

CMSI Consultation Response

Respondent Details

NAME

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COUNTRY

Brazil

PERMISSION

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

STAKEHOLDER

Industry (midstream)

ORGANISATION

Vale Base Metals

COMMENTS & QUESTIONS BY DOCUMENT

Document:
Standard

General comment on Performance Area

COMMENT:

Progression between practice levels: The standard often assumes a high level of familiarity with the concepts presented, offering limited background or rationale for its requirements. The existing format of the CMS, featuring requirements and practice levels does not clearly delineate the transition or measurable pathway for progression from "towards good practice," to "good practice," to "leading practice". This creates uncertainty in how the operation can demonstrate improvement and move between levels, as well as potential assurance challenges. Including more context would help align stakeholders and practitioners across diverse operations.

COMMENT:

Requirement clarity and consistency: Many requirements continue to use ambiguous terms such as "where feasible," "where appropriate," "defined intervals," and "meaningful engagement." These lack auditability and create interpretation challenges. Clear definitions, examples, and minimum expectations should be provided in guidance documents. Consolidate overlapping concepts (e.g., grievance mechanisms vs. whistleblower channels; engagement vs. consultation) and ensure consistent terminology across performance areas.

COMMENT:

Cadence of reviews or updates: The Standard refers "periodically" or "regularly" updating management plans, procedures, etc. We recommend an expectation for a minimum cadence be provided. This could be linked to the audit cycle, so that reviews or updates take place at least every three years.

COMMENT:

Auditability and assurance: Several requirements are difficult to verify objectively (e.g., “demonstrate meaningful engagement,” “make documented progress”). CMSI should develop an audit protocol with defined indicators and evidence criteria to support consistent assurance across diverse operations. Independent review expectations need clarity on scope, frequency, and competency requirements for reviewers.

COMMENT:

Reference and integration with existing recognized standards: The CMS references globally recognized frameworks (e.g., IFC Performance Standards, UNGPs, GISTM, OECD Guidance) but does not clearly articulate equivalency or cross-recognition. Allowing entities to demonstrate conformance through existing certifications or protocols would reduce duplication and improve efficiency.

COMMENT:

Practicality and feasibility: Some requirements are overly prescriptive or resource-intensive for smaller operators (e.g., ESIA scope at Towards Good Practice, ASM socio-economic research, biodiversity offsets). Guidance should balance ambition with feasibility and provide flexibility for context-specific implementation. Disclosure expectations need clearer boundaries to avoid conflicts with regulatory processes or confidentiality (e.g., Indigenous agreements, closure cost assumptions).

Performance Area 01: Corporate Requirements

SECTION: 1.1 Corporate Accountability, Good Practice, 3

COMMENT:

The wording of this requirement represents a basic practice. Any publicly traded company is already required to share their policies. The phrase “integrate sustainability metrics into senior executive compensation” also seems more aligned with Towards Good Practice level.

SECTION: 1.1 Corporate Accountability, Leading Practice, 1

COMMENT:

It is unclear why sustainability metrics not specifically linked to PA’s are relevant to this standard and therefore to executive compensation.

SECTION: 1.2 Sustainability Reporting, Towards Good Practice, 1

COMMENT:

Having removed the specific references to reporting standards in this version means there is a lack of guidance on reporting. Is it intended to link to an agnostic sustainability report? What is it connected to, and what outcomes are expected?

It seems like a reporting exercise without linking to any performance outcomes. How is this different from a risk assessment?

SECTION: 1.3 Transparency of Mineral Revenues, Good Practice, 2

COMMENT:

EITI requirements are tricky for Canada. Please clarify what applies to non-EITI countries. The language around EITI needs to be clearer; what are the financial thresholds? Is there a reporting threshold for EITI? The disclosure requirements are not clear in this requirement.

SECTION: 1.3 Transparency of Mineral Revenues, Good Practice

COMMENT:

Publicly disclose where? The requirement is broad for an elective ask. It would be helpful to provide a list of equivalencies or clear guidance on acceptable disclosure methods.

SECTION: 1.4 Risk Assessment, Good Practice, 1

COMMENT:

This is considered good practice. VBM agrees with having a risk register. Would an enterprise risk register meet this requirement? The rigour described to meet this requirement could help improve processes.

SECTION: 1.4 Risk Assessment, Leading Practice

COMMENT:

Consider adding an additional section, such as 1.4.1, to include guardrails for controlling risk. Currently, there is no clear performance outcome specified. At the Leading Practice level, the requirement should demonstrate that risks are sufficiently managed, but as written, it seems very open-ended.

SECTION: 1.5 Corporate Crisis Management, Good Practice, 1

COMMENT:

How do you define complete? It should be included at a facility level.

SECTION: 1.5 Corporate Crisis Management, Towards Good Practice, 2

COMMENT:

The distinction between the Towards Good Practice and Good Practice requirements needs to be more explicit. At the Towards Good Practice level, the expectation is to develop and "finalize" the Corporate Crisis Response Plan, whereas Good Practice implies implementation. However, the term "implement" is not clearly stated in Good Practice requirement (1), creating ambiguity regarding progression from drafting to full execution. Clear language differentiating "draft," "finalize," and "implement" is recommended to avoid misinterpretation.

