 6.</li> <li>Requirement 6 has been revised to publicly disclose supply chain due diligence processes, actual or potential risks identified, progress and actions related to prevention, mitigation and, where applicable, any remedy provided. It has also been re-numbered to Requirement 5.</li> </ul>
Leading Practice	<ul style="list-style-type: none"> <li>Requirement 1: move to Good or Foundational Level (seven comments); requests for further clarity;</li> <li>Requirement 2: too much overlap with Good Practice Requirement 2 and/or should be moved to the Good Practice Level (four comments);</li> <li>Requirement 3: additions to strengthen Requirement such as a clear escalation path, due diligence system for sourcing materials and equipment, collaboration with prioritised business partners, government and other stakeholders and high-risk situations;</li> <li>Requirement 4: move to Good Practice Level (one comment);</li> <li>Requirement 5: move to Good Practice Level (one comment); additions to strengthen Requirement such as advanced, targeted capacity building and reasonable approaches to capacity building; suggested alternative language for clarity;</li> </ul>	<ul style="list-style-type: none"> <li>Requirements 1 and 2 have been removed due to overlaps with Requirements at Good Practice Level, including overlap with Good Practice Requirement 2.</li> <li>Requirement 3 has been modified to clarify the need to collaborate with broader supply chain actors (not just business relationships) and the need to increase leverage over suppliers. It has also been re-numbered to Requirement 1.</li> <li>Requirement 4 has been reviewed and maintained at Leading Practice Level with a clarification that the focus is on encouraging suppliers to establish grievance mechanisms in line with the UN Guiding Principles. It has also been re-numbered to Requirement 2.</li> <li>Requirement 5 has been reviewed and maintained at Leading Practice Level with a clarification that Facilities need to assist suppliers in building their capacities to improve their sustainability performance and supply chain practices. It has also been re-numbered to Requirement 3.</li> </ul>

	<ul style="list-style-type: none"> <li>Requirement 6: grammatical changes, removal of 'where possible' and one suggestion to move to Good Practice;</li> <li>Requirements 7, 8 and 9: further clarity and guidance; and</li> <li>Requirement 10: conflicting feedback; one request to remove the Requirement, suggestions to move to the Good Practice Level or strength Requirement to remain at the Leading Practice Level.</li> </ul>	<ul style="list-style-type: none"> <li>Requirements 6, 7, 8 and 10 have been removed to reduce overlaps and conflicts with other Requirements covered at both the Good Practice and Leading Practice Levels.</li> <li>Requirement 9 has been maintained as it addresses some elements that were deleted in other Leading Practice Requirements. A clarification was made regarding the need for the collaboration with business relationships and other stakeholders to help improve the effectiveness of a Facility's engagement practices. It has also been re-numbered to Requirement 4.</li> </ul>
<b>3.2 - Responsible Mineral Sourcing</b>		
<b>General or Overarching</b>	<ul style="list-style-type: none"> <li>Clarify difference between Section 3.1 and 3.2 (three comments); and</li> <li>Suggested additions including mineral conservation/zero waste mining practices, disclosure of mineral reserves and resources; disclosure of mineral use of Facility; responsible sourcing of goods other than minerals; public disclosure of auditing key results; and including affected communities in due diligence process.</li> </ul>	<ul style="list-style-type: none"> <li>PA 3 focuses on responsible supply chains only. Edits were made to remove references to business relationships with references to suppliers.</li> <li>The Applicability section has been revised and now states that Section 3.1 is applicable to all Facilities, and all due diligence required should be commensurate with risk and appropriate to the Facility's specific circumstances and context. It clarifies that Section 3.2 is applicable to any Facility that engages in, or plans to engage in, sourcing and processing of minerals or metals.</li> </ul>
<b>Foundational Practice</b>	<ul style="list-style-type: none"> <li>Requirement 1: specify OECD guidance references (three comments);</li> <li>Requirement 2: specify due diligence system Requirements, including commitments to Indigenous Peoples rights protections; one recommendation to move to Good Practice; and</li> <li>Requirement 3: outline five-step report and require public disclosure of report.</li> </ul>	<ul style="list-style-type: none"> <li>Requirements 1, 2 and 3 have been reviewed and extensively re-written into two new Requirements that follow OECD guidance.</li> <li>New Requirement 1 requires the Facility to establish and implement a process to determine whether the Facility is operating within, sourcing mined material from, or transporting mined material through a conflict-affected and high-risk area (CAHRA).</li> <li>New Requirement 2 requires using the risk-based supply chain due diligence management system established for PA 3 to determine if there are any 'red flags' as defined by OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas, Gold Supplement (gold) or 3T Supplement (all other minerals) and related Annex II risk categories.</li> </ul>
<b>Good Practice</b>	<ul style="list-style-type: none"> <li>Requirement 1: add additional details for audit process and disclosure, including Indigenous Peoples rights and FPIC compliance; annual auditing, reporting and public disclosure; and conflict-affected and high-risk area (CAHRA) analysis.</li> </ul>	<ul style="list-style-type: none"> <li>Good Practice Level Requirements have been significantly revised with more detail outlined in four Requirements. Key Requirements include: implementing a risk-based supply chain due diligence management system aligned with the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas for</li> </ul>

		mineral supply chains; completing an independent audit; and public disclosure.
Leading Practice	<ul style="list-style-type: none"> <li>Requirement 1: conflicting opinions on the Requirement's three-point structure, including suggestion to require all three points or move one or more points to the Good Practice Level; suggestion to require achievement of all three points; and need for clarification on sustainability risks and OECD alignment.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 1 has been revised and divided into two Requirements.</li> <li>The new Requirement 1 requires expanding the 'red flag' determination Requirement in the new Towards Good Practice Requirement 2, to include sustainability risks, including those covered by the Consolidated Standard.</li> <li>The new Requirement 2 must demonstrate that the Facility's minerals and metals due diligence system extends to include recycled materials.</li> </ul>

Table 8.4: Detailed consultation feedback and CMSI Partner responses on Performance Area 4: New Projects, Expansions and Resettlement

Sub-Sections	Consultation feedback	CMSI Partner responses
General or Overarching	<ul style="list-style-type: none"> <li>Align language related to stakeholders, rights holders and local communities across Requirements for consistency;</li> <li>Clarify steps if ESIA shows significant affects;</li> <li>Specify Requirements for resettlement are only applicable to major resettlements; include a qualification for magnitude or severity of displacement;</li> <li>Specify all Requirements at Foundational Level should align with IFC Performance Standard 5;</li> <li>Make Resettlement a distinct Performance Area;</li> <li>Remove any Requirements allowing involuntary resettlement from Leading Practice Level;</li> <li>Define ‘major’ or ‘significant expansion’;</li> <li>Add explicit commitment to FPIC; and</li> <li>Clarify how Requirements build from Foundational Practice to Leading Practice Level</li> <li><i>Clarification regarding the definition of new projects vs existing operations.</i></li> </ul>	<ul style="list-style-type: none"> <li>Language related to stakeholders, rights-holders and local communities has been clarified and aligned across the Consolidated Standard.</li> <li>The steps taken if the ESIA shows significant impacts are outlined in the IFC Performance Standard 1 (and associated guidance) or jurisdictional regulations where they are in place.</li> <li>Resettlement Requirements follow IFC Performance Standard 5 at Good Practice Level. Towards Good Practice Level included only basic foundational work related to resettlement.</li> <li>Resettlement is combined with new projects as it is most often (but not always) initiated at the new project stage of mine’s life.</li> <li>There are no Requirements related to involuntary resettlement at Leading Practice Level to remove. IFC Performance Standard 5 has clear guidance on when voluntary and involuntary resettlement is applicable.</li> <li>This Performance Area applies to new projects or significant changes to existing operations which is defined in the Consolidated Standard.</li> <li>Requirement to avoid relocation of Indigenous Peoples without their FPIC added to Section 4.2.</li> <li>Language added in the applicability section to clarify when PA 4 is applied. Furthermore, the Introduction of the Consolidated Standard includes additional language on ‘New Projects’ and ‘Existing Operations’ in Section 8 (Key Terms and Guidance - h and i).</li> </ul>
<b>4.1 - Environmental and Social Impact Assessments</b>		
General or Overarching	<ul style="list-style-type: none"> <li>Strengthen linkages with Performance Area 14: Indigenous Peoples;</li> <li>Add standalone human rights due diligence Requirement(s) at Good and/or Leading Practice Levels;</li> <li>Clarify cumulative impacts assessment as related to IFC Performance Standard 1 in Foundational Practice 2 and Good Practice 2; and</li> </ul>	<ul style="list-style-type: none"> <li>Requirement to integrate Indigenous Peoples’ knowledge included in Section 4.1 Towards Good Practice Requirement 3. Indigenous Peoples would also be covered in any Requirements which have ‘vulnerable and underrepresented groups’ (as in Section 4.1 Towards Good Practice Requirement 3 and Section 4.2 Towards Good Practice Requirement 2). A section which cross-references PA 14 has also been added to the Applicability section.</li> </ul>



	<ul style="list-style-type: none"> <li>• Add specific reference to integrating technical studies</li> </ul>	<ul style="list-style-type: none"> <li>• Standalone human rights Requirements are covered in PA 5. The ESIA will include human rights as per Towards Good Practice Requirement 2.</li> <li>• Comment regarding cumulative impacts is a fair point and will be considered in the final draft.</li> <li>• Technical studies will be integrated as part of the ESIA if IFC Guidelines are followed.</li> </ul>
Foundational Practice (Now Towards Good Practice)	<ul style="list-style-type: none"> <li>• Requirement 1: specify recent and seasonally appropriate data, as well as spatial screening and specify human rights. Indigenous ecological and cultural knowledge, climate change and invasive species in characterisation list; include meaningful engagement with affected communities and respecting rights of Indigenous Peoples in baseline data collection process;</li> <li>• Requirement 2: change to EIA and move social impact assessment to Good Practice Level; explicitly integrate rights of Indigenous Peoples, including FPIC and their active involvement in assessment; require disclosure of ESIA results; align ESIA with IFC Performance Standards;</li> <li>• Add Requirements including public commitment to avoid causing harm to adjacent communities; conducting Gender Impact Assessment; no-go commitment for World Heritage Sites; and</li> <li>• Make explicit mention of mitigation hierarchy at the Foundational Level</li> </ul>	<ul style="list-style-type: none"> <li>• The level of detail suggested exceeds the scope of the Consolidated Standard, however, the main subject areas for the ESIA, including human rights, Indigenous Peoples, cultural heritage and climate are identified. More detailed guidance can be found in IFC PS1.</li> <li>• The environmental impact assessment should be integrated with the social impact assessment (i.e., as part of an ESIA), therefore, moving only the social assessment to Good Practice Level would not be appropriate. Indigenous rights are addressed in PA 14 and referenced in Towards Good Practice Requirement 3. Alignment with IFC is included in Towards Good Practice Requirement 2. Disclosure of ESIA is addressed in Good Practice Requirement 5.</li> <li>• Gender assessment has been included in the ESIA, and a no-go commitment on World Heritage Sites has been included in PA 19. Language explicitly referencing ‘avoiding harm’ has not been included; however, the content is aligned with the intent of the Performance Area.</li> <li>• Mitigation hierarchy has been integrated into IFC Performance Standard 1 and highlighted in Good Practice Requirement 3.</li> </ul>
Good Practice	<ul style="list-style-type: none"> <li>• Requirement 1: move to Foundational Level and/or strengthen for Good Practice Level (two comments); adjust language on ‘stakeholders and rights holders’ for consistency throughout Performance Area; specify engagement with Indigenous Peoples and other rights holders in ways that respect FPIC; strengthen guidance on engagement process, including structured framework for consultation; include supports for affected communities to fully understand potential impacts, such as resources to hire independent experts;</li> <li>• Requirement 2: move to Foundational Practice Level; require Indigenous-led input on identifying cumulative impacts;</li> </ul>	<ul style="list-style-type: none"> <li>• Requirement 1 moved to Towards Good Practice Level. Other suggested improvements have been addressed in PA 14 or other areas of the Consolidated Standard. Guidance on engagement process are expanded in Towards Good Practice Requirement 3 and further guidance found in the reference documents.</li> <li>• Comment regarding cumulative impacts is a fair point and will be considered in the final draft.</li> <li>• Requirement 3 on the development and implementation of management plans remains at Good Practice Level for consistency and alignment with that Level. Further details on how the Towards Good Practice Level</li> </ul>

	<p>including long-term and intergenerational cumulative impacts; prioritise avoidance of impacts; clarify scope in relation to cumulative impacts;</p> <ul style="list-style-type: none"> <li>• Requirement 3: move to Foundational Practice Level (eight comments); move to Leading Practice Level (one comment); align management plan with internationally recognised frameworks such as IFC Performance Standard 1 and UNEP Guidelines, emphasising the mitigation hierarchy; prioritise avoidance of impacts on Indigenous communities; develop compensation plans in collaboration with Indigenous Peoples; establish monitoring mechanisms for Indigenous Peoples; require independent audits of management plans;</li> <li>• Requirement 4: define management plan update intervals; include inventory and management plan for invasive species, such as integrated pest management process; involve Indigenous Peoples;</li> <li>• Requirement 5: move to Foundational Practice Level (four comments); ensure ESIA results are publicly disclosed in an accessible manner for Indigenous Peoples and accessibility is gender-sensitive; require public disclosure of comments on the ESIA; and</li> <li>• Add additional Requirements such as operationalising ESIA-identified risks; embedding ESIA throughout design of project; define interval for updating, such as every five years; connect to Project Gate Stage process; require periodic independent validation of monitoring process and outcomes.</li> </ul>	<p>Requirements were set are included in Section 2 (Detailed feedback from the Consultation Report) of this report and referenced in the Introduction of the Consolidated Standard.</p> <ul style="list-style-type: none"> <li>• References have been added to IFC PS1 which apply the mitigation hierarchy. Some jurisdictions have their own Requirements for management plans.</li> <li>• Requirements specifically related to Indigenous Peoples are covered in PA 14.</li> <li>• Leading Practice Level includes ‘joint monitoring’ of impact management plans, together with impacted stakeholders and rights-holders, which is preferable to having an ‘independent audit’ of management plans.</li> <li>• Management plans are updated at defined intervals, to be specified by the Facility (see Overarching Glossary for definition of ‘At defined intervals’).</li> <li>• Leading Practice Requirement 1 on separate consultation sessions with women, vulnerable and underrepresented groups moved to Towards Good Practice Requirement 3.</li> <li>• Requirement 5 remains at Good Practice Level, consistent with the rest of the Consolidated Standard. Includes reference to disclosing in ‘accessible and understandable’ ways.</li> <li>• Requirement moved to Good Practice Level (now Good Practice Requirement 1) – ‘implement project design changes based on the results of the ESIA to avoid impacts where possible’.</li> </ul>
<b>Leading Practice</b>	<ul style="list-style-type: none"> <li>• Requirement 1: conflicting input on language related to women, vulnerable and underrepresented stakeholder groups, with some comments suggesting moving to lower Practice Level (eight comments) and other comments expressing concern that language is not appropriate or applicable in all regions; clarify language on ‘relevant to the impacts’;</li> <li>• Requirement 2: move to Good Practice Level (one comment); specify inclusive participatory monitoring groups; specify co-design of join monitoring with Indigenous Peoples; specify</li> </ul>	<ul style="list-style-type: none"> <li>• Leading Practice Requirement 1 on separate consultation sessions with women, vulnerable and underrepresented groups has been moved to Towards Good Practice Requirement 3. Language on ‘relevant to the impacts’ is expanded to include ‘relevant to the impacts identified’, meaning there is a need to consult with these groups where they are impacted and not necessarily on other issues where they are not impacted.</li> </ul>

	<p>training and resources for Indigenous monitors to fully participate in technical aspects; disclose accessible reports; include mechanisms for Indigenous Peoples to report noncompliance; incorporate invasive species assessment monitoring;</p> <ul style="list-style-type: none"> <li>Requirement 3: specify how Indigenous Peoples rights will be safeguarded in multi-party collaboration, such as specifying a decision-making role, developing a collaborative governance framework, establishing funding to support Indigenous Peoples participation in mitigation, and mandating disclosure of agreements, roles and responsibilities; and</li> <li>Add additional Requirements such as: planning for and addressing impacts from closure.</li> </ul>	<ul style="list-style-type: none"> <li>Leading Practice Level includes ‘joint monitoring’ of impact management plans together with impacted stakeholders and rights-holders, which is preferable to having an ‘independent audit’ of management plans.</li> <li>Requirements specifically related to Indigenous Peoples are covered in PA 14.</li> <li>Requirements related to closure are covered in PA 24.</li> </ul>
<b>4.2 - Land Acquisition and Resettlement</b>		
<b>General or Overarching</b>	<ul style="list-style-type: none"> <li>Include women, Indigenous Peoples and other underrepresented groups in consultations; and</li> <li>Consider adaptability for geographies where authorities manage many aspects.</li> </ul>	<ul style="list-style-type: none"> <li>Reference to ‘women, vulnerable and underrepresented groups’ has been added in Towards Good Practice Requirement 2 (already included in Good Practice Requirement 3) to address those who might be disproportionately impacted.</li> <li>Aspects of resettlement related to specific geographies cannot be addressed in the Consolidated Standard. Where relevant, these will be covered with guidance provided by National Panels.</li> </ul>
<b>Foundational Practice</b>	<ul style="list-style-type: none"> <li>Requirement 1: clarify phrase ‘wherever possible’ and how determination is made; prohibit involuntary physical and economic displacement, stating displacement may only occur with FPIC and after all feasible alternatives have been documented, disclosed and agreed upon; add commitment to respecting land rights;</li> <li>Requirement 2: make consultation gender-balanced and inclusive of underrepresented groups; specify consultation with Indigenous Peoples; remove due to lack of requirement for mitigation of impacts on wellbeing from land acquisition, restriction and resettlement; remove specification of consultation during planning phase;</li> </ul>	<ul style="list-style-type: none"> <li>Requirement to avoid the relocation of Indigenous Peoples without their FPIC has been added to Section 4.2. Towards Good Practice Requirement 2.</li> <li>Guidance on when Section 4.2 applies and how to ‘avoid... wherever possible’ can be found in IFC PS5 Guidance Note. Added language to Towards Good Practice Requirement 1 that resettlement should only be considered ‘after alternative project designs or locations have been exhausted’.</li> <li>Requirements specifically related to Indigenous Peoples are covered in PA 14 and covered through reference to following IFC PS7.</li> <li>Reference to ‘women, vulnerable and underrepresented groups’ has been added in Towards Good Practice Requirement 2 (already included in Good Practice Requirement 3) to address those who might be disproportionately</li> </ul>

	<ul style="list-style-type: none"> <li>Requirement 3: define socioeconomic baseline study; make baseline study and impact assessment gender-sensitive; include noneconomic factors, such as cultural and spiritual matters; include identifying risks and potential impacts of involuntary physical and/or economic displacement, including remaining communities and host communities of collective resettlements;</li> <li>Requirement 4: specify grievance mechanism co-designed with Indigenous Peoples;</li> <li>Strengthen Foundational Level Requirements to meet minimum expectations for new projects and expansions, such as: incorporating stakeholder feedback into design process to avoid displacement; appoint suitable qualified personnel to lead resettlement processes and provide mental health and legal support where resettlement is unavoidable; and</li> <li>Add Requirements such as require RAP and livelihood restoration plan in consultation with local stakeholders and in line with IFC Performance Standard 5; commitment to a mutually accepted agreement process that allows communities to consent to terms of resettlement; require legal title to new lands and fair and equitable compensation; address criteria for site selection and consider corruption/bribery risks.</li> </ul>	<p>impacted (including Indigenous Peoples). Mitigation of impacts is covered at Good Practice Level (e.g. Requirements 1-4).</p> <ul style="list-style-type: none"> <li>References related to impact assessments and specifically integrating gender into mining impact assessments have been added. IFC PS 5 has extensive guidance on resettlement.</li> <li>Grievance mechanism is covered in PA 17 and should be developed with Indigenous Peoples where relevant.</li> <li>Development of the Resettlement Action Plan (RAP) and livelihood restoration plan is done in consultation with affected stakeholders and rights-holders and in line with IFC PS 5 as required in Good Practice Requirement 1.</li> <li>Moved from Leading Practice Level to Good Practice Requirement 6 the Requirement to ‘facilitate a process of establishing legal title or other ways to obtain security of tenure for those resettled, if possible, under national law’.</li> <li>Other suggestions are outside the scope of the Consolidated Standard and/or are included in the guidance noted in the reference documents.</li> </ul>
Good Practice	<ul style="list-style-type: none"> <li>Requirement 1: specify FPIC for Indigenous Peoples; incorporate cultural and spiritual impacts; strengthen Requirement to meet or exceed all of IFC Performance Standard 5; specify gender-sensitive action plan and engagement with vulnerable groups in all phases;</li> <li>Requirement 2: move to Foundational Practice Level (one comment); require Indigenous Peoples leadership in identifying cumulative impacts, analysis of long-term and intergenerational impacts, prioritisation of avoidance and public disclosure; require FPIC prior to any displacement or activity affecting lands; align with UNDRIP articles 10 and 32 and ILO 169;</li> <li>Requirement 3: move to Foundational Practice Level (one comment); remove Requirement (one comment); specify that</li> </ul>	<ul style="list-style-type: none"> <li>Requirement to avoid relocation of Indigenous Peoples without their FPIC has been added to Section 4.2. Towards Good Practice Requirement 2 and reference to IFC PS 5 in Good Practice Requirement 1.</li> <li>Gender-sensitive action plans are addressed in Good Practice Requirement 3, ‘paying particular attention to women, vulnerable and/or underrepresented groups’.</li> <li>Requirements specifically related to Indigenous Peoples are covered in PA 14 and through reference to following IFC PS7 in Towards Good Practice Requirement 3.</li> <li>Requirement 3 remains unchanged but is supplemented by Good Practice Requirement 6: ‘Facilitate a process of establishing legal title or other ways to obtain security of tenure for those resettled, if possible, under national law.’</li> </ul>

resolution processes must be guided by FPIC and include Indigenous leadership;

- Requirement 4: combine with Requirements 5 and 6 (one comment); make Requirement risk-based and adaptable to social context and regulations; emphasise avoidance as first and primary action; make FPIC central element in design and implementation of action and remedies;
- Requirement 5: require land-for-land as first option for and Indigenous displacement or resettlement; require Indigenous participation in design and decisions on compensation; limit to involuntary displacements; address cultural and spiritual losses;
- Requirement 6: remove 'persons' from Requirement language; clarify 'appropriate development benefits';
- Requirement 7: remove Requirement (one comment); clarify details related to public disclosure; require accessibility for public disclosure, such as local languages and availability in public spaces;
- Requirement 8: move to Leading Practice Level (one comment); clarify timeline for monitoring; make monitoring gender-sensitive; consider or clarify infringements on rights to privacy; specify monitoring for Indigenous Peoples and alignment with FPIC; specify regular intervals; specify co-design of monitoring;
- Requirement 9: change internal review to independent expert review; specify inclusion of Indigenous Peoples in review process;
- Move Requirements 1-3 (one comment) and Requirements 4-6 (two comments) to Foundational Practice Level; and
- Additional Requirements such as: consideration for economic displacement; working with government authorities where required; independent audit of resettlement effectiveness; safeguarding cultural and social integrity in resettlement planning.

- Requirements 4, 5 and 6 are all related but worthwhile to keep as standalone Requirements as all are different and important.
- The IFC PS5 guidance note, which provides detailed guidance for this Performance Area, applies a risk-based approach which adapts the specifics to the social context of the situation. 'Avoidance first' is stressed in Towards Good Practice Requirement 1 and Good Practice Requirements 1, 2 and 4.
- The Resettlement Action Plan (RAP) required in Towards Good Practice Requirement 1 must be developed in collaboration with affected stakeholders and rights-holders. The RAP would include compensation frameworks, including for land, with the local context and needs of local communities in mind.
- 'Persons' removed from Good Practice Requirement 5 and Requirement now cross-references PA 13.2 for details on developmental benefits.
- Requirement 7 remains given the importance of public disclosure, and specific disclosure content will vary by context and stage of resettlement process.
- Requirement 8 remains, although 'to the extent possible' has been added following monitoring to acknowledge that regular monitoring of displaced persons' socio-economic status may be difficult or impossible, such as if they relocate outside the area.
- Requirement 9 remains as independent review at Leading Practice Level as per other parts of the Consolidated Standard.
- Additional suggestions are considered or addressed elsewhere. Economic displacement is covered extensively in PA 4.2. A reference to working with government authorities will be considered in the final draft.

## Leading Practice

- Requirement 1: move to Good Practice Level (five comments); remove Requirement (one comment); make programmes gender-inclusive and inclusive of disadvantaged populations; add specificity, including codesign by Indigenous Peoples; specify collaborative development of programmes;
  - Requirement 2: move to lower Practice Level (five comments); remove Requirement (one comment) specify gender-inclusivity related to land titles; make adaptable to severity of impacts, social context and jurisdiction;
  - Requirement 3: move to Good Practice Level (six comments); require community participation and endorsement; clarify if independent review of RAP document or implementation; specify reviewer qualifications;
  - Requirement 4: move to Good Practice Level (two comments); specify protection of confidentiality of stakeholders, including Indigenous Peoples; specify community consent; and
  - Add additional Requirements including implementation of system to track environmental and legal commitments; redressing negative impacts of resettlement; collective negotiation of actions to be implemented in resettlement.
- Requirement 1: added 'co-design' in place of 'develop for programs that improve the Consolidated Standard of living' of displaced persons.
  - Moved Requirement 2: 'facilitate a process of establishing legal title or other ways to obtain security of tenure for those resettled, if possible, under national law' to Good Practice Requirement 6.
  - Requirement 3: added the need to use 'qualified experts' for independent review.
  - Requirement 4: added 'protecting the confidentiality' clause.
  - Addressing negative impacts of resettlement is covered in Good Practice Requirement 4.

Table 8.5: Detailed consultation feedback and CMSI Partner responses on Performance Area 5: Human Rights

Sub-Sections	Consultation feedback	CMSI Partner responses
<b>General or Overarching</b>	<ul style="list-style-type: none"> <li>Align grievance mechanism-related aspects with grievance mechanism processes and considerations in other Performance Areas;</li> <li>Reference and clarify considerations for CAHRAs; and</li> <li>Ensure alignment with UNGPs.</li> </ul>	<ul style="list-style-type: none"> <li>Language related to grievance mechanisms in PA 5 and PA 17 (and PA 3 and PA 7 where relevant) has been revised for consistency and alignment with the UNGPs.</li> <li>Towards Good Practice 1 has been revised to include a Requirement for heightened due diligence if operating in a CAHRA. Definitions for '<i>Heightened due diligence</i>' and '<i>Conflict-affected and high-risk areas (CAHRA)</i>' have been added to the Glossary.</li> </ul>
<b>5.1 - Human Rights</b>		
<b>Foundational Practice (Now Towards Good Practice)</b>	<ul style="list-style-type: none"> <li>Requirement 1: clarify Requirements of a sufficient public commitment; clarify or further specify language on 'respecting human rights' and the UNGPs;</li> <li>Requirement 2: clarify language to support auditability and measurement; incorporate public commitment to support human rights defenders and other vulnerable groups; further clarify groups referenced, such as connection to Facility; incorporate nonretaliation;</li> <li>Requirement 4: specify training content and defined intervals; and</li> <li>Align with UNGPs across Foundational Practice Level (six comments).</li> </ul>	<ul style="list-style-type: none"> <li>Revised Requirement 1 to publicly disclose a human rights policy consistent with the UNGP, which was moved from Good Practice Level. A definition of '<i>Human rights</i>' has been added to the Glossary.</li> <li>Added a Requirement (Towards Good Practice Requirement 2) to conduct a human rights risk assessment (or integrated into existing risk assessments) including risks associated with vulnerable and marginalised groups and human rights defenders.</li> <li>Definitions of groups referenced have been included in the glossary, including '<i>Vulnerable and marginalised groups</i>' and '<i>Human rights defenders (HRDs)</i>'. Non-retaliation in relation to grievances has been included in PA 17 (Towards Good Practice Requirement 2).</li> <li>Training content and timing have not been further specified as they are both very context specific.</li> <li>The Towards Good Practice Level has been revised throughout to better align with UNGPs, upon which the Good Practice Level builds, requiring a higher level of performance.</li> </ul>
<b>Good Practice</b>	<ul style="list-style-type: none"> <li>Requirement 1: move to Foundational Practice Level (five comments); clarify policy details and operationalisation aligned with UNGPs;</li> <li>Requirement 2: move to Foundational Practice Level (three comments); align with UNGPs, including language such as 'identify, prevent, mitigate and account';</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 1 has been moved to Towards Good Practice Level.</li> <li>Requirement 2 and 3 have been merged, now Good Practice Requirement 1, to integrate due diligence Requirements of the Facility and its supply chain (including business partners). Requirement retained at Good Practice Level to build on human rights risk assessment now required at Towards Good Practice Level. Good Practice Requirement 1 aligned with UNGPs</li> </ul>

	<ul style="list-style-type: none"> <li>Requirements 2 and 3: specify gender disaggregation and considerations for vulnerable groups including women and children (three comments); include considerations related to supply chain and business partners' involvement in impacts;</li> <li>Requirements 4 and 5: clarify remedy processes and grievance mechanism / remedy oversight;</li> <li>Requirement 6: clarify or define 'severe human rights impacts' (three comments); reference CAHRAs; clarify public disclosure in alignment with UNGPs;</li> <li>Requirement 7: conflicting input on timeline, including recommendation to change cadence to annual and to align timeline with specific operational contexts; and</li> <li>Add additional Requirements including explicit protections, engagement protocols and operational guidance on protection of human rights defenders; mechanisms to address retaliation; and details on independent reviews.</li> </ul>	<p>including language of 'identify, prevent, mitigate and account'. In addition, language added to 'pay particular attention to...vulnerable groups and human rights defenders'.</p> <ul style="list-style-type: none"> <li>Requirement related to heightened due diligence if operating in a CAHRAs has been added to Good Practice Requirement 1.</li> <li>Grievance mechanism language (now in Towards Good Practice Requirements 2 and 3) revised to align with UNGPs and for consistency with PA 17 (and PA 3 and PA 7 where relevant).</li> <li>Requirement 6, now Good Practice Requirement 4, simplified to focus on public disclosure, with language that aligns with the UNGPs. Definition of '<i>Severe human right impacts</i>' has been added to Glossary.</li> <li>Requirement 7 on internal review, now Good Practice Requirement 5, has been clarified and maintained at 'at least every 3 years' given the different contexts where such a review would add value.</li> <li>Requirements related to human rights defenders have been included in Towards Good Practice Requirement 2, Good Practice Requirement 1 and Leading Practice Requirement 3. Explicit protections, protocols and operational guidance are beyond the scope of the Consolidated Standard, although some guidance is provided in Glossary and Interpretive Guidance of PA 5. Non-retaliation in relation to grievances has been included in PA 17 Towards Good Practice Requirement 2. Independent reviews have been defined in the Overarching Glossary.</li> </ul>
Leading Practice	<ul style="list-style-type: none"> <li>Requirement 1: move to Good Practice Level (two comments);</li> <li>Requirement 2: move to Good or Foundational Practice Level (three comments); add specificity to collaboration with stakeholders and/or incorporate in due diligence processes beyond independent review;</li> <li>Requirement 3: move to Foundational Practice Level and/or expand to more affected stakeholders and change 'inform' to stronger engagement-related language; and</li> <li>Add additional Requirements including rights holder centred approach to remedy; incorporate business relationships; embed</li> </ul>	<ul style="list-style-type: none"> <li>Requirements 1-3 maintained at Leading Practice Level as these practices are generally considered beyond Good Practice and reflect similar Requirements at Leading Practice across the Consolidated Standard.</li> <li>Requirements 2 and 3 have both been revised and require collaboration with rights-holders/ human rights defenders to conduct a review of UNGPs implementation (Leading Practice Requirement 2) and assess impacts (Leading Practice 3).</li> <li>'Rights-holders' has been added to those involved in Leading Practice Requirement 3 and 'inform' replaced with stronger engagement related language.</li> </ul>



human rights throughout organisation; and further collaboration with stakeholders.

- Rights-holder compatible approach to remedy has been included in Good Practice Requirement 2 and in PA 17 (as part of Requirements related to implementing UNGP section 31).
- Requirement has been added to Leading Practice Requirement 4 to train all employees and high-risk business partners to help embed throughout the Facility.
- Requirement has been added to Leading Practice Requirement 5 to support business partner address human rights impacts. Business relationships have been included in Leading Practice Requirement 1.

Table 8.6: Detailed consultation feedback and CMSI Partner responses on Performance Area 6: Child Labour and Modern Slavery

Sub-Sections	Consultation feedback	CMSI Partner responses
<b>6.1 - Prevention of Child and Forced Labour</b>		
<b>General or Overarching</b>	<ul style="list-style-type: none"> <li>• Add suggested Requirements including screening contractors for risks; building capacity of business relationships to identify, prevent, mitigate and account for involvement in modern slavery and child labour;</li> <li>• Include considerations for geographies where risk of child labour and modern slavery are low; and</li> <li>• Review Performance Area title and definitions for ‘modern slavery’, ‘child labour’ and ‘forced labour’.</li> </ul>	<ul style="list-style-type: none"> <li>• Several Requirements have been added or modified to focus on business partners, including Leading Practice Requirement 4, which focuses on capacity building for business partners.</li> <li>• Geographic considerations are factored into risk assessments, but no new Requirement has been added to specifically address low risk geographies.</li> <li>• Title and definitions have been changed from ‘Modern Slavery’ to ‘Child and Forced Labour’ consistent with ILO conventions. There is a reference in the definition of ‘<i>Forced labour</i>’, noting that modern slavery is often used in various national legislative instruments instead of forced labour.</li> </ul>
<b>Foundational Practice (Now Towards Good Practice)</b>	<ul style="list-style-type: none"> <li>• Requirement 1: clarify need for policy and/or realign with positive conduct, rather than commitment to ‘not engage directly or indirectly, tolerate, or support’;</li> <li>• Requirement 2: clarify consequences for noncompliance; mention applicability of local laws; remove exception for minimum age of 14 years;</li> <li>• Requirement 3: specify identification and evaluation of risk in supply chain; include a gender-sensitive approach; specify extent of risk assessment, such as geographic boundaries, workforce and affected communities;</li> <li>• Requirement 4: align with ILO language; align with other references to risk mitigation within the CMSI; and</li> <li>• Requirement 7: separate response to child labour and modern slavery; refine language on ceasing and reporting activity; clarify applicability to supply chains / off-site operations.</li> </ul>	<ul style="list-style-type: none"> <li>• Requirement 1 has been edited to focus on publicly committing to the right to be free from slavery and to take action to address instances of forced labour if they are identified.</li> <li>• Requirement 2 exception on minimum age of 14 has been removed, but other recommendations have not been acted on as legal compliance obligations are under PA 2 and a voluntary standard cannot impose consequences for noncompliance, other than to indicate the Consolidated Standard has not been met, which is implied.</li> <li>• Requirement 3 has been edited to add the detail suggested.</li> <li>• The risk assessment aspect of Requirement 4 has been merged into Requirement 3 and now properly references the ILO indicators of forced labour with those indicators being listed in the Glossary.</li> <li>• Requirement 7 (now re-numbered to Requirement 8) has been edited to include instances found within business partners of the Facility and reporting language has been refined.</li> </ul>
<b>Good Practice</b>	<ul style="list-style-type: none"> <li>• Requirements 1 and 2: conflicting input on whether Requirements should be moved to the Foundational or Leading Practice Levels; consider combining into a single Requirement;</li> <li>• Requirement 3: move to Foundational Level (two comments);</li> </ul>	<ul style="list-style-type: none"> <li>• Requirements 1 and 2 remain at the Good Practice Level and remain as two separate Requirements.</li> <li>• Requirement 3 also remains at the Good Practice Level.</li> </ul>

	<ul style="list-style-type: none"> <li>Requirement 4: refine language to specify framework development only where risks are identified and align framework with UNGPs; and</li> <li>Requirement 5: add public disclosure of risk and mitigation actions; reference GRI 408: Child Labor 2016 and GRI 409: Forced and Compulsory Labor 2016; consider removal, move to Leading Practice or separating into an additional Requirement related to annual training on child labour and modern slavery.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 4 has been refined to focus on identified risks and has been edited to focus on implementing practices to prevent, mitigate and account for or remediate risks associated with the ILO indicators of Forced Labour, which is more consistent with the UNGPs.</li> <li>Reporting aspects of Requirement 5 have been edited to reference GRI 408 and 409. These reporting Requirements remain at Good Practice Level but have been separated into a new Requirement 6. The Requirement has not been edited to include annual training as that is a separate issue.</li> <li>To address training, a new Requirement has been added at Toward Good Practice Level (Requirement 5).</li> </ul>
Leading Practice	<ul style="list-style-type: none"> <li>Requirements 1, 2 and 3: Move to Foundational or Good Practice Levels (three comments); and</li> <li>Add additional Requirements including independent audits (three comments); addressing child labour outside of mining sector; awareness promotion at the community-level; requiring or encouraging stakeholder engagement; identification and management of child safeguarding and protection against sexual harassment, abuse and exploitation.</li> </ul>	<ul style="list-style-type: none"> <li>Requirements 1, 2, and 3 remain at Leading Practice Level.</li> <li>Two additional Requirements were added to include capacity building efforts or programmes for business partners and to include supporting or collaborating with cross-industry national or regional organisations to identify and address root causes.</li> </ul>

Table 8.7: Detailed consultation feedback and CMSI Partner responses on Performance Area 7: Rights of Workers

Sub-Sections	Consultation feedback	CMSI Partner responses
General or Overarching	<ul style="list-style-type: none"> <li>Align with ILO Fundamental Principles, European Financial Reporting Advisory Group worker definitions, GRI reporting Requirements, IFC Performance Standard 2 and UNGPs; and</li> <li>Add additional gender considerations and gender-sensitive language</li> </ul>	<ul style="list-style-type: none"> <li>ILO and IFC have been included in the reference list and have been considered when drafting the Requirements in this Performance Area.</li> <li>Gender identity is included in Section 7.1. Towards Good Practice Requirement 3 and gender informed approaches are included in Good Practice Requirement 2.</li> </ul>
7.1 - Rights of Workers		
General or Overarching	<ul style="list-style-type: none"> <li>Reduce number of Requirements; and</li> <li>Add suggested additional Requirements including disclosure of education and skills training and capacity and institutional programming aligned with ICMM.</li> </ul>	<ul style="list-style-type: none"> <li>Two Requirements were removed at Good Practice Level but one was added to Leading Practice Level reducing the number of Requirements by one.</li> <li>This type of disclosure has not been added.</li> </ul>
Foundational Practice (Now Towards Good Practice)	<ul style="list-style-type: none"> <li>Requirement 1: reference ILO Fundamental Principles; add suggested additions, including commitments to no forced labour, protection for whistleblowers and no undermining of collective bargaining;</li> <li>Requirement 3: refine language to accommodate legislation and terminology differences; consider rephrasing to focus on freedom from discrimination; and</li> <li>Strengthen Foundational Level by requiring both policy and implementation or adding additional Requirements such as pay equity, training, organised labour and employer neutrality.</li> </ul>	<ul style="list-style-type: none"> <li>For Requirement 1, at this level, the commitment Requirements are not intended to be as prescriptive as requested by the comment. Forced labour is addressed in PA 6 and whistleblowing is addressed in PA 2.2. Requirements to respect collective bargaining rights are included in 7.1 Towards Good Practice Requirement 1 and Good Practice Requirement 11. Good Practice Requirement 11 was edited to require that workers have a right to form, join and organise without fear of consequences or retaliation.</li> <li>Requirement 3 has not been edited as it is only asking for a public commitment to respect rights and interests.</li> <li>Towards Good Practice Requirement remains focused on policy commitments with the additional suggestions addressed further in the Performance Area. Pay equity is addressed in Good Practice Requirement 4.b (previously Good Practice Requirement 5), training is addressed throughout the Consolidated Standard and rights related to organised labour and employer neutrality are addressed in Good Practice Requirement 11.</li> </ul>
Good Practice	<ul style="list-style-type: none"> <li>Requirement 1: align language on identifying, assessing and prioritising risk with UNGPs;</li> <li>Requirement 2: extend protection from discrimination and harassment to all employees;</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 1 has been edited to use language of 'identify, prevent, mitigate and account for risks, which is more aligned with the UNGPs.</li> </ul>

	<ul style="list-style-type: none"> <li>Requirement 4: move to Foundational Practice (two comments); consider removing specific mention of part-time workers;</li> <li>Requirement 5: move to Foundational Practice (two comments); consider jurisdictional and cultural variations in approach to DEI; incorporate indirect hires;</li> <li>Requirement 8: incorporate considerations for gender-sensitive and equitable access; add suggested additions including technology access and adequate sleep facilities;</li> <li>Requirements 9, 10 and 11: refine or remove specific hour limits to accommodate local legislation and overtime practices;</li> <li>Requirement 12: move to Foundational Practice Level (two comments);</li> <li>Requirement 13: clarify language and include commitment to nonretaliation;</li> <li>Requirement 15: include zero tolerance for debt bondage; and</li> <li>Requirement 17: clarify language, including 'employment practices'</li> </ul>	<ul style="list-style-type: none"> <li>The suggestion for Requirement 2 to extend protection from discrimination and harassment to all employees is addressed through PA 9 in the Requirements related to respectful workplaces.</li> <li>Requirement 4 has not been moved to Towards Good Practice Level but has been edited to expand its scope to include the need for an 'internal review of worker remuneration at defined intervals' using credible benchmarks to support the provision of fair and competitive remuneration and a stronger Requirement related to equal pay for equal work.</li> <li>Requirement 5 has not been moved to Towards Good Practice Level however, it has been combined with Good Practice Requirement 4 and now requires a review at defined intervals.</li> <li>Requirement 8 has been edited to require that the specific needs of women and people in vulnerable situations are addressed, as have provisions for adequate sleep.</li> <li>Requirements 9, 10 and 11 (now 7, 8 and 9) have not been edited as it was important to specify maximum number of hours and allow for legislation to go lower than that but not higher.</li> <li>Requirement 12 (now 10) remains in Good Practice Level; however, it has been edited to add Requirements related to supporting workers returning to work after parental leave in line with ILO 183 and 190.</li> <li>Requirement 13 (now 11) has been edited to include commitment to non-retaliation as suggested.</li> <li>The definition in the Glossary for responsible Requirement, as used in Requirement 15 (now 13), has been edited to include a prohibition of debt bondage.</li> <li>Requirement 17 remains unedited as employment practices is an understood term.</li> </ul>
Leading Practice	<ul style="list-style-type: none"> <li>Requirement 3: move to Good Practice Level (five comments) or remove (one comment);</li> <li>Requirement 4: strengthen Requirement for Leading Practice Level alignment and/or refine to accommodate varying expectations in different jurisdictions;</li> </ul>	<ul style="list-style-type: none"> <li>Given conflicting comments related to Requirement 3, it remains at Leading Practice Level, however a new Leading Practice Requirement 4 has been added requiring additional public disclosure on ratios of standard entry level wage by gender compared to local living wage. Where a value for a representative living wage is not available, then the ratio to local minimum wage should be reported.</li> </ul>

	<ul style="list-style-type: none"> <li>Requirement 5: clarify whether time off to exercise political rights is paid or unpaid; and</li> <li>Requirements 7 and 8: move to Good or Foundational Practice Level (four comments).</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 4 (now 5) remains unedited because current language does allow for varying jurisdictional differences by asking for practices that exceed statutory requirements.</li> <li>Requirement 5 (now 7) remains unedited as the Consolidated Standard does not intend to take a position on whether time off to vote should be paid or unpaid.</li> <li>Requirements 7 and 8 (now 8 and 9) remain in Leading Practice Level because expanding these concepts to employment agencies is an increase in practice.</li> </ul>
<b>7.2 - Grievance Mechanism for Workers (Employees and Contractors)</b>		
<b>General or Overarching</b>	<ul style="list-style-type: none"> <li>Incorporate gender-inclusive language commitment to nonretaliation.</li> </ul>	<ul style="list-style-type: none"> <li>While not directly related to retaliation, gender-based violence and harassment has been added to Towards Good Practice Requirement 2.</li> </ul>
<b>Foundational Practice</b>	<ul style="list-style-type: none"> <li>Add specific clarifications on minimum expectations for grievance mechanisms including anonymous reporting option; consultation with workers in design phase; basic access to remedy; workers access to relevant policies and local rights; corporate-level monitoring; independent evaluations; and public disclosures that are accessible and understandable to employees.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 2 (formerly 1) has been edited to include access to remedy and anonymous reporting. Consulting with workers is included in Good Practice Requirement 1 with collaborative design included in Leading Practice Requirement 2. Corporate-level monitoring is included in Good Practice Requirement 5. Independent review in collaboration with workers is included in Leading Practice Requirement 3.</li> </ul>
<b>Good Practice</b>	<ul style="list-style-type: none"> <li>Add specific clarifications on accessibility; confidentiality; engagement with stakeholders and workers; reporting and disclosure expectations; and</li> <li>Move Requirements to Foundational Practice Level or strengthen to meet Good Practice Level (two comments).</li> </ul>	<ul style="list-style-type: none"> <li>Foundational Practice Requirement 3 (now Towards Good Practice Requirement 4) has been edited to add accessibility. Engagement with workers is included Good Practice Requirements 1 and 2. Reporting through internal communications has been added to Good Practice Requirement 6. Reporting and disclosure has been added in a new Leading Practice Requirement 1.</li> <li>Improvements have been made to strengthen a number of Requirements, but Good Practice Requirements have not been moved to Towards Good Practice Level.</li> </ul>
<b>Leading Practice</b>	<ul style="list-style-type: none"> <li>Requirement 1: refine to incorporate transparency and inclusiveness; and</li> <li>Requirements 2 and 4: move to Good Practice Level (one comment)</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 1 has been improved on the issue of inclusiveness by including direct reference to both unionised and non-unionised workers.</li> <li>Requirement 2 has been moved to Good Practice Level, and a new Leading Practice 3 has been added to require an independent review of effectiveness of the grievance mechanism in collaboration with workers.</li> </ul>

- Requirement 4 related to supporting escalation mechanisms is addressed through Good Practice Requirement 3 that requires the Facility to contribute to or cooperate through other legitimate processes.

Table 8.8: Detailed consultation feedback and CMSI Partner responses on Performance Area 8: Diversity, Equity and Inclusion

Sub-Sections	Consultation feedback	CMSI Partner responses
<b>8.1 - Governance of Diversity, Equity, and Inclusion (Corporate Level)</b>		
<b>Foundational Practice (Now Towards Good Practice)</b>	<ul style="list-style-type: none"> <li>• Add measurable objectives or minimum Standards for accountability;</li> <li>• Add data collection on DEI metrics, such as pay equity, workplace satisfaction and retention rates for underrepresented groups;</li> <li>• Clarify specific management responsibilities and accountabilities at Board and Corporate levels; and</li> <li>• Specify how DEI commitments are integrated into governance or decision-making structures beyond management accountabilities.</li> </ul>	<ul style="list-style-type: none"> <li>• The suggestions for Towards Good Practice Level criteria to include minimum objectives (i.e., baseline targets for representation) and data collection (i.e., pay equity, workplace satisfaction) were considered to be overly ambitious at this level of performance, and were therefore not included.</li> <li>• The draft Consolidated Standard already includes a Requirement at Towards Good Practice that responds to this feedback (i.e., PA 8.1. Towards Good Practice 2 – ‘Assign management responsibilities and accountabilities to support diversity, equity and inclusion (DEI) commitments’).</li> <li>• A Requirement to specify how DEI commitments would be integrated into governance would be overly ambitious at this level of performance, therefore, it was not included</li> </ul>
<b>Good Practice</b>	<ul style="list-style-type: none"> <li>• Requirement 1: move to Foundational Practice (two comments); and</li> <li>• Requirement 6: conflicting input on public disclosure, with one comment recommending Leading Practice and one comment recommending splitting public disclosure and integration of relevant governance and business processes into two Requirements.</li> </ul>	<ul style="list-style-type: none"> <li>• The Requirement to develop a strategy on DEI was moved to Towards Good Practice Level and Good Practice Level was enhanced by requiring that the strategy be implemented at that level of performance.</li> <li>• A simplified criterion was added at Leading Practice Level on public disclosure (i.e., Leading Practice 2 ‘Publicly disclose progress at defined intervals towards objectives and/or targets for DEI representation among corporate leadership’).</li> </ul>
<b>Leading Practice</b>	<ul style="list-style-type: none"> <li>• Requirement 1: move to Good Practice Level (one comment); provide specific guidance on review methodologies and processes;</li> <li>• Requirement 2: move to Good Practice Level and/or strengthen Requirement at Leading Practice Level (two comments); and</li> <li>• Conflicting input on whether and how DEI goals should be quantified.</li> </ul>	<ul style="list-style-type: none"> <li>• Given the effort and cost involved and the need to have criteria spread across all three Performance Levels, the Requirement has been kept at Leading Practice Level. Guidance on independent review was added to the Glossary and Interpretive Guidance section to support interpretation of this criterion.</li> <li>• The Requirement to ‘set’ objectives or targets was moved to Good Practice Level and a Requirement to ‘disclose progress’ towards those objectives or targets was enhanced at Leading Practice Level.</li> </ul>



- The Consolidated Standard does not intend to be prescriptive about quantitative targets, time frames, or types of objectives. Guidance on DEI objectives has been added to the Glossary and Interpretive Guidance section to support interpretation of related criteria.

## 8.2 - Management of Diversity, Equity, and Inclusion (Facility Level)

General or Overarching	<ul style="list-style-type: none"> <li>• Assure at the Corporate Level.</li> </ul>	<ul style="list-style-type: none"> <li>• The Performance Area has been designed to include a set of corporate Requirements and a set of Facility Requirements that are assured at the appropriate location.</li> </ul>
Foundational Practice (Now Towards Good Practice)	<ul style="list-style-type: none"> <li>• Requirement 5: Clarify language related to diversity metrics; clarify level of standardisation for metrics.</li> </ul>	<ul style="list-style-type: none"> <li>• Requirement 5 has been edited to 'metrics that are relevant to the Facility' rather than prescribing standardised metrics across Facilities in diverse contexts.</li> </ul>
Good Practice	<ul style="list-style-type: none"> <li>• Requirement 3: Make training Requirements less prescriptive, including changing 'workers' to 'employees' to remove requirement to train contractors;</li> <li>• Requirement 4: conflicting input on suppliers' and contractors' DEI relationship, including suggestion to move to Foundational Level, making it risk-based to apply only to significant suppliers and requiring (rather than encouraging) this for suppliers and contractors;</li> <li>• Requirement 6: clarify corporate-level Requirement or move to Section 8.1; and</li> <li>• Add reference to GRI 405: Diversity and Equal Opportunity and add requirement providing reasonable adjustments to workers with disabilities, pregnant workers and workers with caring responsibilities.</li> </ul>	<ul style="list-style-type: none"> <li>• Requirement 3 (now Requirement 5) retains the term 'workers' but has been edited to include training and awareness programmes to better focus efforts on the needs of all workers, whether employees or contractors.</li> <li>• Given that the Facility may not yet have DEI processes in place at Towards Good Practice Level, Requirement 4 should remain at Good Practice Level. The term 'significant' was added as suggested to support a risk-based approach to supplier and contractor engagement. The language of 'encourage' was retained as it may not be feasible for a mine site to 'require' a supplier or contractor to promote DEI in their own businesses. With large multinational suppliers and contractors, one small mining Facility has limited leverage. At the same time, this could be a barrier to hiring small local firms without the capacity to develop and implement DEI policies.</li> <li>• The suggestion on Requirement 6 has been addressed by removing the reference to the corporate level in this Requirement.</li> <li>• GRI 405 has been added to the list of References. A suite of new criteria related to physical infrastructure and accessibility have been added at Good Practice Level in response to this and other feedback.</li> </ul>
Leading Practice	<ul style="list-style-type: none"> <li>• Requirement 2: Move to Good or Foundational Level (two comments) and remove 'DEI lens';</li> <li>• Requirement 3: combine with Requirement 2; and</li> </ul>	<ul style="list-style-type: none"> <li>• The Leading Practice Requirement on physical infrastructure was moved to Good Practice Level.</li> </ul>

- Requirement 4: move to Section 8.1; refine for auditability.
- Rather than combining Requirements 2 and 3 as suggested, this Requirement was removed as it did not fit the structure of the Performance Area.
- Requirement 4 was refined for auditability but retained in Section 8.2.

Table 8.9: Detailed consultation feedback and CMSI Partner responses on Performance Area 9: Safe, Healthy and Respectful Workplaces

Sub-Sections	Consultation feedback	CMSI Partner responses
<b>9.1 - Health and Safety Management</b>		
General or Overarching	<ul style="list-style-type: none"> <li>Add suggested Requirements including worker and trade union representation, such as a joint health and safety committee; health and safety risk assessment; communication or alarm system to report unsafe operations; worker training on climate-related health and safety risks; specific provisions for pregnant workers and worker with chronic illness.</li> </ul>	<ul style="list-style-type: none"> <li>Some of the suggestions were deemed to be overly prescriptive, given that the Consolidated Standard is not intended to be specific and list every type of risk to be evaluated as risks will vary by context.</li> <li>Added to the Glossary mechanisms for worker participation which included reference to both trade union and health and safety committees.</li> </ul>
Foundational Practice (Now Towards Good Practice)	<ul style="list-style-type: none"> <li>Clarify and align language with Intent, such as: specifying both physical and psychological health, commitment to goals mentioned in Intent, and clarifying 'industrial hygiene';</li> <li>Requirement 6: clarify language around 'at no cost' to workers; clarify gender-sensitive language and provisions, such as gender-specific needs based on cultural context, access to menstrual products and access to lactation area; and</li> <li>Add Requirements for metrics, such as number of accidents and fatalities; strengthen cooperation between workers, subcontractors and Facility on health and safety.</li> </ul>	<ul style="list-style-type: none"> <li>The Requirement has been simplified allowing a clear match to the intent rather than specifying each type of commitment.</li> <li>Requirement 6 has been updated to highlight 'at no cost' for workers and contractors. The Requirement was also simplified to focus on the services to be provided noting that Gender and cultural needs are also highlighted in other performance areas.</li> <li>Reporting is covered in Section 9.4.</li> </ul>
Good Practice	<ul style="list-style-type: none"> <li>Requirement 1: move to Foundational Practice Level (one comment); strengthen Requirement with ILO language; and</li> <li>Requirement 2: split verifications list into multiple Requirements, especially ergonomics and improvement plan development; amend specific title / qualifications of qualified industrial hygienist; conflicting input whether Requirement should move to Foundational or Leading Practice Level.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 1 has been left at Good Practice as it builds on Towards Good Practice Requirement 1 and 2 which require a commitment to be made and to establish accountability. Testing this understanding across the workforce is a mark of good practice.</li> <li>ILO155 is referenced in the glossary.</li> <li>Requirement 2 has not been split as the Requirement is a list of elements the Consolidated Standard wants to see incorporated into an OHS management system and not as individual elements.</li> </ul>
Leading Practice	<ul style="list-style-type: none"> <li>Requirement 1: move to Good Practice Level (three comments); establish 12-month interval for independent review; and</li> </ul>	<ul style="list-style-type: none"> <li>A 12-month interval was considered to be too frequent for independent review, therefore, the suggestion was not implemented.</li> <li>Requirements were checked for consistency.</li> </ul>

	<ul style="list-style-type: none"> <li>Requirement 2: clarify difference from Good Practice Requirement 2c; clarify and define 'oversight' and 'qualified hygienist'.</li> </ul>	<ul style="list-style-type: none"> <li>The definitions of 'Oversight' and 'Qualified hygienist' have been added to / updated in the Glossary.</li> </ul>
<b>9.2 - Psychological Safety &amp; Respectful Workplaces</b>		
<b>General or Overarching</b>	<ul style="list-style-type: none"> <li>Clarify or rearrange Requirements at all three Practice Levels to clearly demonstrate expectations at each Level;</li> <li>Clarify any overlaps with other Performance Area 9 Sections, especially Requirements related to overall health and wellbeing that could also be placed in Section 9.1; and</li> <li>Incorporate gender-sensitive criteria, such as including workers of all genders in consultation and surveys on health and safety.</li> </ul>	<ul style="list-style-type: none"> <li>Requirements have been checked for consistency against expectations of each Performance Level.</li> <li>The Section has been reviewed for consistency and ensuring no duplication of Requirements.</li> <li>Requirement has been added to engage with a cross-section of people.</li> </ul>
<b>Foundational Practice</b>	<ul style="list-style-type: none"> <li>Requirement 1: move to Good Practice Level (three comments).</li> </ul>	<ul style="list-style-type: none"> <li>Requirements have been checked for consistency against expectations of each level.</li> </ul>
<b>Good Practice</b>	<ul style="list-style-type: none"> <li>Move several Requirements (including Requirements 1, 2, 3 and 4) to Foundational Practice Level;</li> <li>Requirement 5: clarify 'trauma-informed processes'; and</li> <li>Add suggested Requirements, including accountabilities for implementing policies related to psychological safety; disclosure of deployment of psychologist; ergonomic practices; and canteen facilities.</li> </ul>	<ul style="list-style-type: none"> <li>Requirements have been checked for consistency against expectations of each level.</li> <li>'<i>Trauma-informed processes</i>' has been added to the Glossary.</li> <li>Accountability is covered in Section 9.1, disclosures are included in Section 9.4 and other Requirements are addressed, except canteen Facilities, which may not apply to all sites.</li> </ul>
<b>Leading Practice</b>	<ul style="list-style-type: none"> <li>Requirements 3 and 4: move to Good Practice Level; and</li> <li>Requirement 6: clarify 'promote and support psychological safety' or remove Requirement.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 3 remains at Leading Practice Level. While the setting of targets or objectives is often Good Practice Level in other Performance Areas, in the area of psychological safety, practice is still evolving quickly in this area and it is considered Leading Practice.</li> <li>Requirement 4 remains at Leading Practice Level as it is an escalation from Good Practice Level to extend this work from internal implementation into procurement processes.</li> <li>Further clarification for Requirement 6 has not been made as it would be too prescriptive to define what is relevant around promoting and supporting in each community. This is better defined through engagement with the community.</li> </ul>

### 9.3 - Training, Behaviour and Culture

General or Overarching	<ul style="list-style-type: none"> <li>Review for duplicity with other Performance Areas; and</li> <li>Add suggested Requirements such as: working with union and community representatives on training; offer bystander training.</li> </ul>	<ul style="list-style-type: none"> <li>Requirements were checked for consistency against expectations of each level.</li> <li>Added to the Glossary mechanisms for worker participation which includes reference to both trade union and health and safety committees.</li> </ul>
Foundational Practice	<ul style="list-style-type: none"> <li>Align any Requirements related to psychological safety with Requirements from Section 9.2;</li> <li>Clarify 'basic training' and/or provide guidance on interpretation; and</li> <li>Add suggested Requirements, such as awareness materials on recognising and reporting psychological hazards.</li> </ul>	<ul style="list-style-type: none"> <li>Requirements were clarified and terminology updated to 'psychological health and safety' to highlight the difference between the Requirements in Section 9.2.</li> <li>Updated terminology from basic training to training in the fundamentals.</li> <li>These Requirements are covered by training in the fundamentals.</li> </ul>
Good Practice	<ul style="list-style-type: none"> <li>Requirement 1: clarify language throughout Requirement details, such as specifying risk-based post-training competency assessments; specifying training for senior and middle management; and flagging safety concerns.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 1 was reviewed and adjusted for clarity.</li> </ul>
Leading Practice	<ul style="list-style-type: none"> <li>Requirements 1 and 2: move to Good Practice Level (four comments); provide specific guidance or examples of demonstrating commitments to clarify for auditability; and</li> <li>Requirement 3: specify interval for independent review, such as 12 months.</li> </ul>	<ul style="list-style-type: none"> <li>Requirements 1 and 2 can be tested by understanding what the management system or safety programme defines as the role of management and then checks whether those actions are being implemented by management. This can also be done by asking employees about how visible management is regarding reinforcing and demonstrating the safety culture at the Facility.</li> <li>Independent review intervals are covered in the Overarching Glossary. Given a 12-month interval is considered to be too frequent for independent review, the suggestion was not implemented.</li> </ul>

### 9.4 - Monitoring, Performance and Reporting

General or Overarching	<ul style="list-style-type: none"> <li>Clarify and align Requirements related to fatalities across Levels.</li> </ul>	<ul style="list-style-type: none"> <li>Requirements were checked for consistency against expectations of each level.</li> <li>Requirement for investigation of fatalities and implementation of actions has been moved into Towards Good Practice Level of Section 9.1.</li> </ul>
Foundational Practice	<ul style="list-style-type: none"> <li>Add disclosure of health and safety performance.</li> </ul>	<ul style="list-style-type: none"> <li>Disclosures are covered at Good Practice Level.</li> </ul>

Good Practice	<ul style="list-style-type: none"> <li>Requirements 1 and 2: clarify or reconsider public disclosure and reporting of psychological safety in relation to: privacy issues; potential effects on overall psychological safety; specific metrics;</li> <li>Requirement 5: conflicting input on zero fatalities metric, including: recommendation to move to Foundational Practice Level; recommendation to remove Requirement; change more proactive language, such as strengthening monitoring, control and cross-check systems to prevent fatalities; and</li> <li>Requirement 6: move to Foundational Practice Level (five comments); clarify expectations between Requirement 5 and 6; add commitment to publicly report outcomes to investigation and mitigation actions.</li> </ul>	<ul style="list-style-type: none"> <li>Disclosures have been clarified to respect protection of personal information.</li> <li>Requirements have been checked for consistency against expectations of each level.</li> <li>Requirement for investigation of fatalities and implementation of actions have been moved into Towards Good Level of Section 9.1.</li> </ul>
Leading Practice	<ul style="list-style-type: none"> <li>Requirement 1: move to Good Practice Level or remove; change basis of Requirement to focus on a practice rather than outcome of zero fatalities; and</li> <li>Requirement 2: change three-year audit timeline to annual audit.</li> </ul>	<ul style="list-style-type: none"> <li>Requirements have been checked for consistency against expectations of each level.</li> <li>Given a 12-month interval is considered to be too frequent for independent audit, the suggestion was not implemented.</li> </ul>

Table 8.10: Detailed consultation feedback and CMSI Partner responses on Performance Area 10: Emergency Preparedness and Response

Sub-Sections	Consultation feedback	CMSI Partner responses
<b>10.1 - Emergency Preparedness and Response</b>		
<b>General or Overarching</b>	<ul style="list-style-type: none"> <li>• Add Requirements, such as strategies for responding to global risks, including pandemics, cyber security risks and geopolitical unrest; engagement with stakeholders at all lifecycle phases; cooperation with workers and emergency services; gender-sensitive emergency response; clear and understandable language with translation available for communities; risk assessment and/or due diligences processes for climate, water, biodiversity and human rights risks;</li> <li>• Review for consistency and overlap with 1.5 Crisis Management and Response; and</li> <li>• Clarify language and/or separate Requirements as needed to address differences between crisis management and emergency response.</li> </ul>	<ul style="list-style-type: none"> <li>• Specific global risks have not been added as there is already an obligation to identify credible potential scenarios in Towards Good Practice Requirement 1. Engagement with stakeholders has been added to Towards Good Practice Requirement 7 to ensure there is community engagement at all stages. Under PA 12 Towards Good Practice Level there is already a Requirement to communicate meaningful information in ways that are accessible, understandable and culturally appropriate. These obligations would extend to emergency related communication.</li> <li>• The Requirements in this PA have been reviewed for overlap and consistency with PA 1.5.</li> <li>• Edits have been made to improve the clarity of language and differentiation between emergency and crisis response.</li> </ul>
<b>Foundational Practice (Now Towards Good Practice)</b>	<ul style="list-style-type: none"> <li>• Requirement 1: add extreme weather events and wildfires, failure of tailings storage facility, workers strikes and training and simulations with communities;</li> <li>• Requirement 2: clarify required capabilities, internal and external resources, and specified timeline for conducting assessment, such as annually and after materials condition changes;</li> <li>• Requirement 3: align with Requirements in Section 1.5 Crisis Management and Communication; incorporate a response process; add Indigenous communities to list of stakeholders to be notified;</li> <li>• Requirement 4: clarify role of Facility emergency and crisis response team relationship with corporate-level response; and</li> <li>• Add Requirements for monitoring data, such as water levels to trigger emergency.</li> </ul>	<ul style="list-style-type: none"> <li>• No change made to Requirement 1 as the events suggested fall into the higher-level categories of natural hazards, operational failures and others. Training and simulation elements are included in Good Practice Requirement 10 (previously 13) and include a Requirement to involve stakeholders.</li> <li>• Requirement 2 has been edited to include a change based on significant change and a new link has been established to the identified scenarios in Requirement 1 such that the capability assessment is based on identified scenarios.</li> <li>• Requirement 3 has been edited to include the need for an escalation mechanism to link it to the corporate crisis response. Indigenous communities would be included under communities so that has not been changed.</li> <li>• The link between Facility crisis response and corporate crisis response is now in Requirement 5, but no further detail has been added to clarify how</li> </ul>

these roles may vary by situation as that would be considered too prescriptive.

- Adding various monitoring Requirements for triggers is considered to be too prescriptive and is suggested to be left to the Facility to identify based on their potential emergency scenarios.

#### Good Practice

- Move Requirements 1, 3, 5, 6 and 7 to Foundational Practice Level;
- Requirement 2: conflicting input on system testing interval, with one suggestion for removal, one suggestion for annual and one suggestion for risk-based interval;
- Requirement 6: clarify engagement with potentially affected communities in emergency response design, including change to 'codevelop';
- Requirements 7 and 9: clarify language and/or split into separate Requirements for emergency response and crisis response; and
- Add Requirements related to affected communities, such as creating register of population living within critical safety zones; public emergency response plans in local languages; commit to responsibility for taking steps necessary to save lives and provide humanitarian aid

- While none of these Requirements were moved to Towards Good Practice Level, other Requirements for training, testing alert mechanisms and community engagement were relocated and are now included in the Towards Good Practice Level as Requirements 6, 7 and 8.
- Requirement 2 was not changed as testing mechanisms twice per year to activate emergency and crisis teams was deemed as appropriate and reasonable.
- Requirement 6 has been split into Good Practice Requirement 5 and Towards Good Practice Requirement 6 to establish a lower-level Requirement for engagement with communities. 'Collaborate' has been retained as the term and the approach has remained consistent with the proposed draft, though an addition was made to address accessibility issues and other barriers to participation.
- Requirements 7 and 9 have been merged into a single Requirement to establish and test mechanisms now in Good Practice Requirement 7. This has not been split into emergency and crisis as it would be unlikely that there would be separate mechanisms in place creating unnecessary redundancy.
- The suggestion to add additional community related Requirements has not been incorporated as these would all be aspects that would be incorporated into individual emergency and crisis scenarios identified in Towards Good Practice Requirements 1 (identification of scenarios) and 2 (capacity assessments of internal and external resources).

#### Leading Practice

- Requirement 1: conflicting input on simulation exercise timeline, with one suggestion for annual and one suggestion for every three years; split Requirement as related to crisis simulation and emergency simulation;

- Given conflicting input related to Requirement 1, the timing for crisis simulations has been left at 2 years, but it has been edited to require an annual emergency simulation.
- Requirement 2 is refocused on the emergency response plan, leaving corporate to update the crisis plan based on PA 1 Requirements. The notion



- Requirement 2: clarify Facility or corporate-level language and update based on material changes within year; and
  - Add Requirement to provide funding for community emergency response plans and supplies.
- of material changes has not been incorporated as the changes are meant to be based on the outcomes of the simulations.
  - The recommendation to provide funding has not been incorporated but could be done under the capability assessment of external resources in Towards Good Practice 2. Funding may or may not be welcome or allowed under regulations and there may or may not be a community nearby to fund.

Table 8.11: Detailed consultation feedback and CMSI Partner responses on Performance Area 11: Security Management

Sub-Sections	Consultation feedback	CMSI Partner responses
<b>11.1 - Security Management</b>		
<b>General or Overarching</b>	<ul style="list-style-type: none"> <li>Provide guidance and references on what constitutes a human rights risk in relation to security.</li> </ul>	<ul style="list-style-type: none"> <li>Additional references have been added to provide guidance which goes beyond the content of the Consolidated Standard.</li> </ul>
<b>Foundational Practice (Now Towards Good Practice)</b>	<ul style="list-style-type: none"> <li>Requirement 1: clarify language or split into two Requirements the positive commitment for VPSHR implementation and the commitment to not support non-State armed groups or security forces;</li> <li>Requirement 2: specify transportation security, conflict analysis for high-risk areas and special attention to risks to women, children and lesbian, gay, bisexual, transgender, queer, intersex and asexual people (i.e. LGBTQIA+) communities in risk assessments;</li> <li>Requirement 4: clarify language to specify a ‘process to inform’ or change inform to ‘coordinate and cooperate’ to emphasise proactive action; and</li> <li>Add additional Requirements, such as rules regarding use of force; respect for international humanitarian law; require private security providers to join Responsible Security Association (e.g. ICoCA) (three comments).</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 1 has been edited and split into two (same Requirement) for clarity.</li> <li>A Requirement to include a conflict analysis to verify if the Facility is included in a CAHRA has been included in Requirement 2.</li> <li>Guidance on who to give ‘special attention’ to when conducting a security assessment is covered in Good Practice Requirement 4 at a high level and Reference documents provide additional guidance.</li> <li>Requirement 4 has been edited to address suggestions regarding proactive action.</li> <li>Additional Requirements suggested were deemed to be covered in the VPSHR to which a Facility must commit (Towards Good Practice) and implement (Good Practice 1 - Good Practice 3). Implementation of ICoCA Code of Conduct (Leading Practice) also required at Leading Practice Level. Therefore, additional Requirements suggested were not included.</li> <li>Towards Good Practice 5 moved from Good Practice 5.</li> </ul>
<b>Good Practice</b>	<ul style="list-style-type: none"> <li>Requirement 1: move to Foundational Level; conflicting input on formatting for clarity on consistency with VPSHR, with one comment recommending Requirements 2, 3 and 4 becoming subpoints of Requirement 1 and one comment recommending additional criteria from VPSHR be added to the Requirements;</li> <li>Requirement 2: replace ‘urge’ with a clearer term; add communication and alignment with private security providers;</li> <li>Requirement 3: specify applicability to environmental and human rights defenders; add impacts of security arrangements to vulnerable groups</li> </ul>	<ul style="list-style-type: none"> <li>Consistent with other parts of the Consolidated Standard, public disclosure of commitment - in this case of the VPSHR - is at Towards Good Practice Level and implementation at Good Practice Level. More details on Towards Good Practice Level are provided in Section 2.3 of this Report (Responses to Key Fundamental and Structural Feedback).</li> <li>Requirement 2 has been split into two Requirements (Good Practice Requirements 2 and 3), with additional details. The word ‘urge’ has been replaced with much clearer and stronger Requirement to ‘include in contract’.</li> </ul>

	<ul style="list-style-type: none"> <li>Requirement 6: add DEI, ICoCA bystander and international humanitarian law training;</li> <li>Requirement 7: require private security providers to implement the International Code of Conduct and meet VPSHR; and</li> <li>Add additional Requirements, such as building on Foundational Practice on risk assessment; due diligence and background checks on security providers; heightened human rights due diligence in high-risk areas; and stakeholder engagement.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 3 (now Good Practice Requirement 4) has been edited to include women and marginalised groups in addition to vulnerable groups and human rights defenders.</li> <li>Suggestions regarding training are considered to be too granular for the Consolidated Standard. Additional guidance is provided in the References.</li> <li>Facilities must now contract private security providers to implement the VPSHR (see Good Practice Requirement 3). They must also develop processes to build capacity of private security providers to implement the ICoCA Standard at Good Practice Requirement 8 and Requirement implementation at Leading Practice Requirement 4.</li> <li>Good Practice Requirement 4 builds on risk assessment in Towards Good Practice Requirement 2. Background checks are part of implementation of VPSHR and noted in Good Practice Requirement 3: ‘personnel are appropriately...vetted’. Good Practice Requirements 4-5 cover assessment, mitigation and remedy of human rights in line with the UNGPs.</li> <li>Towards Good Practice Requirement 5 has been moved from Good Practice Requirement 5.</li> </ul>
Leading Practice	<ul style="list-style-type: none"> <li>Requirement 1: move to Good or Foundational Practice Level; incorporate stakeholder engagement and consultation;</li> <li>Requirement 2: modify to reflect that MoU is not always possible due to government policies;</li> <li>Requirement 4: require private security providers to join ICoCA rather than implement; and</li> <li>Add additional Requirements, such as clear expectations on implementation of VPSHR, including engaging and supporting in-country working groups on VPSHR; stakeholder engagement for security-related matters.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 1 has been edited and moved to Good Practice Level from Leading Practice Level.</li> <li>Edits to Requirement 2 which reflect an MoU may not always be possible with public security providers.</li> <li>CMSI Partners decided to focus on implementing the relevant Standard, and not to compel any Facility to join an external organisation such as ICoCA or the VPSHR as part of the CMSI.</li> <li>Stakeholder engagement for security related matters is covered in Good Practice Requirement 6 (moved from Leading Practice Requirement 1). Additional Requirements suggested were deemed to be covered in the VPSHR with which a Facility must commit to (Towards Good Practice) and implement (Good Practice Requirement 1 - Good Practice Requirement 3).</li> </ul>

Table 8.12: Detailed consultation feedback and CMSI Partner responses on Performance Area 12: Engagement (previously called ‘Stakeholder Engagement’)

Sub-Sections	Consultation feedback	CMSI Partner responses
<b>12.1 - Engagement</b>		
<b>General or Overarching</b>	<ul style="list-style-type: none"> <li>Align Performance Level of Requirements on with stakeholder engagement practices in other Performance Areas;</li> <li>Add references to UNGPs, OECD MNE 2023; OECD Due Diligence Guidance for Meaningful Stakeholder Engagement in the Extractives Sector TNFD Guidance, IFC Performance Standard 1 and the EITI principles of multi-stakeholder governance;</li> <li>Use ‘rights holders’ in addition to ‘stakeholders’; and</li> <li>Review and revise Portuguese translations.</li> </ul>	<ul style="list-style-type: none"> <li>More details added to the Applicability section about how this Performance Area interacts with others in the Consolidated Standard. Additional Performance Areas added to the list of Other relevant Performance Areas including PA 18 and PA 19.</li> <li>Several references added although not all those suggested as they are referenced extensively and more appropriately in other Performance Areas (e.g. UNGP).</li> <li>Added ‘rights-holders’ in addition to ‘stakeholders’ and removed ‘stakeholder’ from the title of the Performance Area, so it does not bias stakeholders over rights-holders.</li> <li>All translations will be updated and reviewed with the revised draft.</li> </ul>
<b>Foundational Practice (Now Towards Good Practice)</b>	<ul style="list-style-type: none"> <li>Requirement 1: clarify ‘transparent engagement;’ define ‘local stakeholders’ or remove to capture nonlocal stakeholders; add identifying area of influence; add engagement with First Nations in relation to invasive species management plans; align stakeholder engagement with grievance processes;</li> <li>Requirement 2: change or remove ‘legitimate’ representatives; remove specification for women, vulnerable and/or underrepresented groups; clarify ‘directly,’ ‘indirectly’ and ‘potentially’ affected stakeholders; provide additional guidance and methodology on stakeholder mapping;</li> <li>Requirement 3: remove Requirement (one comment); revise and clarify language on engagement to align with UNGPs and provide further guidance;</li> <li>Requirement 4: clarify materials should be available in multiple formats, in local languages and co-designed with impacted rights holders; clarify ‘meaningful information’ and ‘timely manner’; add language on responding to and incorporating / not incorporating stakeholder feedback;</li> </ul>	<ul style="list-style-type: none"> <li>Definition for ‘<i>Local</i>’ added to Glossary to provide more context for ‘local stakeholders and rights-holders’. Local is a subset of wider ‘area of influence’. Towards Good Practice Requirement 2 covers mapping of affected and interested stakeholders and rights-holders (including non-local) which helps define the area of influence. Engagement with Indigenous Peoples flagged in Applicability section with a cross-reference to PA 14. Grievance Management included in Other relevant Performance Areas.</li> <li>No change to ‘legitimate representatives’ as this is part of the stakeholder and rights-holders mapping process, same with women, vulnerable and/or underrepresented groups. Additional definitions and guidance on mapping not included as these are accepted terms which can be found in the reference material for further detail.</li> <li>Requirement 3 maintained as meaningful engagement at Towards Good Practice Level is seen as important. ‘<i>Meaningful engagement</i>’ is defined and includes a reference to Indigenous Peoples. References added for guidance.</li> <li>Requirement to document engagement activities and maintain a ‘commitments register’ has been added to Towards Good Practice</li> </ul>

	<ul style="list-style-type: none"> <li>• Add Requirement to assign appropriate resources, responsibilities and accountabilities to stakeholder engagement staff; and</li> <li>• Add more detail on implementation of meaningful engagement processes</li> </ul>	<p>Requirement 3. Additional detail and definitions not included, but references for guidance added.</p> <ul style="list-style-type: none"> <li>• Feedback to stakeholders and rights-holders, as well as how input has been integrated into decision-making is covered at Good Practice Level.</li> <li>• Requirement added to assign resources, responsibility and accountability to manage stakeholder and rights-holder engagement.</li> <li>• Meaningful engagement is defined and references added to Performance Area for guidance.</li> </ul>
<b>Good Practice</b>	<ul style="list-style-type: none"> <li>• Requirement 1: move to Foundational Practice Level (one comment); add effective dialogue with local communities; add cultural appropriateness; add documentation of engagement process;</li> <li>• Requirement 2: move to Foundational Practice Level (three comments); add updates to engagement plan;</li> <li>• Requirement 3: define intervals for engagement plan updates; require stakeholder feedback on updates; conflicting input on review interval from 24 to 36 months; include rights holders;</li> <li>• Requirement 4: revise language to include outcomes, effectiveness and continuity of process; include rights holders;</li> <li>• Requirement 5: include training for suppliers, consultants, agents and contractors;</li> <li>• Requirement 6: move to Leading Practice Level (one comment); move to Foundational Practice Level (one comment);</li> <li>• Requirement 7: move to Leading Practice Level (one comment); move to Foundational Practice Level (one comment) add identifying and addressing barriers to participation; add vulnerable groups;</li> <li>• Requirement 8: add monitoring and evaluation mechanisms; include outcomes and responses to stakeholder feedback, including how feedback influenced decision-making; address potential risks for stakeholder fatigue; and</li> </ul>	<ul style="list-style-type: none"> <li>• Towards Good Practice Requirement 3 has been expanded to include 'meaningful engagement' which was previously the core of Good Practice Requirement 1.</li> <li>• Good Practice Requirement 1 has been expanded from Good Practice 2 to require implementation of stakeholder engagement plans, and addresses the suggestions related to the quality of the engagement, including engagement which considers 'convenience, accessibility and gender and cultural appropriateness'.</li> <li>• Review of plans maintained at annually.</li> <li>• The phrase 'and outcomes' has been added to Good Practice Requirement 3 (formerly Requirement 4). Review of effectiveness covered in Good Practice Requirement 7 and Leading Practice Requirement 3. 'Rights-holders' added to 'stakeholders.'</li> <li>• Training for suppliers and business partners is not specified, as most suppliers and business partners do not (and arguably should not) interact with the local community of the Facility. Where applicable, they can be included in the training.</li> <li>• Requirement 6 and 7 (now 5 and 6 respectively) remains at Good Practice Level. Addressing barriers to participation added to Good Practice Requirement 1 and 'women, vulnerable and/or underrepresented groups' added in Good Practice Requirement 6.</li> <li>• Requirement 7 includes a Requirement to make improvements based on the review of effectiveness.</li> </ul>

	<ul style="list-style-type: none"> <li>• Add Requirement on external reporting on engagement activities, outcomes and effectiveness.</li> </ul>	<ul style="list-style-type: none"> <li>• External reporting and disclosure of engagement activities are covered Good Practice Requirement 5 and Leading Practice Requirement 3 in the context of the review of effectiveness of engagement processes.</li> </ul>
<b>Leading Practice</b>	<ul style="list-style-type: none"> <li>• Requirement 1: move to Good Practice Level (one comment); clarify whether co-design of the joint decision-making process or the codesign of the Facility's activities; include implementation of continuous feedback mechanism;</li> <li>• Requirement 2: move to Good or Foundational Practice Level; clarify intent of Requirement;</li> <li>• Requirement 3: move to Good Practice Level; specify review interval; specify making changes to processes following independent review;</li> <li>• Add Requirements, such as providing training to stakeholders and rights holders on advocacy; provide management with nonlinear dialogue training; ensuring feedback loops and clear integration of feedback; and</li> <li>• Incorporate more specificity for engagement with Indigenous stakeholders.</li> </ul>	<ul style="list-style-type: none"> <li>• Lead Practice Requirements 1 and 2 have been reworded slightly but not materially changed (or moved).</li> <li>• The intent of Leading Practice Requirement 2 is to engage the community in issues which go beyond how they are directly impacted in order to improve mutual understanding and trust overall.</li> <li>• Good Practice Requirement 7 and Leading Practice Requirement 3 both have added Requirements to 'make improvements' based on the review of effectiveness.</li> <li>• Suggestions around training are viewed as too detailed for the Consolidated Standard. 'Feedback loops' have been added as per above regarding improvements in Good Practice Requirement 7 and Leading Practice Requirement 3, and in Good Practice Requirement 5 related to feedback to stakeholders and rights-holder on 'how input has been integrated into decision-making or actionable change at the Facility'.</li> <li>• Specific Requirements for engagement with Indigenous Peoples are covered in PA 14 (and a signpost to this was added in the Applicability section of PA 12).</li> </ul>

Table 8.13: Detailed consultation feedback and CMSI Partner responses on Performance Area 13: Community Impacts and Benefits

Sub-Sections	Consultation feedback	CMSI Partner responses
<b>General or Overarching</b>	<ul style="list-style-type: none"> <li>Define ‘impacts’ and ‘outcomes’;</li> <li>Require community agreements to be based on FPIC;</li> <li>Ensure Performance Area covers through to closure;</li> <li>Require procurement initiatives to be reported against gender and ethnicity (ICMM Indicator 7/8);</li> <li>Change ‘adverse impacts’ to ‘harm’ and ‘harm avoidance’;</li> <li>Incorporate further disclosure Requirements;</li> <li>Incorporate further disclosure Requirements;</li> <li>Make Requirements more gender-responsive and inclusive; and</li> <li>Ensure disclosure of social and environmental expenditures align with EITI 4.6, 5.2 and 6.1; add references to GRI, Local Procurement Reporting Mechanism (LPRM), EITI and the Canadian Institute of Mining, Metallurgy and Petroleum.</li> </ul>	<ul style="list-style-type: none"> <li>‘Adverse impacts’ already defined in the Glossary; ‘outcomes’ is used in the general sense and it would be difficult to define further in this Standard.</li> <li>Agreements requiring FPIC apply to Indigenous Peoples and covered in PA 14. Closure Requirements, including extensive engagement with communities during closure planning, are covered in PA 24 and this is now flagged in the Applicability section.</li> <li>A Requirement to publicly report socio-economic data using a credible reporting framework is covered in a new Requirement, Section 13.2 Leading Practice Requirement 6.</li> <li>The term ‘adverse impacts’ has been maintained across the Consolidated Standard although the term ‘minimise harm’ has been inserted into the Intent of this Performance Area.</li> <li>Language in Section 13.1 Good Practice Requirement 4 has been added to supplement Section 13.1 Good Practice Requirement 2 to address women, vulnerable and/or underrepresented groups.</li> <li>EITI disclosure is covered in PA 1.3. References to GRI, LPRM and ICMM’s reporting frameworks have been added to Section 13.2 Good Practice Requirement 6 (new).</li> </ul>
<b>13.1 - Community Impact Management</b>		
<b>General or Overarching</b>	<ul style="list-style-type: none"> <li>Move Good and Leading Practices to Foundational Practice Level; and</li> <li>Address inconsistencies with Performance Areas in consideration of human rights and stakeholder engagement.</li> </ul>	<ul style="list-style-type: none"> <li>Requirements have not moved Levels but have been edited to address the wide range of, sometimes conflicting, comments. For more details on how Towards Good Practice Requirements have been set, see Section 2.3 (Responses to Key Fundamental and Structural Feedback).</li> <li>Inconsistencies will be addressed in the revised draft.</li> </ul>
<b>Foundational Practice (Now Towards Good Practice)</b>	<ul style="list-style-type: none"> <li>Requirement 1: include identification of cultural and nonmaterial risks, particularly for Indigenous Peoples and Indigenous-managed lands; align with UNGPs; include consultation and engagement with stakeholders to identify risks;</li> </ul>	<ul style="list-style-type: none"> <li>Consultation with stakeholders and rights-holders when identifying risks and impacts has been added to Requirement 1.</li> <li>Indigenous Peoples specific Requirements are covered in detail in PA 14. This cross-reference is highlighted in the Applicability section now.</li> </ul>

	<ul style="list-style-type: none"> <li>Requirement 2: frame with mitigation hierarchy; align with UNGPs; specify prevention and mitigation for Indigenous-managed lands and culturally significant sites; include risks and impacts related to invasive species; require prevention, mitigation and reduction of impacts;</li> <li>Requirement 3: publicly report on impacts and progress as required under UNGP 21; require seeking feedback from stakeholders on effectiveness of impact mitigation; and</li> <li>Add Requirements, such as public commitment to avoiding harm; Social Impact or Social Performance Management Plans; further specifications on engagement and consultation with stakeholders in identifying risks and impacts.</li> </ul>	<ul style="list-style-type: none"> <li>Mitigation hierarchy has been referenced in Requirement 2, edit made to add 'minimise'.</li> <li>Alignment with UNGPs has been addressed comprehensively in PA 5 (including public disclosure of how impacts are addressed – see PA 5 Good Practice Requirement 4) and intentionally not duplicated in PA 13.</li> <li>Clarification related to engagement and consultation with stakeholder and rights-holders has been added, including a Towards Practice Requirement 1, Good Practice Requirements 1 &amp; 4 and Leading Practice Requirement 1.</li> <li>Social performance management plans are covered in PA 4 for new projects and development and implementation of 'action plans' to address prioritised impacts required in PA 13 Good Practice Requirement 1. Public commitment to avoiding harm has not been included at this stage.</li> </ul>
Good Practice	<ul style="list-style-type: none"> <li>Requirement 1: move to Foundational Practice Level (four comments); specify engagement with Indigenous Peoples and FPIC; include process to monitor adverse impacts;</li> <li>Requirement 2: move to Foundational Practice Level (two comments); conflicting feedback, with one comment requesting removal and other comments supporting intent and requests for strengthening the Requirement;</li> <li>Requirement 3: specify co-design of action plans with Indigenous Peoples;</li> <li>Requirement 4: incorporate a gender-sensitive monitoring process; require external communications on progress and effectiveness; include Indigenous-led or co-managed monitoring;</li> <li>Add Requirements, such as social transition plan in advance of closure; measures to address cumulative impacts; require independent reviews of mitigation effectiveness; funding or other support as needed to enable communities to effectively participate; and</li> <li>Clarify language to support meaningful engagement.</li> </ul>	<ul style="list-style-type: none"> <li>Requirements have not moved Levels but have been edited to address the wide range of, sometimes conflicting, comments. For more details on how Towards Good Practice Requirements have been set see Section 2.3 of this Report (Responses to Key Fundamental and Structural Feedback).</li> <li>Indigenous Peoples' specific Requirements are covered in detail in PA 14 (added cross-reference in Applicability section) and UNGP alignment addressed in PA 5.</li> <li>Requirement 4 has been expanded to account for unique impacts on women, vulnerable and underrepresented stakeholders and rights-holders. Added reference to cumulative impacts.</li> <li>Joint monitoring of action plans with stakeholders and rights-holders has been included in Leading Practice Requirement 1 and public disclosure of effectiveness review in Leading Practice Requirement 2.</li> <li>Edited Requirements in Leading Practice Requirements 1-2 to collaborate with stakeholders and rights-holders to conduct joint monitoring and a review of effectiveness, which was deemed preferable to having an independent review (i.e., by an external consultant).</li> <li>Requirement has been added in Leading Practice Requirement 4 to provide support, training and/or resources to help stakeholders and rights-holders in the assessment of risks and impacts and monitoring of actions plans.</li> </ul>



		<ul style="list-style-type: none"> <li>• Definition of meaningful engagement has been added to Glossary.</li> </ul>
<b>Leading Practice</b>	<ul style="list-style-type: none"> <li>• Requirement 1: move to Foundational; Practice Level (one comment); explicitly include Indigenous-led reviews on impacts;</li> <li>• Requirement 2: specify sharing monitoring results; link to monitoring community complaints;</li> <li>• Requirement 3: align with Indigenous Peoples' governance models and stewardship practices; and</li> <li>• Add Requirements, such as managing cumulative effects with governments and other industries; co-design of preventative and mitigation measures; specific indicators for key potential impacts.</li> </ul>	<ul style="list-style-type: none"> <li>• Requirements have not moved Levels but have been edited to address the wide range of, sometimes conflicting, comments. For more details on how Towards Good Practice Requirements have been set see Section 2.3 of this Report (Responses to Key Fundamental and Structural Feedback).</li> <li>• Indigenous Peoples specific Requirements are covered in detail in PA 14 (added cross-reference in Applicability section).</li> <li>• Edited Leading Practice Requirement 1-2 to collaborate with stakeholders and rights-holders to conduct joint monitoring and a review of effectiveness, which was deemed preferable to having an independent review (i.e., by an external consultant).</li> <li>• Requirement added in Leading Practice Requirement 4 to provide support, training and/or resources to help stakeholders and rights-holders in the assessment of risks and impacts and monitoring of actions plans.</li> <li>• Direct, indirect and cumulative impacts now specified in Good Practice Requirement 4.</li> </ul>
<b>13.2 - Community Development and Benefits</b>		
<b>General or Overarching</b>	<ul style="list-style-type: none"> <li>• Introduce specific, measurable targets for local employment and procurement.</li> </ul>	<ul style="list-style-type: none"> <li>• Targets for local employment and procurement included in Good Practice Requirement 7. A new Requirement to publicly report socio-economic data using a credible reporting framework has also been added in Section 13.2 Leading Practice Requirement 6.</li> </ul>
<b>Foundational Practice</b>	<ul style="list-style-type: none"> <li>• Requirement 1: specify community-defined priorities, including Indigenous Peoples; specify accessibility of public disclosure;</li> <li>• Requirement 2: move to Good or Leading Practice Level (one comment); incorporate Indigenous-defined indicators;</li> <li>• Requirement 3: refine language to include local employment plan and tracking; consider closure impacts and balance throughout lifecycle;</li> <li>• Requirement 4: specify access to procurement and contracting opportunities for Indigenous Peoples' enterprises; consider definition/phrasing of 'local enterprises'; and</li> </ul>	<ul style="list-style-type: none"> <li>• Towards Good Practice 6 (formerly 5) has been changed from 'develop a community investment plan' to 'develop a community development plan' and 'in consultation with local stakeholders and rights-holders'. Definition of 'Community development' expanded.</li> <li>• Indigenous Peoples specific Requirements are covered in detail in PA 14 (added cross-reference in Applicability section).</li> <li>• Towards Good Practice Requirement 3 (formerly 2) and Towards Good Practice Requirement 6 (formerly 5) not moved to a higher level, as they are considered basic practice. Changes to Towards Good Practice Requirement 6 described above.</li> </ul>

	<ul style="list-style-type: none"> <li>Requirement 5: move to Good or Leading Practice Level (two comments); prioritise Indigenous-led initiatives.</li> </ul>	<ul style="list-style-type: none"> <li>Added Requirement to define ‘area of influence’ and ‘local’ in the context of applying local employment and procurement programs. A generic definition of ‘<i>Local</i>’ also added to Glossary.</li> </ul>
Good Practice	<ul style="list-style-type: none"> <li>Requirement 1: incorporate gender-sensitivity and specify Indigenous Peoples involvement; require community dialogue with independent advice for negotiating impact and benefit agreements;</li> <li>Requirement 2: specify engagement with Indigenous Peoples; consider adaptability for Facility size and social context;</li> <li>Requirement 3: specify Indigenous governance bodies; consider adaptability for Facility size and social context;</li> <li>Requirement 4: clarify ‘local’ procurement and employment; add suppliers; codify with related policies and procedures;</li> <li>Requirement 7: include commitment to publicly disclose performance</li> <li>Requirement 8: change ‘progress’ to ‘objectives’;</li> <li>Requirement 9: align public disclosure with existing Standards, such as LPRM;</li> <li>Requirements 4-9: specify programmes targeting Indigenous skill building;</li> <li>Add Requirements, such as availability of information related to procurement like a website; foster development through benefit sharing, value addition, technology transfer and economic diversification;</li> <li>Incorporate gender equality, especially as related to procurement opportunities;</li> <li>Add explicit inclusion of local procurement codified in policies and procedures across Requirements; and</li> <li>Review Portuguese translations of Requirements 6, 7 and 9.</li> </ul>	<ul style="list-style-type: none"> <li>Indigenous Peoples specific Requirements are covered in detail in PA 14, including engagement (see PA 14 Towards Good Practice Requirements 3-4, Good Practice Requirements 1-4, etc) and independent support related to good faith negotiation of agreements (see PA 14 Good Practice Requirement 5). Reference to Indigenous business also added in Leading Practice Requirement 2.</li> <li>Engagement Requirement in Good Practice Requirement 2 highlights engagement with women, and additional gender-sensitive language added to Good Practice Requirement 7.</li> <li>Added ‘commensurate with the social content of the Facility’ to Towards Good Practice Requirement 6 in relation to the community development plan to ensure this is developed with the local context in mind.</li> <li>Added Requirement to define ‘area of influence’ and ‘local’ in the context of applying local employment and procurement programs. A generic definition of ‘<i>Local</i>’ also added to Glossary to supplement the definition of ‘<i>Local procurement</i>’ which already includes a reference to suppliers.</li> <li>Requirement 8 has been edited for clarity.</li> <li>Public disclosure of ‘relevant information’ related to community development, local procurement and local employment programmes is included in Good Practice Requirement 9. Given these programmes are so variable depending on the local context, the details of exact disclosure are unspecified. However, Leading Practice Requirement 6 requires reporting with recognised reporting frameworks such as the Local Procurement Reporting Mechanism (which covers many of the suggested additional Requirements, e.g., website, etc).</li> <li>Suggestion related to economic diversification included in Leading Practice Requirement 5 as well as a link to PA 24.</li> <li>Added language in Good Practice Requirement 7 to supplement Towards Good Practice Requirement 2 to address women, vulnerable and/or underrepresented groups including targets for local procurement.</li> </ul>

	<ul style="list-style-type: none"> <li>• Applicability section has been expanded and includes cross-references to other Performance Areas in the Consolidated Standard (although not specific to local procurement).</li> </ul>
Leading Practice	<ul style="list-style-type: none"> <li>• Requirement 1: move to Good Practice Level (four comments); add partnership and involvement in decision-making processes for community leadership; specify leading role for Indigenous Peoples where Indigenous lands, territories and resources are involved, including FPIC;</li> <li>• Requirement 2: move to Good Practice Level (three comments); specify cultural respectful training and self-defined economic roles for Indigenous Peoples; adjust wording to support larger economic system;</li> <li>• Requirement 3: move to Good Practice Level (two comments); clarify intended recipients of opportunities; incorporate Indigenous ecological knowledge and culturally relevant skill training; broaden to include long-term socioeconomic development; incorporate equitable access and equal opportunity;</li> <li>• Requirement 4: move to Good Practice Level (four comments);</li> <li>• Requirement 5: move to Good Practice Level (two comments); incorporate long-term community development opportunities into closure plans, including Indigenous-governed legacy funds and economic models; specify community engagement;</li> <li>• Add Requirements, such as disclose procurement data in accordance with the LPRM; and</li> <li>• Review Portuguese translation of Requirement 2.</li> <li>• Leading Practice Requirements 1-5 have not been moved to Good Practice Level as they fit better in the Leading Practice Level and are incremental to existing Good Practice Requirements. Also, this preserves consistency across the Consolidated Standard.</li> <li>• Added 'and partner with' to Requirement 1.</li> <li>• Indigenous Peoples specific Requirements are covered in detail in PA 14, including engagement (see PA 14 Towards Good Practice Requirements 3-4, Good Practice Requirements 1-4, etc) and independent support related to good faith negotiation of agreements (see PA 14 Good Practice Requirement 5). Reference to Indigenous business also added in Section 13.2 Leading Good Practice Requirement 2.</li> <li>• Requirement 3 has been edited to clarify the 'opportunities' are in support of the local employment program (i.e., potential local employees are the recipients).</li> <li>• 'Long-term' has been added to Towards Good Practice Requirement 2. Links between this PA and PA 14 added in Applicability and referenced in Leading Practice Requirement 5. Additionally, the definition of '<i>Community development</i>' expanded to reference 'building community resilience and ability of a community to thrive independently beyond the life of the mine'.</li> <li>• Leading Practice Requirement 6 requires reporting with recognised reporting frameworks such as the LPRM.</li> <li>• Translations will be reviewed before the release of the revised Standard for the 2nd public consultation.</li> </ul>

Table 8.14: Detailed consultation feedback and CMSI Partner responses on Performance Area 14: Indigenous Peoples

Sub-Sections	Consultation feedback	CMSI Partner responses
<b>14.1 - Indigenous Peoples</b>		
<b>General or Overarching</b>	<ul style="list-style-type: none"> <li>Clarify overlap between Practice Levels and/or strengthen Requirements at Good and Leading Practice Levels;</li> <li>Align with UNDRIP and other global Standards and international law; and</li> <li>Clarify language on FPIC, including the definitions of 'Indigenous Peoples' and 'cultural heritage'.</li> </ul>	<ul style="list-style-type: none"> <li>The revised draft aligns Good and Leading practice with established best practices and frameworks such as IFC, ILO 169, UNDRIP and the UNGPs. This includes alignment with international human rights law.</li> <li>Extensive updates to language have been made throughout this Performance Area to strengthen Requirements and definitions, including when referencing to free, prior and informed consent (FPIC), and definitions for '<i>Indigenous Peoples</i>' and '<i>Cultural heritage</i>'.</li> <li>Where overlap was present across the levels, adjustments have been made to differentiate Requirements and showcase a gradual progression where there are similar kinds of Requirements across levels.</li> </ul>
<b>Foundational Practice (Now Towards Good Practice)</b>	<ul style="list-style-type: none"> <li>Requirement 1: Add specific reference to FPIC as one of UNDRIP's central 'principles' to avoid any potential risk of misinterpretation where consent becomes optional or negotiable (three comments); add collaboration with Indigenous Peoples on land, water and biodiversity; remove 'traditional';</li> <li>Requirement 2: expand and clarify to incorporate engagement that is structured, ongoing and conducted in adherence to the principle of FPIC; identification of Indigenous Peoples' lands, territories, resources and representative institutions; engagement throughout lifecycle;</li> <li>Requirement 3: add specific reference to the principle of FPIC;</li> <li>Requirement 4: conflicting input on whether Performance Area 14 should be combined with Performance Area 12 or strengthened with further detail on workers and other parties to receive training, frequency, scope, Indigenous input and expert professionals; and</li> <li>Add additional Requirements, such as access to procurement and contracting opportunities; establish representative bodies, organisations or persons with a legislative or traditional right to</li> </ul>	<ul style="list-style-type: none"> <li>Specific reference to UNDRIP and UNGPs, including to FPIC, has been made in Requirement 1. In addition, Requirements around avoiding adverse impacts to Indigenous Peoples critical cultural heritage and avoiding relocation of Indigenous Peoples has been moved from Good Practice Level to Towards Good Practice Level, with specific reference to the need for agreements in such scenarios through a process demonstrating FPIC.</li> <li>New Requirement has been added (Requirement 2) to address the need to identify Indigenous Peoples who may be adversely affected prior to undertaking new activities. Requirement 3 has been strengthened to acknowledge meaningful early engagement in accordance with Indigenous Peoples' procedures, protocols and governance structures. Requirement 4 notes the need for sustained engagement on an ongoing basis.</li> <li>While there are synergies with PA 12, there is a need to outline the additional Requirements for Facilities in PA 14 that are specific to Indigenous Peoples.</li> <li>Requirement 4 around training has been strengthened to require collaboration with Indigenous Peoples in the provision of such training.</li> </ul>

represent Indigenous Peoples; appoint senior management member and create structure responsible to interaction with Indigenous Peoples and publicly report on practices; access to grievance mechanisms.

#### Good Practice

- Requirement 1: conflicting input on whether to remove or split into multiple Requirements due to length and complexity; incorporate protection and noninterference for Indigenous Peoples in voluntary isolation;
- Requirement 2: move to Foundational Practice Level (three comments); clarify language related to the principle of FPIC;
- Requirement 3: incorporate references to ILO Convention 169, UNDRIP and IFC Performance Standards; define 'relocation' and clarify that there should be no relocation without consent;
- Requirement 4: remove second sentence on permission (two comments); move to Foundational Practice Level; clarify language, including 'where appropriate,' 'voices,' 'knowledge' and 'perspective';
- Requirement 5: remove 'good faith';
- Requirement 6: change phrasing to clarify 'obtain agreement' in accordance with the principles of FPIC; strengthen documentation Requirements; add agreement on grievance and remediation mechanisms;
- Requirement 7: edit Requirement to ensure principles of FPIC are not presented as optional; consider removing Requirement;
- Consider combining Requirements 6, 7 and 8 and/or moving to Foundational Practice Level;
- Requirement 8: add 'co-design' of mechanisms with Indigenous Peoples; clarify overlap/redundancy with other Requirements, such as Performance Area 13; clarify language on business procurement opportunities;
- Adjustments have been made to Requirements and certain elements around engaging with Indigenous Peoples in vulnerable situations and have been moved to a separate Requirement. A new Requirement has been added at the Towards Good Practice Level to outline that Facilities should exercise a precautionary approach and avoid any contact with Indigenous Peoples in voluntary isolation or initial contact.
- Requirement 2 remains at the Good Practice Level with some edits to clarify the significance of conducting Human Rights Due Diligence aligned with the UNGPs and FPIC.
- Requirements around avoiding adverse impacts to Indigenous Peoples critical cultural heritage and avoiding relocation of Indigenous Peoples have been moved from Good Practice Level to Towards Good Practice Level, with specific reference to the need for agreements in such scenarios through a process demonstrating FPIC.
- Requirements 6, 7 and 8 have been merged and strengthened to require engagement and due diligence to obtain agreement with affected Indigenous Peoples on anticipated impacts through a process demonstrating free, prior and informed consent (FPIC). The Requirement acknowledges that agreement may be reached with some affected communities of Indigenous Peoples, but opposition may remain from other affected communities and how to proceed in such situations.
- Requirement 7 (previously Good Practice Requirement 9) has been strengthened to include a periodic review of agreements and commitments at defined intervals or as agreed upon through ongoing meaningful engagement and by sharing relevant information and data as required.
- Requirement 8 (previously Good Practice Requirement 10) has been strengthened to note the need for collaboration with Indigenous Peoples, and that the terms and conditions of such access should be included in related agreement(s).

	<ul style="list-style-type: none"> <li>Requirement 9: specify collaboration with Indigenous Peoples and that all parties comprehend and agree to terms; specify data access, transparency, and corrective action for noncompliance;</li> <li>Requirement 10: clarify co-design of access protocols, referencing UNDRIP Articles 11 and 25 and ILO Convention No. 169, Article 15(1);</li> <li>Requirement 11: align with grievance mechanism processes in Performance Area 17; require co-development of grievance mechanism with Indigenous Peoples; incorporate zero tolerance for intimidation and reprisal; move to Foundational Level;</li> <li>Requirement 12: combine or address overlap with Foundational Practice 4; and</li> <li>Incorporate further language on engaging with Indigenous Peoples, protecting culture and traditions.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 9 (previously Good Practice Requirement 11) has been strengthened to align more closely with UNGPs, and the need to establish a grievance mechanism that is culturally appropriate and accessible (including, where appropriate, independent mechanisms) to resolve grievances and facilitate remediation.</li> <li>Where overlap was present across the levels, adjustments have been made to differentiate Requirements and showcase a gradual progression where there are similar kinds of Requirements across levels. Requirement 10 (previously Good Practice Requirement 12) now shows a progression from Towards Good Practice Requirement 6.</li> </ul>
Leading Practice	<ul style="list-style-type: none"> <li>Requirement 1: clarify language and expectations that differentiate from Foundational and Good Practice Levels; move to Good or Foundational Level;</li> <li>Requirement 2: move to lower Practice Level; clarify overlap with Good Practice Requirement 12;</li> <li>Requirement 3: add suggested additions such as Indigenous Peoples involvement in material and technical modernisation, environmental monitoring and economic development programmes within framework of agreements;</li> <li>Requirement 4: move to Good Practice Level or require independent rather than internal review; include hiring professionals with expertise in Indigenous relations and reviews with respect to gender and generational equity;</li> <li>Requirement 5: clarify overlap with other Requirements, such as Leading Practice 2 and Requirements in Performance Area 13; clarify 'associated facilities'; and</li> <li>Strengthen Leading Practice Level; potential additions include impact assessment processes and Territorial Management Plans with Indigenous Peoples involvement, youth training</li> </ul>	<ul style="list-style-type: none"> <li>Where overlap was present across the levels, adjustments have been made to differentiate Requirements and showcase a gradual progression where there are similar kinds of Requirements across levels.</li> <li>Some Requirements at the Leading Practice Level have been removed or merged into others for clarity.</li> <li>Requirement 4 has been strengthened to require collaboration with Indigenous Peoples on the review of effectiveness, along with the provision to make improvements as required based on the review.</li> </ul>

opportunities, partnership agreements and participation in broader reconciliation processes.

Table 8.15: Detailed consultation feedback and CMSI Partner responses on Performance Area 15: Cultural Heritage

Sub-Sections	Consultation feedback	CMSI Partner responses
<b>15.1 - Cultural Heritage</b>		
<b>General or Overarching</b>	<ul style="list-style-type: none"> <li>Align Performance Area 15 with IFC Performance Standard 8 Cultural Heritage, ILO Convention 169, Article 13 (relationship of Indigenous Peoples with sacred sites) and World Heritage Convention bodies (i.e. the International Council on Monuments and Sites);</li> <li>Strengthen Performance Area to make an explicit linkage between protection of cultural heritage, Indigenous rights and FPIC;</li> <li>Reference World Heritage Convention (1972) and Intangible Cultural Heritage (2003); United Nations Educational, Scientific and Cultural Organization (UNESCO) Guidance for World Heritage in 'no-go' commitment;</li> <li>Expand the definition of 'affected traditional owners and users' to include specific reference to 'Indigenous Peoples' and 'competent national authorities' as potential custodians of cultural heritage and resources;</li> <li>Retain 'competent professionals' in the management of cultural heritage; and</li> <li>Consider inclusion of mine closure in relation to cultural heritage management.</li> </ul>	<ul style="list-style-type: none"> <li>The revised draft aligns Good and Leading Practice Levels with established best practices such as IFC, ILO 169, and others.</li> <li>The Performance Area has been strengthened to make the connection between cultural heritage protection and Indigenous rights. There is explicit reference to avoiding significant adverse impacts to Indigenous Peoples' critical cultural heritage without their free, prior and informed consent in Towards Good Practice Requirement 3.</li> <li>The revised draft references the 1972 World Heritage Convention in the glossary. Language has also been updated to align with UNESCO's guidance, requiring that Facilities avoid exploration or mining within cultural World Heritage Sites.</li> <li>PA 15 has been adjusted to reference to 'stakeholders and rights-holders' and including explicit reference to Indigenous Peoples, rather than 'affected traditional owners and users'. This enables a broader subset of individual, groups or entities to be captured under the Performance Area Requirements.</li> <li>Requirement to engage competent professionals in the management of cultural heritage have not been spelled out but it is implicit and would be necessary in order to meet the Requirements of the Performance Area.</li> <li>References to mine closure and post-closure obligations in relation to cultural heritage management have not been added. Closure related Requirements are referenced to in PA 24.</li> </ul>
<b>Foundational Practice (Now Towards Good Practice)</b>	<ul style="list-style-type: none"> <li>Requirement 1: strengthen statement and commitment to legal protections for cultural heritage and resources; reference intangible cultural heritage resources to expand the statement's scope; remove the word 'protect'; include Indigenous Peoples and agricultural and local groups and users in a collaborative process of identification and management of cultural heritage (two comments);</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 1 has been revised to strengthen commitments to preserve and safeguard cultural heritage. The Intent of this Performance Area notes that cultural heritage can be both tangible and intangible, therefore there is no need to explicitly reference this in each Requirement. The subsequent Requirement (Towards Good Practice Requirement 2) references consultation with stakeholders and rights-holders to identify and assess risks to cultural heritage.</li> </ul>



	<ul style="list-style-type: none"> <li>Requirement 2: amend to 'identify and assess', requiring assessment at the Foundational Practice Level (three comments); include in impact assessment if a World Heritage Site may be impacted, explicitly referencing abstention of activities that could harm World Heritage Sites; engage and collaborate with expert international organisations (i.e. UNESCO and World Heritage Convention bodies) and government authority inventories in the protection of World Heritage Sites; consider adding 'relevant' in reference to traditional users (i.e. management of palaeontological finds); formalise the identification process to include cultural experts and reference to protection of tangible and intangible resources (two comments); include traditional land use and community studies in identification process; include consideration of how mining activities may exacerbate climate-related impacts on cultural heritage resources; and</li> <li>Requirement 3: link accountability with respect Indigenous Peoples as rights holders and FPIC (two comments).</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 2 has been amended to require both identification and assessment of risks to cultural heritage. A new Requirement has been added in Towards Good Practice Requirement 5 to not explore, mine or undertake other operational activities within cultural World Heritage Sites. Provisions have been strengthened to ensure that such identification and assessment is informed by collaboration with Governments, relevant organisations and international organisations; and understanding of traditional land use studies and Indigenous Peoples' knowledge. References to climate-related impacts on cultural heritage resources have not been added.</li> <li>Requirement 3 has been updated to acknowledge the need to work through decision-making processes as outlined in PA14, which addresses obtaining agreement through a process demonstrating free, prior and informed consent (FPIC) where there are unavoidable potential adverse impacts to Indigenous Peoples' critical cultural heritage. .</li> </ul>
Good Practice	<ul style="list-style-type: none"> <li>Requirement 1: move to the Foundational Practice Level (one comment); replace 'adversely impacting' with reference to 'harm' or 'damage'; include Indigenous Peoples and utilise Indigenous-led processes in assessing project design alternatives (two comments);</li> <li>Requirement 2: expand training to include raising awareness of cultural heritage, local Indigenous practices and history and capacity of staff, contractors and suppliers to manage chance finds (three comments);</li> <li>Requirement 3: review the use of the word 'critical' in referencing cultural heritage; all cultural heritage should be considered in identification and assessment processes; remove reference to other Performance Areas (Performance Area 14, given potential for penalisation of Site in multiple Performance Areas in crosscutting areas);</li> <li>Requirement 4: seek formal or informal agreement with affected Indigenous Peoples, aligning with international bodies such as</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 1 not moved as this Requirement builds on what is expected in Towards Good Practice Requirement 2 and what companies should be doing to align with Good Practice Level. Language around 'adversely impacting' has been retained as this is commonly used and accepted language across other international standards to recognise negative effects. Indigenous-led processes for assessing project design alternatives are not specifically noted; however, reference to engagement with 'stakeholders and rights-holders' has been made where Indigenous Peoples are captured under 'rights-holders'.</li> <li>Training includes awareness of cultural heritage and Indigenous Peoples' cultural practices and histories. While it does not explicitly expand to include training to manage chance finds, Good Practice Requirement 5 notes the development and implementation of a chance finds procedure in collaboration with stakeholders and rights-holders.</li> <li>This Requirement has been moved to the Towards Good Practice Level and retains reference to 'critical' as this is consistent with IFC terminology. Reference to PA 14 remains as it is necessary to align with any relevant</li> </ul>

	<p>the International Council on Monuments and Sites; replace ‘in collaboration’ with ‘in agreement’ (three comments); emphasise Indigenous Peoples’ approval of cultural heritage impact mitigation measures (two comments);</p> <ul style="list-style-type: none"> <li>Requirement 5: stress any loss or damage to World Heritage Sites’ ‘Outstanding Universal Value’ is unacceptable; consider referencing World Heritage Sites to emphasise as an unacceptable circumstance; reference in the Foundational Practice Level (two comments); define the conditions when an activity may outweigh loss of critical cultural heritage; link removal and preservation of critical irreplaceable cultural heritage to FPIC and alignment with local Indigenous customs;</li> <li>Requirement 6: emphasise respect for Indigenous rights and FPIC in development of a co-signed process for management of chance finds, including culturally sensitive documentation and restrictions on knowledge-sharing practices; and</li> <li>Requirement 7: consider expanding the definition of ‘affected traditional and owners’ to include ‘national authorities’ as potential custodians of cultural heritage.</li> </ul>	<p>decision-making processes specific to Indigenous Peoples as outlined in that Performance Area.</p> <ul style="list-style-type: none"> <li>The Applicability Section at the beginning of this Performance Area notes PA 14 as having additional Requirements specific to engagement, due diligence, and agreement-making in relation to affected Indigenous Peoples that should be considered in congruity with this Performance Area.</li> <li>Loss or damage to cultural World Heritage Sites’ ‘Outstanding Universal Value’ is now addressed in Towards Good Practice Requirement 5. Conditions under which an activity may outweigh loss of critical cultural heritage are not defined. Towards Good Practice Requirement 4 references avoiding significant adverse impacts to Indigenous Peoples’ critical cultural heritage without their free, prior and informed consent (FPIC).</li> <li>The Applicability section notes that Indigenous Peoples hold specific rights to practise and revitalise their cultural traditions and customs and the right to maintain, control, protect and develop their cultural heritage and traditional knowledge, and noted that this Performance Area should be considered in congruity with PA 14 when Indigenous Peoples’ cultural heritage is potentially affected. Good Practice Requirement 5 mentions developing a chance finds procedure in collaboration with stakeholders and rights-holders, which includes Indigenous Peoples.</li> <li>PA 15 has been adjusted to reference to ‘stakeholders and rights-holders’ which enables a broader subset of individual, groups or entities to be captured under the Performance Area Requirements which could include ‘national authorities’ as appropriate.</li> </ul>
Leading Practice	<ul style="list-style-type: none"> <li>Requirement 1: move to the Good Practice Level (one comment); include reference to Indigenous Peoples (two comments); provide more context and process Requirements; key performance indicators;</li> <li>Requirement 2: move to the Good Practice Level (two comments); include cultural heritage experts in providing training to all workers; move to Foundational Practice Level;</li> <li>Requirement 3: emphasise Indigenous-led initiatives to protect, retain and/or repatriate tangible and intangible cultural heritage and resources, including support for dedicated financial and</li> </ul>	<ul style="list-style-type: none"> <li>PA 15 has been adjusted to reference to ‘stakeholders and rights-holders’ and including explicit reference to Indigenous Peoples as and when appropriate recognising they are captured under ‘rights-holders’.</li> <li>Improvements have been made to strengthen a number of Requirements, but Leading practice Requirements have not been moved to Good Practice or Towards Good Practice Level.</li> <li>Requirements to engage cultural heritage professionals/experts have not been included as this is too prescriptive (i.e., companies may have this expertise internally and/or such decisions can vary depending on the Facility/ operating context).</li> </ul>

technical resources (four comments); consider whether the use of the words 'future' and 'reconnection' in this Requirement are unclear or necessary;

- Requirement 4: emphasise development and implementation of Indigenous-led monitoring processes and performance indicators (two comments); and
- Requirement 5: include support for ongoing dedicated financial and technical resources / advisory groups.

- Requirement 3 outlines Indigenous-led cultural heritage programmes, repatriation of tangible cultural heritage and supporting connection to intangible cultural heritage.
- Requirement 4 outlines provisions for capacity support where applicable. References to 'future' and 'reconnection' dropped for added clarity.

Table 8.16: Detailed consultation feedback and CMSI Partner responses on Performance Area 16: Artisanal and Small-Scale Mining

Sub-Sections	Consultation feedback	CMSI Partner responses
<b>16.1 - Artisanal and Small-Scale Mining (ASM)</b>		
<b>General or Overarching</b>	<ul style="list-style-type: none"> <li>Reference other Standards, such as CRAFT 2.1 Code, Fairmined and Alliance for Responsible Mining Standards;</li> <li>Reference ‘professionalisation’ of ASM activities (World Bank paper on ASM) at: <a href="https://www.worldbank.org/en/news/pressrelease/2024/09/19/world-bank-s-new-framework-to-boost-sustainable-and-inclusive-artisanal-and-small-scale-mining">https://www.worldbank.org/en/news/pressrelease/2024/09/19/world-bank-s-new-framework-to-boost-sustainable-and-inclusive-artisanal-and-small-scale-mining</a>; and</li> <li>Women and other vulnerable groups face unique challenges related to ASM and LSM support for alternative or complementary livelihoods.</li> </ul>	<ul style="list-style-type: none"> <li>Other standards listed are for implementation by artisanal and small-scale mining industry and, therefore, are not comparable to this Standard which is aimed at industrial mining.</li> <li>Reference to professionalism has been added to Towards Good Practice Requirement 2 and Good Practice Requirement 3, and the World Bank paper added to references.</li> <li>Reference to the unique experiences of women and children and other potentially vulnerable groups has been added in Good Practice Requirement 1 and Leading Practice Requirement 2.</li> </ul>
<b>Foundational Practice (Now Towards Good Practice)</b>	<ul style="list-style-type: none"> <li>Requirement 1: add considerations, in addition to legality, for fairness as ASM miners may not have access to legal system, protections or remedies; develop more detailed criteria for determining whether an ASM is operating within a legal framework (three comments); include a statement or requirement when ASM is determined to be illegal / not legitimate ASM; include a commitment to undertaking a risk and impact assessment of ASM (four comments); and</li> <li>Requirement 2: consider ASM during LSM closure and rehabilitation and reference assistance for ASM during this project phase; if ASM is deemed illegal / not legitimate, include support for ASM miners (i.e. training; alternative employment); expand the scope of ASM assessment and engagement activities beyond ‘formalisation’ activities; consider the socioeconomic / legal / reputational risks and opportunities for the LSM in supporting ASM activities; support for formalisation of ASM may restrict/limit LSM land rights or constitute support for activities deemed illegal; ASM governance may have LSM reputational impacts.</li> </ul>	<ul style="list-style-type: none"> <li>Significant additions to the Applicability section that addresses extensive comments about the absence of certain Requirements in PA 16 which are covered in other Performance Areas were made. ASM communities would be included in mapping of stakeholders required in PA 4 and PA 12, and covered by Requirements related to engagement, community development, local employment/ procurement in PA 13 and other Performance Areas.</li> <li>The Consolidated Standard does not address fairness issues related to ASM or provide guidance on assessing its legal compliance, as such matters are highly jurisdiction specific.</li> <li>Requirements to assess risks and impacts (Good Practice Requirement 1) to ASM from the Facility, and to develop a plan to mitigate them (Good Practice Requirement 2) have been added. However, this applies only to risks from the Facility and do not extend to other inherent risks associated with ASM itself given these are often outside the influence of the Facility (as noted now in the Applicability section).</li> <li>Requirements for engagement with and support for stakeholders, including ASM communities, are covered in PA 4, PA 12, PA 13, PA 24 and others.</li> </ul>

		<ul style="list-style-type: none"> <li>Addressing how to engage/manage ASM stakeholder relations and/or reputational issues when ASM are deemed 'illegal' is beyond the scope of the Consolidated Standard.</li> </ul>
Good Practice	<ul style="list-style-type: none"> <li>Requirement 1: move all Good Practice Level Requirements to Foundational Practice Level; move 'assess risks and impacts' to the Foundational Practice Level; include assessment of LSM impacts on ASM and ASM communities (three comments); in addition to formalisation, consider adding reference to 'professionalisation' of ASM activities;</li> <li>Requirement 2: add 'impacts' to be mitigated; re-balance perspective on ASM's risk and impact on LSM by adding Good Practice referencing 'coexistence' of ASM and LSM;</li> <li>Requirement 3: move to the Foundational Practice Level (one comment); move to the Leading Practice Level (one comment); reference gender / vulnerable groups; and</li> <li>Requirement 4: move to the Leading Practice Level; remove duplication (covered in Performance Area 17); Add 'legitimate' (ASM operators) Requirement 5; remove duplication (covered under Performance Area 3).</li> </ul>	<ul style="list-style-type: none"> <li>Good Practice Requirements have not been moved to Towards Good Practice Level as they fit better in the Good Practice Level and are incremental to existing Towards Good Practice Requirements.</li> <li>Requirements to assess risks and impacts (Good Practice Requirement 1) to ASM from the Facility, and to develop a plan to mitigate them (Good Practice Requirement 2) have been added.</li> <li>References to professionalism have been added to Towards Good Practice Requirement 2 and Good Practice Requirement 3, as well as references to the World Bank paper.</li> <li>Impacts have been added to Requirement 2 in addition to other edits.</li> <li>Reference to paying attention to women, children and other potentially vulnerable groups have been added to Good Practice Requirement 1.</li> <li>Requirement 4 has not been moved as it is important to reinforce the Requirement in PA 17 related to a grievance mechanism for this particular stakeholder group.</li> <li>The term 'legitimate' has not been added to ASM operators, as the grievance mechanism should be accessible to all stakeholder and rights-holders, including ASM who are not deemed 'legitimate'. Requirement 5 also has not been moved to reinforce due diligence for sourcing from ASM.</li> </ul>
Leading Practice	<ul style="list-style-type: none"> <li>Requirement 1: add 'relevant stakeholders', in development of an inclusive system that incentivises participation in formal markets by ASM (two comments);</li> <li>Requirement 2: move to the Good Practice Level; consider using 'complementary' versus 'alternative' livelihoods; reference 'women', given unique challenges related to ASM and LSM support for alternative or complementary livelihoods; and</li> <li>Requirement 3: consider the challenges for LSM/ASM coexistence related to access to land/resources and provide LSM concession</li> </ul>	<ul style="list-style-type: none"> <li>No change to Requirement 1, but two new Requirements have been added (Leading Practice Requirements 3 &amp; 4).</li> <li>The term 'complementary' has been added. Reference to women and children has been added to Leading Practice Requirement 2.</li> <li>New Requirement to explore options for relinquishing land for ASM use has been added to Leading Practice Requirement 4.</li> <li>A new Requirement to 'conduct socio-economic research to better understand ASM communities with a view to developing more</li> </ul>

access as a Leading Practice Level Requirement; broaden initiatives to include improvement of overall wellbeing of ASM operators and communities.

appropriate and sustainable interventions' has been added to Leading Practice Requirement 4. Examples of the types of assessments have also been added.

Table 8.17: Detailed consultation feedback and CMSI Partner responses on Performance Area 17: Grievance Management

Sub-Sections	Consultation feedback	CMSI Partner responses
<b>17.1 - Grievance Mechanism for Stakeholders and Rights-Holders</b>		
<b>General or Overarching</b>	<ul style="list-style-type: none"> <li>• Include gender-disaggregated reporting;</li> <li>• Incorporate further stipulations to ensure effectiveness of grievance mechanisms and remedy measures;</li> <li>• Add Requirements, such as clear policies and procedures; prevention and response to discrimination or reprisal; prevent and address sexual harassment and gender-based violence;</li> <li>• Ensure Foundational Practice Level is aligned with UNGPs; and</li> <li>• Consider potential funding Requirements for stakeholders / rights holders to participate in an effective grievance mechanism</li> </ul>	<ul style="list-style-type: none"> <li>• Reporting Requirements do not specify gender disaggregation; however, they require reporting to management on the number and types of issues and concerns raised through the grievance mechanism.</li> <li>• Further adjustments have been made throughout this Performance Area to ensure alignment with the eight UNGP effectiveness criteria.</li> <li>• Added a new Requirement to require public commitment to manage grievances and enable access to remedy. Elements such as addressing gender-based violence and harassment are covered in PA 7.2.</li> <li>• Improvements have been made to strengthen a number of Requirements, but Good Practice Requirements have not been moved to Towards Good Practice Level.</li> <li>• Funding is an element of accessibility (as per the UNGP effectiveness criteria) which is referenced in the Requirement language.</li> </ul>
<b>Foundational Practice (Now Towards Good Practice)</b>	<ul style="list-style-type: none"> <li>• Requirement 1: specify accessibility, confidentiality and anonymity; independence of grievance mechanism; specify culturally appropriate channels, especially for Indigenous Peoples and marginalised communities;</li> <li>• Requirement 3: integrate local languages and communication methods; specify multiple formats for accessibility; add disclosure of relevant policies</li> <li>• Requirement 4: add whistleblower protections; strengthen statement that stakeholders / rights holders will not face reprisal for use of grievance mechanism;</li> <li>• Add Requirements, such as whistleblower protections; engagement on resolutions with stakeholders and rights holders who have filed grievances; feedback mechanism for grievance mechanism's effectiveness; and</li> <li>• Align Foundational Practice Level with UNGPs</li> </ul>	<ul style="list-style-type: none"> <li>• Requirement 2 has been strengthened to note accessibility, confidentiality and anonymity, while Requirement 4 notes the need to ensure the grievance mechanism is communicated in a culturally relevant way.</li> <li>• Requirement 4 has been strengthened to require the grievance mechanism to be communicated in a culturally relevant way and in local languages to enable accessibility.</li> <li>• Requirement 2 has been strengthened to require accessibility, confidentiality and anonymity, including language around reprisals.</li> <li>• Whistleblower protections are covered in PA 2.2.</li> <li>• Improvements have been made to strengthen a number of Requirements, but Good Practice Requirements have not been moved to Towards Good Practice Level.</li> </ul>

Good Practice	<ul style="list-style-type: none"> <li>Requirement 1: move to Foundational Practice Level (two comments); address cultural nuances and Indigenous-specific protocols in alignment with UNDRIP Articles 18 and 19; commitment to not using nondisclosure agreements; access to funds for independent support for complainants; protection from reprisal;</li> <li>Requirement 2: move to Foundational Practice Level (two comments); move to Leading Practice Level; specify women and other disadvantaged groups;</li> <li>Requirement 3: add regular updates on grievance outcomes and preventative measures; do not penalise Sites for not meeting agreed timelines;</li> <li>Requirement 4: move to Foundational Practice Level (three comments); clarify process/mechanisms for accountability and appropriate remediation;</li> <li>Requirement 5: specify consistent minimum expectations for auditing of grievance mechanisms; require independent audits or third-party validation;</li> <li>Requirement 6: move to Foundational Practice Level; add reporting Requirement to CMSI Secretariat on issues and types of grievances and actions taken; and</li> <li>Add Requirement for effective communication of availability of grievance mechanism, including women and other disadvantaged or vulnerable groups.</li> </ul>	<ul style="list-style-type: none"> <li>Improvements have been made to strengthen a number of Requirements, but Good Practice Requirements have not been moved to Towards Good Practice Level.</li> <li>Requirement for a culturally appropriate grievance mechanism for affected Indigenous Peoples is outlined in Good Practice 9 of PA 14. Strengthened language around reprisals added to Towards Good Practice Requirement 2.</li> <li>Requirement 2 specifies considerations for vulnerable and marginalised groups which includes women and other marginalised groups.</li> <li>No changes made to Requirement 3 as this already outlines that the Facility should provide updates on the status of a grievance and its outcome.</li> <li>Changes have been made to Requirement 4 to align more closely with UNGPs.</li> <li>Changes have been made to Requirement 5 to note internal review at 'defined intervals'.</li> <li>Suggestion to report to the CMSI Secretariat on issues and types of grievances and actions taken have not been incorporated as the Assurance Process already has a grievance mechanism.</li> <li>Internal review of grievance mechanism is included in Good Practice Requirement 5, and independent review of effectiveness is included in Leading Practice Requirement 2. Both are to be informed by stakeholder and rights-holder views.</li> <li>Towards Good Practice Requirement 4 already speaks to communicating the availability of the grievance mechanism.</li> </ul>
Leading Practice	<ul style="list-style-type: none"> <li>Requirement 1: move to Good Practice Level; specify co-design with Indigenous Peoples; specify gender-inclusive design process; add 'update' to encompass new and existing facilities;</li> <li>Add Requirements, such as different grievance mechanisms for stakeholders, rights holders and workers;</li> <li>Requirement 2: specify Indigenous representatives in review process; reference effectiveness of remedy; specify external, third-party review;</li> </ul>	<ul style="list-style-type: none"> <li>Improvements have been made to strengthen a number of Requirements, but Good Practice Requirements have not been moved to Towards Good Practice.</li> <li>Requirement 1 has been updated to note collaborative design or integration of improvements to the grievance mechanism with stakeholders and rights-holders, considering the needs, values and cultures of vulnerable and marginalised groups.</li> <li>Independent or third-party review of effectiveness of grievance mechanisms included in Leading Practice Requirement 2.</li> </ul>



- Requirement 3: move to Good or Foundational Practice Level (four comments); co-design public disclosure process with Indigenous Peoples; specify sensitive grievances are only disclosed with explicit, community-level FPIC;
- Requirement 4: move to Good Practice Level; include Indigenous representation at all stages; add communication on patterns, underlying causes and preventative actions;
- Requirement 5: move to Good Practice Level; specify potential avenues for redress; strengthen language to match intent; and
- Add Requirement on establishing third-party review and appeal processes
- Requirement 2 outlines the requirement for an independent review of effectiveness of the grievance mechanism and remedy in collaboration with affected stakeholders and rights-holders.
- This Performance Area outlines Requirements for a grievance mechanism for stakeholders and rights-holders, while PA 7.2 outlines Requirements for a grievance mechanism for workers.
- Requirement 3 outlines public disclosure of the number and types of issues raised through the grievance mechanism while safeguarding for confidentiality and protecting identity.
- Requirement 4 has been removed as this was repetitive of Requirement 3. The element of making improvements based on the independent review of effectiveness has been incorporated into Requirement 3.
- Requirement 5 has been moved to Good Practice Level.

Table 8.18: Detailed consultation feedback and CMSI Partner responses on Performance Area 18: Water Stewardship

Sub-Sections	Consultation feedback	CMSI Partner responses
General or Overarching	<ul style="list-style-type: none"> <li>• Move Good Practice Level Requirements to Foundational Level;</li> <li>• Consider upstream impacts to water;</li> <li>• Add Requirements related to seawater and marine water, such as barging, dredging, runoff, impacts to tidal estuarine regimes, desalination, harbour activities and ballast water management;</li> <li>• Add considerations related to erosion and sedimentation;</li> <li>• Add considerations related to ecological flows;</li> <li>• Clarify contact water definition and use; and</li> <li>• Add more specific guidance across Requirements to ensure outcomes.</li> </ul>	<ul style="list-style-type: none"> <li>• These were not moved in their entirety as the intent of Towards Good Practice Requirements are preparatory in nature and are implemented as ‘stepping stones’ on the way to Good Practice Level and beyond. This on-ramp approach is consistent across the Consolidated Standard.</li> <li>• Minor changes made in the definitions to clarify that upstream is considered in setting the hydrogeological context at Good Practice Level.</li> <li>• The definition of ‘<i>Surface water</i>’ now includes the ocean, and impacts are captured under risk evaluation at Towards Good Practice Level.</li> <li>• Erosion and sedimentation are specifically identified in the risk assessment at Good Practice Level.</li> <li>• An explicit reference to ecological health has been included in setting targets and objectives at Good Practice Level.</li> <li>• The definition of ‘<i>Contact water</i>’ has been reviewed and modified to clarify the interaction with rehabilitated land. The definition regarding contact with disturbed land has sufficient clarity.</li> <li>• Additional guidance has been included across the Glossary in response to specific comments.</li> </ul>
18.1 - Water Management and Performance		
General or Overarching	<ul style="list-style-type: none"> <li>• Review Requirements for appropriate Performance Level based on feedback to move numerous Requirements to Foundational or Good Practice Levels.</li> </ul>	<ul style="list-style-type: none"> <li>• These were not moved in their entirety as the intent of Towards Good Practice Requirements are preparatory in nature and are implemented as ‘stepping stones’ on the way to Good Practice Level and beyond. This on-ramp approach is consistent across the Consolidated Standard.</li> </ul>
Foundational Practice (Now Towards Good Practice)	<ul style="list-style-type: none"> <li>• Requirement 2: clarify language to ‘minimise impacts’ and ‘hierarchy of control;’ provide further specification of public commitment;</li> <li>• Requirement 4: clarify expectations for water quality and quantity Requirements;</li> <li>• Requirement 5: add identification of other water users in area of influence; add considerations for seasonal and temporal differences;</li> </ul>	<ul style="list-style-type: none"> <li>• This Requirement has been removed, and the mitigation hierarchy is instead included in the first Requirement.</li> <li>• Towards Good Practice Level includes setting water quality Requirements and inclusion in the establishment of a monitoring program based on identified risks.</li> <li>• Good Practice Level covers assessment of other water user needs (economic and social aspects). The identification and engagement with water users</li> </ul>

	<p>clarify types of risks; specify short, medium and long-term timeframes;</p> <ul style="list-style-type: none"> <li>Requirement 6: specify water quality control and assurance; add compliance/regulatory performance; add baseline assessment, if needed; specify alignment with permit conditions;</li> <li>Requirement 7: make noncompliance communication available to rights holders and/or communities; define 'material noncompliance'; and</li> <li>Add Requirements, such as basic water balance model; actions for reducing water withdrawn and wastewater pollution load; storm water diversion system; compliance with all commitments such as internal policies and law; governance and responsible management member; acidic water management.</li> </ul>	<p>and their needs is covered in PA 18.2, including setting targets for other beneficial uses.</p> <ul style="list-style-type: none"> <li>Towards Good Practice Level Requirements are preparatory in nature and are implemented as 'stepping stones' on the way to Good Practice Level and beyond. The inclusion of 'regulatory compliance Requirements' informs the parameters chosen at Towards Good Practice Level.</li> <li>Public disclosure of material non-compliances has been included in PA 18.3 at Leading Practice Level.</li> <li>Towards Good Practice Requirements are preparatory in nature and are implemented as 'stepping stones' on the way to Good Practice Level and beyond. Good Practice Requirement 1 covers these aspects.</li> </ul>
<b>Good Practice</b>	<ul style="list-style-type: none"> <li>Requirement 1: move to Foundational Practice (three comments); move to Leading Practice (two comments); include all mine lifecycle phases;</li> <li>Requirement 2: move to Foundational Practice Level (two comments); specify 'hydrological and hydro-geological'; specify details of risks to be identified;</li> <li>Requirement 3: move to Leading Practice Level (three comments); clarify whether assessment is during ESIA or operations; define 'beneficial uses';</li> <li>Requirement 4: move to Foundational Practice Level (two comments) remove content-related to discharges; clarify difference from Foundational Practice Requirement 5; prioritise avoidance before mitigation; specify gender-sensitive risks and impacts;</li> <li>Requirement 5: move to Leading Practice Level (three comments); expand beyond water discharges to other Facility practices and facilities;</li> <li>Requirement 6: move to Foundational Practice Level (one comment); clarify language to encompass implementation;</li> </ul>	<ul style="list-style-type: none"> <li>Basic elements to build a water balance model are established at Towards Good Practice Level. An operational and predictive water balance represents a Good Practice Level of maturity.</li> <li>This has not been moved but instead bolstered to include detailed hydro-geological context.</li> <li>This has not been moved as it was considered to be Good Practice Level, however contribution towards cumulative impacts has been included.</li> <li>This has not been moved as Towards Good Practice Requirements are preparatory in nature and are implemented as 'stepping stones' on the way to Good Practice Level and beyond. The mitigation hierarchy at Towards Good Practice Level has been modified to specify avoidance first.</li> <li>This has not been moved but modified to remove to simplify the climate change assessment. Application beyond water is included in other Performance Areas.</li> <li>This has not been moved as Towards Good Practice Requirements are preparatory in nature and are implemented as 'stepping stones' on the way to Good Practice Level and beyond. Implementation is covered in other Requirements for setting and achieving targets.</li> </ul>

	<ul style="list-style-type: none"> <li>Requirement 7: clarify and expand Requirement as related to source-control opportunities;</li> <li>Requirement 8: move to Foundational Practice Level (one comment); add ecological health; specify whether targets are qualitative or quantitative and internal or publicly disclosed;</li> <li>Requirement 9: move to Foundational Practice Level (one comment); establish monitoring frequency and type;</li> <li>Requirement 10: clarify Requirements for training and applicable workers; incorporate training on climate-related impacts to water resources and management; and</li> <li>Add Requirements, such as communicating noncompliance with communities and regulators; minimise use of freshwater for process Facility; establishing clear water Governance Model; community participatory water monitoring; public reporting of compliance with water extraction and discharge regulations.</li> </ul>	<ul style="list-style-type: none"> <li>The Requirement has been modified to include 'informed by materials characterisation' to this Requirement.</li> <li>This has not been moved as Towards Good Practice Requirements are preparatory in nature and are implemented as 'stepping stones' on the way to Good Practice Level and beyond. Ecological health has been included.</li> <li>This was not moved as basic monitoring is included at the preparatory Towards Good Practice Level. Monitoring frequency is determined by the Facility, based on context and risk.</li> <li>A new Requirement on training has been included, covering water risks and impacts.</li> <li>Disclosure of non-compliance has been included in Section 18.3 at Leading Practice Level. Disclosure of regulatory fines and actions are at Good Practice Level. Governance has been covered in Towards Good Practice in the assignment of roles and responsibilities. Participatory Monitoring is covered in Section 18.2 at Leading Practice Level.</li> </ul>
Leading Practice	<ul style="list-style-type: none"> <li>Requirement 1: move to Good or Foundational Practice Level (eight comments); promote recharging groundwater; add calculation and public availability of water intensity</li> <li>Requirement 2: consider confidentiality issues; require internal communication and with industry peers; consider relevance in various geographies</li> <li>Requirement 3: move to Good Practice Level (two comments); incorporate measures for invasive species</li> <li>Requirement 4: move to Good or Foundational Practice Level (two comments); provide clarity on 'effectiveness' and independent review processes; specify interval timeline</li> <li>Add Requirements including consideration of long-term impacts, such as climate change; circular economy; water storage structures based on wet and dry seasons; stakeholder participation; specific commitments to water recovery and recycling.</li> </ul>	<ul style="list-style-type: none"> <li>Meeting of Facility water-related objectives has been moved to Good Practice Level. Promoting recharge has not been specifically called out as a measure among other measures that could be beneficially implemented. Water intensity metric has not been specifically highlighted, instead, leading international metrics have been referred to for Section 18.3 Leading Practice disclosures.</li> <li>The definition of '<i>Publicly disclose</i>' in the Overarching Glossary specifies '... Disclosures may be restricted where required to maintain data privacy, data protection Requirements or legal professional privilege.'</li> <li>Invasive species are covered under PA 19.</li> <li>Review of effectiveness has not been moved; Good Practice Level puts in place the elements to inform this review, consistent with the structure of the Consolidated Standard. Defined intervals have been included, for which there is a definition which covers risk-based determination and documentation of these intervals. A definition of '<i>Independent Review of Effectiveness</i>' has been included.</li> <li>Consideration of long-term risks to water management and landforms have been included but individual risks are not specified.</li> </ul>

## 18.2 - Collaborative Watershed Management

General or Overarching	<ul style="list-style-type: none"> <li>Specify rights-holders where applicable.</li> </ul>	<ul style="list-style-type: none"> <li>'Stakeholders' and 'Rights-holders' have been included.</li> </ul>
Foundational Practice (now Towards Good Practice)	<ul style="list-style-type: none"> <li>Requirement 1: align with Section 18.1 Good Practice Requirement 2; clarify language on collaborative watershed management;</li> <li>Requirement 2: specify responsibility and accountability roles;</li> <li>Requirement 3: move to Good or Leading Practice Level (three comments); clarify implementation of Integrated Water Resources Management;</li> <li>Requirement 4: move to Good Practice Level (two comments);</li> <li>Add Requirements, such as identification of community water uses and customs; identification of basin characteristics.</li> </ul>	<ul style="list-style-type: none"> <li>Watershed boundary should account for these aspects, this would be undertaken at a high-level but specific reference to it has been removed to avoid ambiguity. A definition of '<i>Collaborative Watershed Management</i>' has been amended to capture relationship with Statutory Plans.</li> <li>Specific responsibilities/accountability roles have not been defined as this is Facility/context specific.</li> <li>Requirement 3 has not been moved but simplified to be a more general identification process representative of Towards Good Practice Level. A comprehensive definition of '<i>Integrated Water Resource Management</i>' has been included in the Glossary with additional references added.</li> <li>Requirement 4 has not been moved, as these are the preparatory actions to support watershed approaches.</li> <li>Identification of community uses and customs is broadly covered by Towards Good Practice Level.</li> </ul>
Good Practice	<ul style="list-style-type: none"> <li>Requirement 1: move to Foundational Practice Level (two comments); clarify language related to 'mature' processes, 'issues' and 'collective' water challenges; and</li> <li>Requirement 3: inform Facility management on Integrated Water Resources Management progress; incorporate balanced approach to address safe and stable landforms; clarify distinction between Foundational and Good Practice Level.</li> </ul>	<ul style="list-style-type: none"> <li>Additional guidance on Integrated Water Resources Management maturity has been referenced.</li> <li>The Requirement to inform management has been added. A balanced approach to safe and stable landforms has been added to Section 18.1 Leading Practice as part of long-term management. Towards Good Practice 3 Requirements have been modified to better distinguish between the two Requirements.</li> </ul>
Leading Practice	<ul style="list-style-type: none"> <li>Requirement 1: move to Good Practice Level (one comment); include funding for stakeholders to facilitate involvement; add monitoring systems;</li> <li>Requirement 2: clarify language on 'discuss' and 'engage' and 'collaborative mitigation options';</li> <li>Requirement 3: add participatory monitoring;</li> <li>Add Requirements, such as establishing or joining watershed group; value chain engagement; and</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 1 was not moved as there are already Requirements for participation in Integrated Water Resources Management at Good Practice Level. As Leading Practice focusses on opportunities, the Requirement has been modified to include matters beyond mitigation.</li> <li>The language has been updated to remove ambiguity. The Requirement now focusses on engaging in collective action. Participatory monitoring has been added.</li> </ul>

	<ul style="list-style-type: none"> <li>Clarify 'Integrated Groundwater Management, mature' and 'Integrated Groundwater Management, not mature'.</li> </ul>	<ul style="list-style-type: none"> <li>Participating in Integrated Water Resources Management (such as Watershed Groups) is a Requirement at Leading Practice Level.</li> <li>A comprehensive definition of '<i>Integrated Water Resource Management</i>' has been included in the Glossary with additional references added.</li> </ul>
<b>18.3 - Water Reporting</b>		
<b>Foundational Practice</b> (now Towards Good Practice)	<ul style="list-style-type: none"> <li>Requirement 1: move to Good Practice Level (one comment); add disclosure of baseline monitoring analysis and risk and impact studies; define 'primary water activities'.</li> </ul>	<ul style="list-style-type: none"> <li>The Requirement has not been moved but has been simplified to a general narrative of key information 'main activities, main sources, main consumptive uses and main discharges'.</li> </ul>
<b>Good Practice</b>	<ul style="list-style-type: none"> <li>Requirement 1: move to Foundational Practice Level (one comment); conflicting input on water quality, with one recommendation to remove and two comments affirming inclusion; clarify extent of objectives and targets;</li> <li>Requirement 2: clarify 'regulatory actions', add disclosure of management activities in response to disclosed fines or regulatory actions; and</li> <li>Add Requirements, such as disclosure of water quality and quantity results; disclosure of water management, governance and associated risks; participative monitoring; all permits relevant to use licences and discharge.</li> </ul>	<ul style="list-style-type: none"> <li>This has not been moved as Towards Good Practice Requirements are preparatory in nature and are implemented as 'stepping stones' on the way to Good Practice Level and beyond.</li> <li>Additional detail has been provided on the type of information that should be publicly disclosed and clarified where targets have been established for those parameters disclosed.</li> <li>'<i>Regulatory Actions</i>' have been defined in the PA 2 Glossary.</li> <li>Major parameters for disclosure have been specified including key water parameters (quantity and quality, source and discharges) and targets providing water quality monitoring data is impractical given the broad range of parameters, regular monitoring, multiple points and not reflective of the Facility-wide approach of the Consolidated Standard. It was not considered appropriate to disclose all permits.</li> </ul>
<b>Leading Practice</b>	<ul style="list-style-type: none"> <li>Requirement 1: Move to Good or Foundational Practice Level (three comments); add public disclosure of progress against targets;</li> <li>Requirement 2: clarify 'independent audit' in context; and</li> <li>Add Requirements including disclosure of groundwater table; disclosure or display of water consumption.</li> </ul>	<ul style="list-style-type: none"> <li>Disclosure of key parameters relative to targets has been included at the Good Practice Level.</li> <li>'<i>Independent Audit</i>' is used across different Performance Areas and a definition has been included in the Overarching Glossary.</li> <li>Leading Practice Level requires disclosure in line with leading international reporting frameworks. Groundwater levels as a target would be disclosed as they relate to site target settings. Ongoing reporting of levels would be misleading without context.</li> </ul>

Table 8.19 Detailed consultation feedback and CMSI Partner responses on Performance Area 19: Biodiversity, Ecosystem Services and Nature

Sub-Sections	Consultation feedback	CMSI Partner responses
<b>19.1 - Biodiversity, Ecosystem Services and Nature</b>		
<b>General or Overarching</b>	<ul style="list-style-type: none"> <li>Clarify relevant metrics, measurements and monitoring for no net loss and net gain objectives;</li> <li>Align with GRI Biodiversity Standard and TNFD reporting Requirements;</li> <li>Strengthen Good and Leading Practices to align with established best practices;</li> <li>Reference Biodiversity Action Plan in addition to Biodiversity Management Plan; and</li> <li>Add Requirements related to deforestation and/or degradation, high-carbon stock areas, intact forest landscapes and primary forest.</li> </ul>	<ul style="list-style-type: none"> <li>Metrics for no net loss or net gain metrics will be context specific. Instead Facilities must disclose the methodology used to calculate losses and gains and to achieve no net loss or net gain.</li> <li>Both GRI and TNFD are reporting standards that apply to the corporate level, whereas the Consolidated Standard is a performance standard that applies at the Facility level, therefore, the standards were not incorporated.</li> <li>The revised draft aligns Good and Leading Practice Levels with established best practices, such as IFC Performance Standard 6: Biodiversity Conservation and Sustainable Management of Living Natural Resources.</li> <li>Biodiversity Action Plans are referenced in the definition for '<i>Biodiversity Management Plans</i>'.</li> <li>The Good Practice Level references the importance of avoidance of activities in natural forests and other high carbon stock habitats.</li> </ul>
<b>Foundational Practice (Now Towards Good Practice)</b>	<ul style="list-style-type: none"> <li>Requirement 1: add language on protecting ecosystems, species and biodiversity; clarify 'adjacent'; add considerations for industrial heritage World Heritage Sites;</li> <li>Requirement 2: add or clarify language related to sites without specific legal protections, including KBAs; conflicting input on whether KBAs should be incorporated at the Foundational Level; add UNESCO Biosphere Reserves and Alliance for Zero Extinction;</li> <li>Requirement 3: clarify need/value of Requirement for communication; clarify stakeholders and Facility-level commitment if no World Heritage Site is nearby;</li> <li>Requirement 4: clarify senior staff responsibilities and outcomes;</li> <li>Requirement 5: clarify biodiversity baseline Requirements, including timeline (e.g. before exploration); clarify area of influence;</li> </ul>	<ul style="list-style-type: none"> <li>Addressed at the Towards Good Practice Level, with the exception of industrial heritage World Heritage Sites which are not relevant to this Performance Area.</li> <li>The language around legally protected area and other areas of importance for biodiversity (without legal designations) has been clarified whereby Requirement 2 deals with legally designation sites and Requirement 5 encompasses other sites such as Alliance for Zero Extinction (AZEs).</li> <li>Requirement 3 provisions around communication are only applicable where a Facility has the potential to impact a World Heritage Site, otherwise they do not apply.</li> <li>Requirement 4 is now inclusive of responsibility and accountability for the management of biodiversity and achievement of outcomes.</li> <li>Requirement 5 states baselines should be prepared 'as early as practicable', and the definition in the Glossary refers to 'before a project commences or at a particular point in time'. Area of influence has been expanded upon and clarified in the glossary.</li> </ul>

	<ul style="list-style-type: none"> <li>Requirement 6: add assessment of ecosystem services and risk beyond biodiversity; add suggested additions, such as climate change impacts, clarity on area of influence and managing invasive species;</li> <li>Requirement 7: clarify aspects of the biodiversity management plan related to nature, biodiversity values and ecosystem functions and clear thresholds; and</li> <li>Add suggested Requirements, such as identify, formalise and update stakeholders on biodiversity matters; establish processes related to compliance; assessing ecosystem services; incorporating domestic animal risks and evacuation; and grievance mechanisms.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 6 is inclusive of ecosystem services and also covers invasive alien species. The definition of ‘Area of influence’ has been expanded upon and clarified.</li> <li>Requirement 7 refers to the plan addressing impacts on significant biodiversity values, which can apply at the species, habitat and ecosystem levels depending on the context. Ecosystem services are included in Requirement 6, and in Good Practice Requirement 1.</li> <li>Most of these aspects are covered in Requirements in the revised draft, with the exception of domestic animal evacuation in emergency situations which is not relevant to the Performance Area. Grievance mechanisms are covered by PA 17.</li> </ul>
Good Practice	<ul style="list-style-type: none"> <li>Requirement 1: ensure collaborative engagement with Indigenous Peoples in ecosystem management; add employees and contractors; conflicting input on whether Requirement should be moved to Leading or Foundational Practice Levels;</li> <li>Requirement 2: add suggested additions, such as early commencement of biodiversity offsets to prevent losses; change ‘no net loss’ by closure to a shorter timescale; strengthen rehabilitation and restoration guidance with reference to Society for Ecological Restoration Standards; conflicting input on whether to move to Leading or Foundational Practice Level. <i>In addition, several respondents called for the Good Practice Level to align with IFC Performance Standard 6.</i></li> <li>Requirement 3: clarify risks and impacts for ‘no net loss / no gain’ commitments; require biodiversity offsets to be aligned with International Union for Conservation of Nature principles; involve Indigenous Peoples in monitoring; add public disclosure of progress on biodiversity commitments; incorporate ecosystem services management;</li> <li>Requirement 4: specify protected area managers’ involvement in Biodiversity Management Plan; add Biodiversity Action Plan; require disclosure of Biodiversity Management Plan;</li> </ul>	<ul style="list-style-type: none"> <li>Remains at Good Practice Level and requires engagement with all communities (including Indigenous Peoples) whose use of ecosystem services can be adversely affected by the Facility.</li> <li>Requirement 2 emphasises starting offsets as early as possible, but the timeframe of closure for no net loss has been maintained as progressive losses over the life of mine make it very difficult to achieve it earlier. Reference to the Society of Ecological Restoration has been added. The Requirement also now reflects the differentiated approach that is reflected in IFC Performance Standard 6 in relation to natural and critical habitats.</li> <li>Further clarification on ‘no net loss / no gain’ commitments is included in Requirement 2, to align with IFC Performance Standard 6. This is consistent with IUCN’s Policy on Biodiversity Offsets but specifically tailored to a private sector context. Public disclosure is covered by Requirement 6. Ecosystem services are included in the biodiversity management plan.</li> <li>Protected areas managers would be relevant stakeholders where a Facility is located close to or in a protected area, therefore, it was not deemed necessary to include a specific reference to protected area managers. Disclosure of biodiversity management plans is not required.</li> <li>This relates to existing operations where biodiversity losses have occurred and no options for mitigating historical impacts exist. This has been maintained at Good Practice Level.</li> </ul>



	<ul style="list-style-type: none"> <li>Requirement 5: clarify ‘infeasible’; require disclosure of remedy or redress plans; include integration of guidance materials; move to Leading Practice and/or combine with other Requirements;</li> <li>Requirement 6: clarify how to determine priority locations; reference GRI 101: Biodiversity 2024;</li> <li>Add suggested Requirements, including criteria on sustainable finance for mitigation activities and governance/responsibilities for management post-closure; ecosystems services management strategy; and</li> <li>Clarify Requirements related to ‘no net loss’, including metrics and differentials.</li> </ul>	<ul style="list-style-type: none"> <li>‘<i>Priority locations</i>’ has been clearly defined in the Glossary. GRI 101 has not explicitly been referenced but GRI is referenced under PA 1 that addresses with sustainability reporting.</li> <li>Sustainable finance for mitigation and governance roles and responsibilities post are important considerations, yet beyond the scope of an operational Performance Standard. However, these topics are covered by ICMM’s Good Practice Guide on Achieving No Net Loss or Net Gain released in 2025.</li> <li>The Requirements relating to No Net Loss and Net Gain have been further clarified, but some of this detail is more appropriate to include in guidance (see previous point).</li> </ul>
Leading Practice	<ul style="list-style-type: none"> <li>Requirement 1: move to Good Practice Level or build on previous Levels by incorporating climate change hazards and scenarios; clarify baseline year for ‘no net loss / no gain’; include Indigenous Peoples in baseline setting and monitoring; define ‘no-go zone areas’; specify intervals for monitoring progress;</li> <li>Requirement 3: change ‘Collaborate’ to ‘Engage’;</li> <li>Requirement 4: specify biodiversity experts to complete independent review; require public disclosure of independent review;</li> <li>Reconsider if distinction between ‘no net loss / no gain’ is sufficient for differing between Good Practice and Leading Practice;</li> <li>Add additional Requirement for adopting pre-mine baseline for existing operations predating 2020; and</li> <li>Strengthen Leading Practice Level to align with ICMM’s Nature-Positive Position Statement.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 1 has been moved to Good Practice Level to align with IFC Performance Standard 6. The baseline year for no net loss/net gain is clarified as 2020 (or earlier) in the definition. Indigenous Peoples have been included in baseline setting (under Towards Good Practice) and monitoring at Leading Practice Level.</li> <li>‘Collaborate’ was maintained consistency with other Leading Practice Requirements.</li> <li>Reference to appropriate biodiversity expertise and Indigenous Ecological Knowledge (if applicable) has been included, but not public disclosure of the reviews.</li> <li>Both are now at Good Practice Level, consistent with closer alignment to IFC Performance Standard 6.</li> <li>Suggested Requirements have not been incorporated as many operations may not have a robust baseline and older operations may have no baseline.</li> <li>A Facility-level Requirement relating to landscape scale efforts that was omitted in error has been reinstated to align with the Nature Position Statement commitments that apply at the Facility level.</li> </ul>

Table 8.20 Detailed consultation feedback and CMSI Partner responses on Performance Area 20 Climate Action

Sub-Sections	Consultation feedback	CMSI Partner responses
<b>General or Overarching</b>	<ul style="list-style-type: none"> <li>• Include time-bound commitments, land use emissions and renewable energy use;</li> <li>• Remove references to TCFD;</li> <li>• Add explicit references to methane emissions; • Incorporate stakeholder engagement plans;</li> <li>• Review for consistency and clarity of writing style across Sections; and</li> <li>• Add near-term (2030 or before) climate risk assessment, including extreme weather events.</li> </ul>	<ul style="list-style-type: none"> <li>• Commitments remain focused on alignment with the Paris Agreement, which are time bound in terms of 2030 and 2050. Land use emissions, where material, would be captured under non-GHG emissions and renewable energy use is included in Section 20.2 Good Practice Requirement 8.</li> <li>• Some references to TCFD have been replaced with ‘leading climate disclosure frameworks’ but TCFD still remains in Section 20.3 Good Practice Requirement 1.C as the recommendations can still be used to inform disclosure.</li> <li>• Methane emissions are included in non-energy GHG emissions and the number of Requirements related to stakeholder engagement has been increased.</li> <li>• In leaving the notion of climate related risks broad, it captures near-term as well as longer term.</li> </ul>
<b>20.1 - Corporate Climate Change Strategy (Corporate Level)</b>		
<b>Foundational Practice (Now Towards Good Practice)</b>	<ul style="list-style-type: none"> <li>• Requirement 1: specify Scope 1 and 2 emissions; add further specifications on adaptation and managing energy consumption;</li> <li>• Requirement 3: clarify expectations for climate-related corporate risk and opportunity assessment, such as legal compliance, clear targets, structured pathway and update timeline; and</li> <li>• Add Requirements including climate adaptation and stakeholder and rights holder engagement strategy; budgeted decarbonisation roadmap; public disclosure; key performance indicators; and compliance with legislative Standards.</li> </ul>	<ul style="list-style-type: none"> <li>• Requirement 1 recommendations were not incorporated as companies are free to commit to reducing emissions in any areas as long as they commit to reductions. Requirements on adaptation and managing consumption were deemed sufficient to bring about improvement.</li> <li>• Requirement 3 has not been changed as targets, legal compliance and other factors are separate from a risk and opportunity assessment.</li> <li>• The additional recommendations have not been implemented as most of them are addressed throughout the Performance Area or in other Performance Areas (such as legislative compliance).</li> </ul>
<b>Good Practice</b>	<ul style="list-style-type: none"> <li>• Requirement 1: move to Foundational Practice Level (three comments); provide additional guidance on strategies consistent with Paris Agreement and TCFD; clarify level of disclosure;</li> </ul>	<ul style="list-style-type: none"> <li>• Requirement 1 remains at Good Practice Level. The reference to TCFD has been replaced by ‘climate disclosure frameworks aligned to the goals of the Paris Agreement’ giving more flexibility to companies and recognising the state of flux as ISSB incorporates the TCFD recommendations into its own work. Facilities are encouraged to follow guidance provided by the climate disclosure framework they choose to use.</li> </ul>

	<ul style="list-style-type: none"> <li>Requirement 2: move to Foundational Practice Level (one comment); clarify scope and scale of targets; state that targets must be implemented; clarify terminology related to ‘targets’, ‘objectives’ and ‘material’ GHG emissions;</li> <li>Requirement 3: move to Leading Practice Level; specify Scope 2 and 3 emissions; clarify language on ‘manage’ risks;</li> <li>Requirement 4: provide further specificity on targets and timeline; and</li> <li>Add Requirements including Scope 3 target setting; net zero target setting; development of Transition Plan aligned with International Financial Reporting Standards Transition Plan Disclosure Framework.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 2 remains at Good Practice Level. No other changes have been made to this Requirement as issues such as implementation of actions to achieve targets are addressed elsewhere in the Performance Area.</li> <li>Requirement 3 has been edited to remove ‘manage’ and replace with ‘develop a plan’ to increase clarity on what is required. Defining specific scope emissions was not seen as necessary as all sources should be evaluated in the risk identification process. Requirement 3 remains at Good Practice Level as this is largely in line with current climate strategy expectations such as those included in the Task Force on Climate Related Disclosure.</li> <li>Requirement 4 remains unchanged as additional scope 3 Requirements are contained elsewhere in this Performance Area.</li> <li>Scope 3 target setting is contained in Leading Practice Requirement 1 and net-zero is included in Leading Practice Requirement 6. Transition planning has not been included as it would be addressed through corporate risk identification and planning where it is appropriate to do so.</li> </ul>
Leading Practice	<ul style="list-style-type: none"> <li>Requirement 1: Move to Good Practice Level (three comments); specify ‘material’ GHG emissions; provide guidance on methodologies;</li> <li>Requirement 2: Move to Good Practice Level (one comment); clarify ‘collaborate’; specify ‘material’ Scope 3 emissions;</li> <li>Requirement 3: Move to Good Practice Level (one comment); split into two Requirements (one comment), including stakeholder engagement and opportunities for local communities; provide clarity on utilising offsets, investments in climate action and measurable improvement;</li> <li>Requirement 4: define ‘social value’; make adaptable for smaller companies; specify measurements and parameters;</li> <li>Requirement 5: move to Good Practice Level (two comments); clarify or remove internal carbon price; define ‘major investment decisions’;</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 1 has been edited to include ‘material’ with respect to GHG emissions, but additional guidance has not been developed at this stage. The Requirement remains at Leading Practice Level.</li> <li>Requirement 2 remains at Leading Practice Level. A definition is included to clarify ‘Collaborate’. The Requirement has been edited to include ‘material’.</li> <li>Requirement 3 remains at Leading Practice Level and has not been split into two. It has been edited to include external engagement and additional clarity on the use of offsets has been added.</li> <li>Requirement 4 has been edited to be more descriptive to include consultation with stakeholders and rights-holders to identify opportunities and to provide flexibility in adaptation and/or mitigation that provide social value and benefit. Definition of ‘Social value’ has been added to the Glossary.</li> <li>Requirement 5 remains at Leading Practice Level and continues to include ‘carbon price’ but has been edited to require that an internal carbon price be included in the analyses supporting major investment decisions. ‘Major Investment Decisions’ is now a defined term in the glossary.</li> </ul>

	<ul style="list-style-type: none"> <li>Requirement 6: move to Good or Foundational Practice Level (four comments); define ‘science-informed’; provide details on evidence to prove targets;</li> <li>Requirement 7: move to Good Practice Level (three comments); clarify required Scope of emissions; and</li> <li>Add Requirements including risk assessment covering climate risks material beyond the corporate level, key partners in supply chain and physical risks; commitment to carbon neutrality and/or science-based targets for emissions reductions; emissions reporting and reduction plans.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 6 remains at Leading Practice Level. A definition of ‘<i>Science-informed</i>’ has been added to the Glossary. Consistent with the rest of the Consolidated Standard, additional detail has not been provided on what evidence to use to prove targets. This may be developed in future guidance.</li> <li>Requirement 7 remains at Leading Practice Level. Scope of emissions has not been specified as it is up to individual Facilities to structure their targets as they see fit to achieve their goals.</li> <li>Many of the additional Requirements suggested are already included in other Requirements. Section 20.2 Towards Good Practice Requirement 2 has been modified to require Facility-level risk assessment and carbon neutrality is captured by the Net-Zero Requirement. Instead of science-based targets, the Performance Area refers to ‘science-informed’ targets to not directly require SBTi. Emissions reporting is contained in Section 20.3 and reduction plans are part of Section 20.2.</li> </ul>
<b>20.2 - Climate Change Management (Facility Level)</b>		
<b>General or Overarching</b>	<ul style="list-style-type: none"> <li>Clarify language related to ‘targets’ and ‘objectives’, with several suggestions to not use interchangeably.</li> </ul>	<ul style="list-style-type: none"> <li>Objectives are meant refer to qualitative goals and targets are meant to refer to quantitative goals. This will be further clarified in the revised draft.</li> </ul>
<b>Foundational Practice</b>	<ul style="list-style-type: none"> <li>Requirement 1: exclude non-GHG emissions; incorporate unit operations improvement;</li> <li>Requirement 2: define ‘high-level analysis’, include analysis for risks to surrounding area and time-bound management plan; limit to high-risk areas only; clarify ‘infrastructure’;</li> <li>Add Requirements, such as policy on public disclosure of GHG emissions; additional performance-based benchmarks; assurance of Scope 1, 2 and 3 emissions; frequent, continuous and redundant monitoring of hydrologic variables, providing up-to-date information capable of identifying changes in the climatological pattern; and</li> <li>Include considerations for naturally-occurring sources of GHG, such as methane.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 1 retains significant sources of non-energy GHG emissions as these are important to manage in certain types of operations. In other types, that aspect can be considered not applicable.</li> <li>Requirement 2 has been edited to remove high level analysis and replace it with ‘undertake an initial risk assessment’. Management plans are addressed in Good Practice Level. Infrastructure has not been further defined as this will vary by context.</li> <li>Many of the suggestions for additional Requirements are addressed elsewhere. Disclosure of emissions and assurance is part of Section 20.3. Hydrologic monitoring is part of the PA 18 which requires a hydrological model to be kept up to date based on monitoring data.</li> <li>Naturally occurring sources of GHG, such as methane are part of non-energy GHG emissions sources addressed in Section 20.2 Towards Good Practice Requirement 1.</li> </ul>

<p><b>Good Practice</b></p>	<ul style="list-style-type: none"> <li>• Requirement 1: move to Foundational Practice Level (two comments); remove ‘objectives’; clarify ‘define’; include publication of emissions and data methodologies;</li> <li>• Requirement 2: move to Foundational Practice Level (2 comments); consider plan could come from the corporate level; add annual review of action plans;</li> <li>• Requirement 3: move to Foundational Practice Level (two comments); specify progress at the corporate level; specify evaluation period;</li> <li>• Requirement 4: move to Foundational Practice Level (three comments); remove considering implications of risks for surrounding area; include transition risks; make gender-inclusive;</li> <li>• Clarify overlap between Requirements 4 and 5;</li> <li>• Requirement 6: add considerations for where stakeholders do not want or prioritise engagement on climate change; add considerations related to public organisation and funds related to climate change relief; incorporate gender-sensitive considerations;</li> <li>• Requirement 7: clarify purpose, scope and deliverables; change to monitoring climate adaptation action plan annually; and</li> <li>• Requirement 8: remove Requirement (two comments).</li> </ul>	<ul style="list-style-type: none"> <li>• Requirement 1 remains at Good Practice and remains unedited.</li> <li>• Requirement 2 remains at Good Practice Level and plans can be developed by corporate level as long as they address the required elements for the Facility.</li> <li>• Requirement 3 remains at Good Practice Level. As the Facility assesses or updates its performance against the Consolidated Standard every year, the time period is annually. Progress is at the Facility level as this is a Facility-level indicator.</li> <li>• Requirement 4 remains at Good Practice Level. Considerations for surrounding area remain and transition risks are included if they have been identified as relevant risks. Broader stakeholder engagement obligations in PA 12 already require consideration of gender issues broadly.</li> <li>• In clarifying overlap between Requirements 4 and 5, Requirement 4 is about identifying risks and Requirement 5 is about measures that respond to identified risks.</li> <li>• Requirement 6 remains unchanged. Where there is no interest and the Facility can demonstrate they have tried to engage, this Requirement can be marked as addressed. Public organisations would be included in stakeholders and the need for gender-sensitive considerations is broadly addressed for all engagement in PA 12.</li> <li>• Requirement 7 is unchanged because the purpose, scope and deliverables should be defined based on what the Facility has included as their actions related to climate change. It has not been narrowed to adaptation because it is important to review actions related to both adaptation and mitigation.</li> <li>• Requirement 8 remains in Good Practice Level.</li> </ul>
<p><b>Leading Practice</b></p>	<ul style="list-style-type: none"> <li>• Requirement 1: remove Requirement (two comments);</li> <li>• Requirement 2: define ‘collaborate’; clarify strategy and purpose for engagement;</li> <li>• Requirement 3: move to Good Practice Level (one comment); apply to all three Practice Levels (one comment); clarify Scope of emissions;</li> </ul>	<ul style="list-style-type: none"> <li>• Requirement 1 remains in Leading Practice Level.</li> <li>• A definition has been included in the Glossary for ‘<i>Collaborate</i>’. The purpose of collaboration in Requirement 2 (now Requirement 3) remains focused on areas of mutual agreement and should be determined based on areas of common interest between the Facility and affected stakeholders and rights-holders rather than being prescribed in the Consolidated Standard.</li> <li>• Requirement 3 (now Requirement 4) remains at Leading Practice Level and the Requirements have not been split as these are seen as valid actions to</li> </ul>

	<ul style="list-style-type: none"> <li>Requirement 4: move 4a to Good Practice Level (one comment); change to achieving three practices; split into mitigation and adaptation separately; and</li> <li>Include support to suppliers to reduce Scope of emissions.</li> </ul>	<p>take as part of leadership and optionality is appropriate given there are different ways to exercise leadership.</p> <ul style="list-style-type: none"> <li>A new Requirement (Requirement 3) has been added to work with suppliers on scope 3 emissions.</li> </ul>
<b>20.3 - Annual Climate Change Public Reporting</b>		
<b>General or Overarching</b>	<ul style="list-style-type: none"> <li>Add Requirements including disclosure of energy consumption by renewable and non-renewable; disclosure of Scope 3 emissions and assurance on reported emissions at Good Practice Level.</li> </ul>	<ul style="list-style-type: none"> <li>Section 20.3 Towards Good Practice Requirement 1 has been edited to add disclosure of energy consumption by renewable and non-renewable sources. Disclosure of Scope 3 is included in Section 20.3 Leading Practice Requirement 2 and assurance of GHG emissions disclosure has been added in Section 20.3 Good Practice Requirement 2.</li> </ul>
<b>Foundational Practice</b>	<ul style="list-style-type: none"> <li>Requirement 1: move to Section 20.1; and</li> <li>Requirement 2: define 'process emissions data'.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 1 remains in Section 20.3 which is focused on public reporting and disclosure.</li> <li>Process emissions are emissions that are generated by the mining or milling process but are not a result of the use of energy.</li> </ul>
<b>Good Practice</b>	<ul style="list-style-type: none"> <li>Requirement 1: move all portions of Requirement to Foundational Level (one comment); move 1b to Leading Practice Level (one comment); remove 1c (one comment); remove TCFD reference; add reporting on Scope 3 emissions; reference GRI 305; include assessment of transition and physical risks at the corporate level.</li> </ul>	<ul style="list-style-type: none"> <li>Given divergent views on where to locate Requirement 1, it remains in Good Practice Level. The TCFD reference remains as the TCFD recommendations are still applicable.</li> </ul>
<b>Leading Practice</b>	<ul style="list-style-type: none"> <li>Requirement 1: move to Good Practice Level (one comment); clarify emissions Scopes; and</li> <li>Requirement 3: move to Good Practice Level (one comment).</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 1 remains at Leading Practice Level because calculating carbon intensity by product is quite difficult to do and not common place. Requirement 3 remains at Leading Practice Level also because it is not commonplace and companies are still working through how to do this and how to go. Requirement 2 was moved to Good Practice Level.</li> </ul>

Table 8.21 Detailed consultation feedback and CMSI Partner responses on Performance Area 21: Tailings Management

Sub-Sections	Consultation feedback	CMSI Partner responses
<b>21.1 - Tailings Management</b>		
<b>General or Overarching</b>	<ul style="list-style-type: none"> <li>Clarify role of GISTM and Tailings Management Protocol of MAC once CMSI is in place;</li> <li>Include explicit mentions of some details of the GISTM and Tailings Management Protocol of MAC, especially at Foundational Level; and</li> <li>Add Requirements, such as disclosing quantitative risk results; decommission and rehabilitate all riverine tailings operations within a defined period; commitment to no deep sea tailings disposal for high pressure acid leach processing facilities; prohibition of lake or ocean tailings disposal; structural integrity of tailings storage facilities.</li> </ul>	<ul style="list-style-type: none"> <li>The Global Tailings Management Institute (GTMI) recently appointed a Board and is in the process of recruiting key executive positions. Once established, the role of GISTM and the Tailings Management Protocol of MAC can be clarified.</li> <li>Reference to both GISTM and MAC's Tailings Management Protocol has been included as a note after 'Other relevant Performance Areas'.</li> <li>The only prohibition is on riverine tailings for mines that commenced production since 1 January 2024. Heap leach Facilities are not covered here, but parts of PA 22 would apply to such Facilities. Structural integrity is covered in detail in GISTM and MAC's Tailings Management Protocol.</li> </ul>
<b>Foundational Practice (Now Towards Good Practice)</b>	<ul style="list-style-type: none"> <li>Requirement 1: clarify commitments to GISTM and Tailings Management Protocol of MAC, particularly considering small and medium-sized mines; separate riverine tailings into a separate Requirement; and provide guidance for differing Standards across regions; and</li> <li>Add Requirements including transition strategies for existing operations using riverine tailings; design, operational practices and closure design ensuring physical stability of tailing storage facilities.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 1 retains the optionality of using either the GISTM or the MAC's Tailings Management Protocol. Non-conventional tailings management solutions has been separated out as suggested. However, guidance on differing standards across regions has not been provided as suggested as this is a global Standard.</li> <li>Ensuring the physical stability of tailings storage Facilities post-closure is integral to the GISTM and MAC's Tailings Management Protocol. Transition strategies for non-conventional tailings management solutions in the Consolidated Standard have not been addressed. Instead, the Consolidated Standard focusses on the responsible management of such Facilities.</li> </ul>
<b>Good Practice</b>	<ul style="list-style-type: none"> <li>Requirement 1: Move to Foundational Practice Level (three comments); clarify 'conformance', especially in relation to differences between GISTM and Tailings Management Protocol of MAC;</li> <li>Requirement 2: clarify 'relevant' Requirements;</li> <li>Requirement 3: include commitment to disclosure of internal review and independent audit outcomes; specify independent audit intervals; and</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 1 has been moved as suggested. A detailed definition of 'Conformance' is provided. Differences between GISTM and MAC's Tailings Management Protocol are not set out in the Consolidated Standard. Our understanding is that the GTMI will do a gap analysis at a later stage to determine equivalency, and the CMSI will defer to that independent piece of work.</li> <li>Requirement 2 has been revised and builds on Requirement 3 at the Towards Good Practice Level.</li> </ul>

	<ul style="list-style-type: none"> <li>Requirement 4: move to Leading Practice Level (one comment); provide stronger guidance for tailings management; provide guidance on disclosure details.</li> </ul>	<ul style="list-style-type: none"> <li>Audit intervals and disclosure Requirements are specified within the GISTM and MAC's Tailings Management Protocol.</li> <li>Requirement 4 has been maintained at Good Practice Level. Both the GISTM and MAC's Tailings Management Protocol provides a wealth of details on tailings management not repeated in this Performance Area. They also specify disclosure Requirements.</li> </ul>
<b>Leading Practice</b>	<ul style="list-style-type: none"> <li>Requirement 1: move to Good Practice Level (three comments); explicitly require public disclosure of conformance.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 1 has been moved to Good Practice Level and replaced with a new Leading Practice Requirement linked to innovation.</li> </ul>



Table 8.22 Detailed consultation feedback and CMSI Partner responses on Performance Area 22 Pollution Prevention

Sub-Sections	Consultation feedback	CMSI Partner responses
<b>General or Overarching</b>	<ul style="list-style-type: none"> <li>• Incorporate Requirements on impacts to community health and safety;</li> <li>• Consider other contaminants not addressed such as lead, uranium, microplastics, asbestos, silicon and advanced industrial contaminants; and</li> <li>• Add additional Requirements, such as compliance with International Cyanide Management Code; commitment to manage and minimise non tailings waste; align mercury waste management with Minamata Convention; strengthen noise-related Requirements with commitments to clearly set noise levels; making noise data available to stakeholders.</li> </ul>	<ul style="list-style-type: none"> <li>• There are multiple references in the Performance Area on understanding and addressing potential impacts on people which address impacts to community health and safety.</li> <li>• The Performance Area does not seek to provide an exhaustive list of pollutants or potentially hazardous materials but instead requires companies to identify and responsibly manage these.</li> <li>• Compliance with the International Cyanide Management Code is included, waste reduction is an integral part of Section 22.1, and the Mercury Section 22.4 aligns with the Minamata Convention. As a point of principle, emission or discharge limits levels (for noise, air, water, etc.) have not been set across Performance Areas as these are jurisdiction specific.</li> </ul>
<b>22.1 - Non-mineral Waste and Hazardous Materials Management</b>		
<b>General or Overarching</b>	<ul style="list-style-type: none"> <li>• Identification, processing and storage plans should consider scenarios where climate impacts may exceed current protocols and infrastructures for waste management.</li> </ul>	<ul style="list-style-type: none"> <li>• The need to address physical impacts and risks to infrastructure from climate change and related adaptation measures cuts across several areas and is covered by PA 20.</li> </ul>
<b>Foundational Practice (Now Towards Good Practice)</b>	<ul style="list-style-type: none"> <li>• Requirement 2: include hazard of potential waste streams; clarify how Requirement is proven;</li> <li>• Requirement 3: include avoiding waste by using alternative products that do not generate waste; change to ‘develop and implement plan’;</li> <li>• Requirement 4: clarify how hazards and risks are assessed; consider if all materials entering site require risk assessment; and</li> <li>• Add Requirements including public disclosure of description of Facility-level primary waste streams; implement actions to manage waste in a manner protective of human health and the environment.</li> </ul>	<ul style="list-style-type: none"> <li>• Requirement 2 already covers hazardous and non-hazardous waste. Assurance Providers will seek evidence for this and other Requirements.</li> <li>• Requirement 3 is now framed as ‘develop and implement plan’.</li> <li>• In line with multiple other Requirements in this (and other standards), Requirement 4 specifies what should be done without specifying how.</li> <li>• Public disclosure is covered under Good Practice Level, as are actions to manage waste in a manner protective of human health and the environment.</li> </ul>
<b>Good Practice</b>	<ul style="list-style-type: none"> <li>• Requirement 1: remove Requirement (one comment); maintain consistency with language related to marine and freshwater</li> </ul>	<ul style="list-style-type: none"> <li>• Requirement 1 has been reworded to ‘risks of waste having adverse impacts’.</li> </ul>

	<p>bodies; refine language related to ‘adverse impacts’, ‘safe disposal’ and list of specific environmental considerations;</p> <ul style="list-style-type: none"> <li>Requirement 2: add development of management plan and appropriate subplans; add commitment to publicly report on action towards adverse impacts; incorporate management of invasive species disposal;</li> <li>Requirement 3: revise to incorporate meeting targets and objectives related to waste and hazardous materials management and reduction;</li> <li>Requirement 4: add products of mining or ‘refining’; remove ‘through safety data sheets and labelling’; consider redundancies with Foundational Practice Requirement 4; and</li> <li>Requirement 5: remove or clarify duplication with Performance Area 1, Section 1.2; reference GRI 306: Waste 2020.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 2 refers to development as well as implementation of the plan (but sub-plans have not been specified). Public reporting is already included under Requirement 5. Invasive species is covered under PA 19.</li> <li>As a point of principle, the Requirements do not oblige companies to meet targets (as there may be reasons that can’t), but to be transparent about progress through public disclosure.</li> <li>Refining has been added to Requirement 4, but the reference to safety data sheets and labelling is retained.</li> <li>Requirement 5 has been cross-referenced as suggested.</li> </ul>
<b>Leading Practice</b>	<ul style="list-style-type: none"> <li>Requirement 1: incorporate management plan for disposal of invasive plants and other species; include stakeholder and local community participation in risk plan development.</li> </ul>	<ul style="list-style-type: none"> <li>As noted above, invasive species is covered under PA 19.</li> </ul>
<b>22.2 - Mineral Wastes (excluding tailings, see Performance Area 21: Tailings Management)</b>		
<b>Foundational Practice</b>	<ul style="list-style-type: none"> <li>Consider for feasibility of Requirements 1 and 2, as ‘mineral waste’ definition would include ‘waste rock’;</li> <li>Combine Requirements 1, 2 and 3 under single Requirement; and</li> <li>Requirement 3: clarify specific expectations for reducing and managing mineral waste.</li> </ul>	<ul style="list-style-type: none"> <li>The Requirements are feasible on the basis that the focus is on identifying opportunities, acknowledging that they may not always exist.</li> <li>For assurance purposes, these have been maintained as separate Requirements.</li> <li>Clarified that this relates to actions identified from Requirement 2.</li> </ul>
<b>Good Practice</b>	<ul style="list-style-type: none"> <li>Requirement 1: move to Foundational Practice Level (one comment); change ‘dispose’ to ‘store’; clarify Requirement takes place across entire lifecycle, including post-closure; reference Good International Industry Practice for acid rock drainage; add further considerations on acid and metalliferous drainage;</li> <li>Requirement 2: define ‘adverse’; and</li> <li>Add Requirements including public disclosure of management strategies and actions related to prevention of acid rock</li> </ul>	<ul style="list-style-type: none"> <li>This remains at Good Practice Level and is applicable across the lifecycle, although the closure provisions under PA 24 are more comprehensive. The ‘References’ section includes reference to recognised good practice, and Acid Rock Drainage (ARD) and metalliferous drainage are both mentioned.</li> <li>‘Adverse impacts’ is defined in the Overarching Glossary.</li> </ul>

	drainage; develop and implement a mineralised waste management plan.	<ul style="list-style-type: none"> <li>These suggested additions have not been included but a new Requirement has been added which states ‘Construct, maintain and rehabilitate mineral wastes to achieve safe, stable and non-polluting landforms’.</li> </ul>
<b>Leading Practice</b>	<ul style="list-style-type: none"> <li>Requirement 1: move to Good Practice Level (two comments); add compensation, rehabilitation and treating water; and</li> <li>Add Requirement evaluating use of Best Availability Technology / Practice in selecting minter waste disposal solutions.</li> </ul>	<ul style="list-style-type: none"> <li>The Requirement remains at Leading Practice Level consistent with other Performance Areas.</li> </ul>
<b>22.3 - Non-GHG Air Emissions</b>		
<b>Foundational Practice</b>	<ul style="list-style-type: none"> <li>Requirement 1: revise to risk-based approach informed by environmental assessment and regulatory Requirements;</li> <li>Requirement 2: use circular economy language; remove volatile organic compounds; and</li> <li>Add additional Requirements including: definition of responsibilities and training; identifying meteorological conditions that can lead to accurate adverse air quality events.</li> </ul>	<ul style="list-style-type: none"> <li>Risk-based approach is now reflected informed by regulatory or permit Requirements (receptors moved to Good Practice Level).</li> <li>Circular economy language has not been reflected here as this is covered in PA 23 and VOCs have been retained as an example.</li> <li>Suggestion has not been included as these additional aspects are too specific.</li> </ul>
<b>Good Practice</b>	<ul style="list-style-type: none"> <li>Requirement 1: move to Foundational Practice Level (two comments);</li> <li>Requirement 2: move to Foundational Practice Level (one comment) revise to only require reduction targets where air emissions are resulting in impacts; add established targets/objectives for dust depletion monitoring; incorporate language on targets for protection of human health;</li> <li>Requirement 3: move to Foundational Practice Level (one comment); add commitment to publicly report on compliance against regulatory limits on air emissions at the Facility level; and</li> <li>Requirement 4: move to Foundational Practice Level (one comment); specify if applicable to site; clarify implementation only at facilities where preventing the release of ozone depleting substances is applicable</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 1 has not been moved, but the risk-based aspect has been included at Towards Good Practice Level.</li> <li>Edits have been made to Requirement 2 to reflect some of these comments and focus reflects protection of human health and other sensitive receptors.</li> <li>Maintained at Good Practice Level – the Requirement already includes public reporting on compliance and non-compliance.</li> <li>Maintained at Good Practice Level and in common with all other Requirements (unless identified as corporate), this applies at the Facility level. The qualifier of ‘where they are used’ is included to reflect the point that this will not always be applicable.</li> </ul>

Leading Practice	<ul style="list-style-type: none"> <li>Requirement 1: engage with stakeholders and sensitive receptors at the Facility level; move to Good Practice Level (one comment); and</li> <li>Add Requirements including assurance on publicly disclosed data; predictive dispersion modelling of all sources; real-time monitoring for high-risk contaminants.</li> </ul>	<ul style="list-style-type: none"> <li>This has been maintained at Leading Practice Level.</li> <li>These suggestions have not been incorporated as they are considered to be overly prescriptive.</li> </ul>
22.4 - Mercury		
General or Overarching	<ul style="list-style-type: none"> <li>Clarify that the Requirements for non-GHG air emissions also apply to mercury; and</li> <li>Link Section to ASM</li> </ul>	<ul style="list-style-type: none"> <li>The list of air emissions in Section 22.3 is illustrative rather than exhaustive, and Section 22.4 explicitly refers to mercury emissions to atmosphere.</li> <li>While ASM often uses mercury, the Consolidated Standard will not be applied by ASM operators.</li> </ul>
Foundational Practice	<ul style="list-style-type: none"> <li>Requirement 2: simplify language on 'material stewardship';</li> <li>Requirement 3: define or clarify 'material' in relation to 'material point source mercury emissions'; and</li> <li>Add Requirement on assigning responsibilities and training for mercury management.</li> </ul>	<ul style="list-style-type: none"> <li>This has been simplified and no longer appears.</li> <li>'Material' has been changed to 'significant' and a definition of significant is provided.</li> <li>This has not been included.</li> </ul>
Good Practice	<ul style="list-style-type: none"> <li>Requirement 1: move to Foundational Practice Level (one comment)</li> </ul>	<ul style="list-style-type: none"> <li>This has been retained at Good Practice Level.</li> </ul>
Leading Practice	<ul style="list-style-type: none"> <li>Requirement 1: move to Good Practice Level (two comments); and</li> <li>Requirement 2: clarify 'mercury prevention'.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 1 has been moved to Towards Good Practice Level.</li> <li>Multi-stakeholder initiatives aimed at mercury pollution prevention is clear.</li> </ul>
22.5 - Cyanide		
Foundational Practice	<ul style="list-style-type: none"> <li>Requirement 2: change self-assessment to audit.</li> </ul>	<ul style="list-style-type: none"> <li>Self-assessment is the correct term and forms the basis for audit and certification at Good Practice Level.</li> </ul>
Good Practice	<ul style="list-style-type: none"> <li>Requirement 1: move to Foundational Practice Level (one comment); clarify that achieving and maintaining certification is applicable to new facilities, and existing facilities would develop and implement actions technically/economically feasible.</li> </ul>	<ul style="list-style-type: none"> <li>The language has been further clarified.</li> </ul>

Leading Practice	<ul style="list-style-type: none"> <li>Requirement 1: move to Good Practice Level (two comments); specify when Cyanide is of interest; and</li> <li>Add Requirement to investigate options to replace the use of cyanide.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 1 has been retained at leading Practice Level.</li> <li>This has not been included.</li> </ul>
22.6 - Accidental Polluting Releases		
Foundational Practice	<ul style="list-style-type: none"> <li>Requirement 1: define 'materials'; consider where risk assessment may not be needed; remove due to overlap with Good Practice Requirement 1 (one comment); and</li> <li>Add additional Requirement on notifying stakeholders and rights holders of accidental pollution releases.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 1 has been clarified to refer to materials 'with the potential to cause pollution'.</li> <li>Notification would be covered under PA 10.</li> </ul>
Good Practice	<ul style="list-style-type: none"> <li>Requirement 1: move to Foundational Practice Level (two comments);</li> <li>Requirement 2: move to Foundational Practice Level (one comment); define 'material' accidental polluting releases;</li> <li>Requirement 3: move to Foundational Practice Level (one comment); define 'residual adverse impact' and/or remove 'residual';</li> <li>Requirement 4: specify post-incident review for material releases only; and</li> <li>Requirement 5: add commitment to publicly report on compliance against regulatory limits on water or soil quality; move to Foundational Practice Level (one comment).</li> </ul>	<ul style="list-style-type: none"> <li>There are multiple references in the Performance Area to understanding and addressing potential impacts on people which covers this.</li> <li>Maintained at good Practice Level, and 'material' reworded to 'significant' and a definition provided.</li> <li>Maintained at Good Practice Level and have dropped the term 'residual' as un-necessary.</li> <li>On Requirement 4, the qualifier of doing post-incident reviews for significant accidental polluting releases has been added.</li> <li>Requirement 5 effectively covers those aspects, which are maintained at Good Practice Level.</li> </ul>
Leading Practice	<ul style="list-style-type: none"> <li>Requirement 1: move to Good Practice Level (one comment); include rights holders; clarify providing results for only material incidents; and</li> <li>Add Requirements including considerations for cases where accidental polluting releases are exacerbated by weather or chronic events that decrease adaptation capacities; engage local communities and emergency responders in response plans and simulations.</li> </ul>	<ul style="list-style-type: none"> <li>Maintained at Leading Practice Level and expanded to include rights-holders.</li> <li>Suggestions to address very specific conditions have not been added as these are considered to be overly prescriptive.</li> </ul>

## 22.7 - Noise, Vibration and Light Pollution/Nuisance

<b>Foundational Practice</b>	<ul style="list-style-type: none"> <li>Requirement 1: specify implementation of monitoring programme only necessary where noise, vibration or light pollution are material impacts, such as opencast mines; and</li> <li>Requirement 2: remove 'pollution/nuisance' language for baseline data; note cases where not applicable, such as remote operations.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 1 is now limited to monitoring informed by regulatory or permit Requirement, with sensitive receptors moved to Good Practice Level.</li> <li>'Pollution/nuisance' has been removed from Requirement 2 as suggested.</li> </ul>
<b>Good Practice</b>	<ul style="list-style-type: none"> <li>Requirement 1: note cases where not applicable, such as remote operations; and</li> <li>Requirement 3: add commitment to publicly report on compliance against regulatory limits related to noise at the Facility level.</li> </ul>	<ul style="list-style-type: none"> <li>The monitoring is to be informed by the presence of sensitive receptors which addresses this concern.</li> <li>This has not been included but it would be covered by the more general Requirement to report non-compliances under PA 2.</li> </ul>
<b>Leading Practice</b>	<ul style="list-style-type: none"> <li>Requirement 1: move to Good Practice Level (one comment); include rights holders; clarify reason for engaging stakeholders in participatory monitoring; and</li> <li>Add Requirements including: develop predictive model for cumulative effects, action levels and response plans; commitment to not exceed specific noise levels.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 1 is maintained at Leading Practice Level, and the purpose of engaging stakeholders in participatory monitoring is to help build trust in the process and results.</li> <li>Additional specific suggestions have not been included.</li> </ul>

Table 8.23 Detailed consultation feedback and CMSI Partner responses on Performance Area 23: Circular Economy

Sub-Sections	Consultation feedback	CMSI Partner responses
<b>General or Overarching</b>	<ul style="list-style-type: none"> <li>Establish clear, measurable targets for circular economy practices; and</li> <li>Add Requirement on encouraging collection, reuse and recycling of post-consumer products at end-of-life.</li> </ul>	<ul style="list-style-type: none"> <li>This Performance Area applies circular principles at all Facilities and smelters and covers the design of processes as well as Requirements related to the processing of secondary materials.</li> <li>This Performance Area focuses on circularity in both process and product design.</li> </ul>
<b>23.1 - Circular Economy for all Facilities</b>		
<b>General or Overarching</b>	<ul style="list-style-type: none"> <li>Review and address overlap with other sections, especially Performance Area 22.</li> </ul>	<ul style="list-style-type: none"> <li>This Performance Area was reviewed and cross-referenced in other performance areas, including PA22.</li> </ul>
<b>Foundational Practice (Now Towards Good Practice)</b>	<ul style="list-style-type: none"> <li>Requirement 1: move to Good or Leading Practice Level (one comment); conflicting input on simplifying language or specifying actions;</li> <li>Requirement 2: remove Requirement (one comment); specify stakeholder mapping, engagement and feedback;</li> <li>Specify enforcement mechanisms; and</li> <li>Add Requirements, such as labour rights; optimisation of mineral resources and reduction of waste; existing liabilities for dams and waste piles.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 1 to publicly commit to apply the principles of circular economy in the Facility's operations has been maintained at Towards Good Practice Level.</li> <li>Requirement 2 related to identifying and documenting waste streams and opportunities to separate waste has been maintained at Towards Good Practice Level.</li> <li>The Performance Area is designed to actively support and encourage a circular economy, focusing on positive outcomes rather than enforcement mechanisms.</li> <li>The wording around applying circular economy principles is flexible, allowing for engagement based on site-based context. A strong commitment to these principles at all levels is essential to ensure they are integrated into all business decisions.</li> </ul>
<b>Good Practice</b>	<ul style="list-style-type: none"> <li>Requirement 1: move to Foundational Practice Level (two comments);</li> <li>Requirement 2: move to Foundational Practice Level (two comments); remove Requirement (two comments); add 'mine rock', 'proper tailings storage and management' and 'coarse rejects';</li> <li>Requirement 3: add 'strategically important products';</li> </ul>	<ul style="list-style-type: none"> <li>The Requirement to identify opportunities to minimise and eliminate pre-consumer scrap, run-around scrap and non-tailings waste through increased resource efficiency, reuse recovery and recycling has been retained at Good Practice Level.</li> <li>The Requirement to identify opportunities to minimise the production of tailings was retained at Good Practice Level.</li> <li>Requirement 3 language maintained since it is focused on commercially viable products from industrial processes and/or waste streams.</li> </ul>

	<ul style="list-style-type: none"> <li>• Add Requirements, such as mechanisms to quantify opportunities and targets for reduction; communication with stakeholders to identify their observed obstacles and risks; opportunities for utilisation of tailings in other industries.</li> </ul>	<ul style="list-style-type: none"> <li>• The Good Practice Level has been maintained to focus efforts on identifying opportunities to apply the principles of circularity across the operation's lifecycle from design of the Facility to closure planning.</li> </ul>
<b>Leading Practice</b>	<ul style="list-style-type: none"> <li>• Requirement 1: move to Good Practice Level (one comment); include enforcement mechanisms;</li> <li>• Requirement 2: add opportunities to collaborate with government; add tracking of recycled content through supply chain; and</li> <li>• Add Requirements, such as documenting progress on circularity; stakeholder collaboration; identifying and assessing labour rights, human rights and environmental risks scrap supply chain; tendency towards zero waste and zero tailings for new enterprises.</li> </ul>	<ul style="list-style-type: none"> <li>• Requirement 1 maintained at Leading Practice Level consistent with other Performance Areas.</li> <li>• Requirement 2 maintained at Leading Practice Level. Collaborating with key stakeholders includes governments.</li> <li>• The Leading Practice Requirements have been maintained which include monitoring and publicly disclosing progress for targets, collaboration efforts, and reducing or eliminating tailings and others wastes.</li> </ul>
<b>23.2 - Additional Requirements for Smelters</b>		
<b>General or Overarching</b>	<ul style="list-style-type: none"> <li>• Clarify lack of Foundational Performance Level;</li> <li>• Clarify if Section refers to smelters with integrated recycling facilities or standalone recyclers; and</li> <li>• Add Requirements for public reporting.</li> </ul>	<ul style="list-style-type: none"> <li>• Clarification has been provided that all smelters in Section 23.2 must comply with Towards Good Practice Requirements in Section 23.1.</li> <li>• Section 23.2 applies to all smelters. The focus is to assess the feasibility of whether the smelter can process recycled material. If the smelter cannot process recycled material, their feasibility assessment would demonstrate that.</li> <li>• Requirements for public reporting are included in Section 23.1.</li> </ul>
<b>Good Practice</b>	<ul style="list-style-type: none"> <li>• Requirement 1: add 'develop a process for and identify'; add specificity, especially as related to 'promote';</li> <li>• Requirement 2: add 'develop a process for and identify';</li> <li>• Requirement 3: Move to Leading Practice Level (one comment); provide specific examples of methods;</li> <li>• Requirement 4: provide further clarification on monitoring scrap, such as visiting recycling facilities and sampling recycled material; and</li> </ul>	<ul style="list-style-type: none"> <li>• Requirement 1 language has been maintained for consistency across other Performance Areas.</li> <li>• Requirement 2 language has been maintained for consistency across other Performance Areas.</li> <li>• Requirement 3 language to measure recycled content using recognised methodologies or industry guidelines where available has been maintained at Good Practice Level.</li> <li>• Requirement 4 language to conduct due diligence on incoming materials to verify recycled content claims has been maintained. PA 3 also focuses on responsible sourcing.</li> </ul>



	<ul style="list-style-type: none"> <li>Clarify auditability and materiality and/or include reference to disclosure framework, such as CSRD E5.</li> </ul>	<ul style="list-style-type: none"> <li>Existing language has been maintained. The Consolidated Standard does not aim to explicitly align with any one external disclosure framework due to the constantly evolving landscape.</li> </ul>
Leading Practice	<ul style="list-style-type: none"> <li>Requirement 1: move to Good Practice Level (two comments); change providing information upon request to ‘publicly disclose’;</li> <li>Requirement 2: expand identification and assessment to all minerals;</li> <li>Requirement 4: remove Requirement (two comments); provide considerations for where increasing recovery, reuse and recycling is not possible; prioritise worker safety.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 1 language to provide information on recycled content to commercial partners on request including the methodology and system boundaries applied to determine whether the recycled content has been maintained.</li> <li>Requirement 2 has been maintained since it is focused on scrap supply chains for smelters. There is also a cross reference to PA 3.</li> <li>Requirement 4 has been maintained to promote increasing the recovery, reuse, and recycling of materials against a baseline and as a percentage of material intake. A small change was made to ‘where feasible’ from ‘where possible’.</li> </ul>

Table 8.24 Detailed consultation feedback and CMSI Partner responses on Performance Area 24: Closure

Sub-Sections	Consultation feedback	CMSI Partner responses
<b>24.1 - Closure Management</b>		
<b>General or Overarching</b>	<ul style="list-style-type: none"> <li>• Add Requirements, such as maintaining a form of certification for closed mines to ensure high-standard closure and rehabilitation activities; Specific measures for biodiversity enhancements in closure plans; divestment processes; timing of closure plan and financial assurance; and</li> <li>• Emphasise importance of social and environmental outcomes</li> </ul>	<ul style="list-style-type: none"> <li>• Some, but not all, of these general points have been addressed under specific Requirements below. For example, maintaining a form of certification has not been included as no broadly accepted form of certification exists. Similarly, while biodiversity objectives may be important for closure planning, in some contexts that will not always be the case.</li> </ul>
<b>Foundational Practice (Now Towards Good Practice)</b>	<ul style="list-style-type: none"> <li>• Requirement 1: develop closure plans in collaboration with Indigenous Peoples; add responsible transition to post-mining uses; include timing for plan development; reference Standards for determining risk materiality and what constitutes responsible closure; clarify engagement efforts required;</li> <li>• Requirement 2: move to Good Practice Level (one comment); add additional details for closure plan, such as water management strategies, input from stakeholders and rights holders and socioeconomic transition plan; add implementation of plan; and</li> <li>• Add Requirements, such as progressive implementation of closure during operating life; securing funding for final closure; estimate the costs to implement the closure and rehabilitation plan.</li> </ul>	<ul style="list-style-type: none"> <li>• Requirement 2 includes a provision for engagement with potentially affected stakeholders and rights-holders, which would include Indigenous Peoples where they are present. The timing point is addressed in Requirements 1 and 2 through referring to 'from the design stage'. Responsible closure is effectively defined by the content of Requirement 1.</li> <li>• Requirement 2 has been maintained at this at Towards Good Practice Level. It includes engagement with potentially affected stakeholders and rights-holders and references environmental, social and cultural aspects broadly. Social transition comes in at Good Practice Level – and the closure plan is effectively the implementation plan.</li> <li>• Progressive closure is reflected at the Good Practice Level.</li> </ul>
<b>Good Practice</b>	<ul style="list-style-type: none"> <li>• Requirement 1: move to Foundational Practice Level (one comment); specify engagement with Indigenous Peoples and Indigenous-led monitoring and co-management; add 'seafloor'; specify 'consultation' with stakeholders and rights holders; include management and mitigation of risks;</li> <li>• Requirement 2: move to Foundational Practice Level (one comment); specify 'co-design' of opportunities; clarify 'post-mine communities' and/or considerations for where communities are not nearby; prioritise Indigenous communities;</li> </ul>	<ul style="list-style-type: none"> <li>• Requirement 1 has been maintained at the Good Practice Level. Consultation with affected stakeholders and rights-holders is inclusive of Indigenous Peoples where they are present (which is specifically referred to in the definition of rights-holders). The management as well as identification of risks have been included. Collaboration is covered under Requirement 3.</li> <li>• Requirement 2 has been maintained at Good Practice Level. It now includes co-development of measures to support post-operational social transition.</li> </ul>

- Requirement 3: move to Foundational Practice Level (one comment); change ‘collaborate’ to ‘consult’ or ‘engage’; ensure planning aligns with sustainable long-term outcomes with Indigenous Peoples; specify air quality and physical stability; add monitoring and mitigation of invasive species; add monitoring wells throughout lifecycle;
- Requirement 4: change phrasing to ‘as closure approaches’; clarify frequency and timing of stakeholder engagement; specify engagement with Indigenous Peoples, incorporate FPIC, and address sacred sites, traditional land uses and community-led priorities; include potential partnership opportunities;
- Requirement 5: move to Leading Practice Level (two comments); include closure planning through all stages of lifecycle; consider situations where progressive closure is not feasible; incorporate adaptive monitoring approach with Indigenous ecological knowledge, co-management practices and FPIC; include climate change effects;
- Requirement 6: move to Foundational Practice Level (one comment); add pre-defined frequency and funding for monitoring; add commitment to transparent reporting on progress against closure objectives and activities;
- Requirement 7: move to Foundational Practice Level (one comment); add full closure cost estimation; clarify information to be publicly disclosed; include estimate scenarios for unplanned closure; ensure financial assurance is independently guaranteed, reliable and readily liquid; require published cost figures and undiscounted figures;
- Requirement 8: move to Foundational Practice Level (one comment); combine with Requirement 7 (one comment); clarify Requirement in relation to regulatory Requirements;
- Requirement 9: define or rephrase ‘high level of confidence’;
- Requirement 10: move to Leading Practice Level (one comment); add revisions after material changes to mine plan;

As mentioned above, affected stakeholders and rights-holders are inclusive of Indigenous Peoples where they are present.

- Requirement 3 has been maintained at Good Practice Level. Collaboration has been maintained intentionally. As mentioned above, affected stakeholders and rights-holders is inclusive of Indigenous Peoples where they are present. This Requirement builds on Requirement 1 to be reflective of activities to address risks and impacts. Monitoring is addressed under Requirement 5, but would be broader than groundwater monitoring.
- Requirement 4 has not been changed to include ‘as closure approaches’ to avoid the risk that insufficient attention is given to closure at an early enough stage. Requirements 2 and 3 cover engagement with affected stakeholders and rights-holders, and the suggested additions are too specific. Partnerships are covered by Requirement 2 which specifies the co-development of measures.
- Requirement 5 has been maintained at Good Practice Level, with the emphasis on closure and post-closure rather than at all stages of the lifecycle. The wording on ‘progressive closure’ (now in Requirement 4) reflects the reality that it might not always be possible. Monitoring with the inclusion of Indigenous Ecological Knowledge is incorporated into PA 19.
- Requirement 6 has been maintained at Good Practice Level and the need to define intervals for monitoring has been included. Currently disclosure is limited to the costs of closure.
- Requirement 6 has been maintained at Good Practice Level. Requirement 7 already asks that the Facility estimates ‘the costs to implement the closure plan, update them at defined intervals and in response to significant changes to the mine plan. Make adequate financial provision to meet these costs and publicly disclose this’.
- Requirement 8 has been retained as a distinct Requirement but moved to Towards Good Practice Level.
- The emphasis remains on improving the level of confidence in closure measures progressively over time.
- Requirement 10 has been maintained at good Practice Level but added the qualifier of ‘significant’ to changes to the operational plan.

	<ul style="list-style-type: none"> <li>Requirement 11: move to Leading Practice Level (one comment); include emergency preparedness; and</li> <li>Add Requirements, such as reducing water treatment needs at closure; gender-inclusivity and inclusivity of disadvantaged and vulnerable groups; establish rehabilitation trial areas to inform closure plan; engage in progressive closure during operation phase; review and apply lessons from previously closed sites; develop time-bound and measurable post-closure monitoring Requirements.</li> </ul>	<ul style="list-style-type: none"> <li>Requirement 11 has been maintained at Good Practice Level and already includes emergency preparedness.</li> <li>Most of these have not been included on the basis that they are too specific or overly prescriptive.</li> </ul>
Leading Practice	<ul style="list-style-type: none"> <li>Requirement 1: move to Good or Foundational Practice Level (three comments); clarify level of detail and method for publicly disclosing closure costs; include disclosing provisions specifically allocated for addressing cultural, environmental and economic priorities of Indigenous Peoples and other rights-holders;</li> <li>Requirement 2: move to Good Practice Level (one comment); address redundancy with Good Practice Requirement 2; add input on environmental and cultural considerations and employment opportunities; specify collaboration with Indigenous Peoples, incorporating FPIC into process; and</li> <li>Add Requirements, such as eliminating water treatment in perpetuity as a closure solution; efforts to decommission dams; add assessments related to mine closure into active mine; regenerative approaches, linking to circular economy principles; include support and collaboration on closure and reclamation research; establish financial assurance for all closure and post-closure costs, including worst-case scenarios; annual disclosure of financial provisions for all facilities.</li> </ul>	<ul style="list-style-type: none"> <li>The Requirement to disclose closure costs is reflected at the Good Practice Level, whereas the Requirement to disclose the methodology is maintained at Leading Practice Level. The specific suggestions for what should be incorporated into cost estimates have not been added to avoid being overtly prescriptive as these are inherently variable.</li> <li>Requirement 2 has been maintained at Leading Practice Level, and the wording emphasises collaboration throughout the life of the Facility on post-operational social transitions.</li> <li>The suggested additions have not been included on the basis that they are too prescriptive for a performance standard.</li> </ul>

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