COMMENT:

Provide clear ESG external disclosure guidance. The disclosure requirements are vague and could create unnecessary complexity. Clarify expectations for non-EITI countries, financial thresholds, and where disclosures should occur. Include guidance on whether existing sustainability reports or enterprise risk registers meet requirements, and provide equivalency lists to ensure consistency.

COMMENT:

Current language on risk registers and controls reads like an inventory rather than a test of system effectiveness. Define acceptable risk thresholds, require demonstrable controls for severity and likelihood, and

consider adding a section (e.g., 1.4.1) with guardrails and clear performance outcomes to ensure risks are sufficiently managed.

Performance Area 02: Business Integrity

SECTION: 2.2 Business Ethics and Accountability, Good Practice, 1

COMMENT:

Add reference to anti-money laundering and human rights violations.

SECTION: 2.2 Business Ethics and Accountability, Good Practice, 4

COMMENT:

Specify that the internal review should consider external factors.

SECTION: 2.2 Business Ethics and Accountability, Leading Practice, 5

COMMENT:

Provide additional clarity on how a company would publicly disclose this information and what level of information is required.

COMMENT:

Overall, the requirements in this Performance Area are reasonable for their respective performance level. Minor additions or clarifications are suggested.

Performance Area 03: Responsible Supply Chains

SECTION: 3.1 Responsible Supply Chain (applicable to all Facilities), Good Practice, 1

COMMENT:

This requirement is reasonable in this practice level.

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

COMMENT:

Hotlines are normally part of grievance mechanisms. "Early warning systems" are wider and needs clarification with examples, such as whistleblower channels.

SECTION: 3.1 Responsible Supply Chain (applicable to all Facilities), Good Practice, 3

COMMENT:

"Reasonable action" needs to be defined. Without being overly prescriptive, some guidance is needed to help interpret what this means in practice. Without clarification, it's difficult to assess whether a Facility's actions meet the intent of this requirement.

SECTION: 3.1 Responsible Supply Chain (applicable to all Facilities), Good Practice, 4

COMMENT:

“Defined intervals” is vague and needs a clearer limit or guidance, such as establishing a minimum frequency. For example, if a Facility conducts an internal review every 20 years, that would technically meet the requirement but that is clearly not the intent.

Also, an internal review should lead to corrective actions i.e., this should be reflected in the requirement or guidance.

SECTION: 3.1 Responsible Supply Chain (applicable to all Facilities), Good Practice, 5

COMMENT:

How deep do we need to go on this requirement? For example, when disclosing actual or potential risks, how detailed does this need to be? There’s sensitivity around the level of information that is provided; what is the expectation here? More clarity is needed on the level of detail expected in the disclosure.

SECTION: 3.1 Responsible Supply Chain (applicable to all Facilities), Good Practice, 6

COMMENT:

“Where appropriate” is vague and needs clarification. Suggest using language like “best effort” or providing examples of what would be considered appropriate involvement.

SECTION: 3.1 Responsible Supply Chain (applicable to all Facilities), Leading Practice, 1

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 3.1 Responsible Supply Chain (applicable to all Facilities), Leading Practice, 2

COMMENT:

This requirement should be in the Good Practice level. “Encourage suppliers...” would typically be reflected in terms and conditions within supplier agreements. This could also be onerous for small suppliers, and so full access to the contracting company’s mechanism could be a feasible alternative.

SECTION: 3.1 Responsible Supply Chain (applicable to all Facilities), Leading Practice, 3

COMMENT:

This requirement is reasonable in this practice level.

SECTION: 3.1 Responsible Supply Chain (applicable to all Facilities), Leading Practice, 4

COMMENT:

This requirement is reasonable in this practice level.

SECTION: 3.1 Responsible Supply Chain (applicable to all Facilities), Towards Good Practice, 1

COMMENT:

This requirement could create challenges for junior mining companies, particularly if the public disclosure of a responsible supply chain policy is interpreted as a binding commitment. If the policy references the OECD Due Diligence Guidance, then its placement in the Towards Good Practice level is appropriate; however, if the intent is for companies to demonstrate implementation of OECD-aligned due diligence systems, that would be more suitable for the Good Practice level.

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

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 3.1 Responsible Supply Chain (applicable to all Facilities), Towards Good Practice, 3

COMMENT:

Clarity is required as there are many potential frameworks.

SECTION: 3.2 Responsible Mineral Sourcing, Good Practice, 1

COMMENT:

Could consider merging the due diligence system across sub-sections 3.1 and 3.2.

SECTION: 3.2 Responsible Mineral Sourcing, Good Practice, 2

COMMENT:

An independent audit should be at Leading Practice level, especially if the intent is to assess the effectiveness of the due diligence system.

SECTION: 3.2 Responsible Mineral Sourcing, Good Practice, 3

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 3.2 Responsible Mineral Sourcing, Good Practice, 4

COMMENT:

Need clarification on why ten years was selected (assume driven by EU regulatory requirements). Many companies have five years, or align with international or industry standards, or local requirements.

SECTION: 3.2 Responsible Mineral Sourcing, Leading Practice, 1

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 3.2 Responsible Mineral Sourcing, Leading Practice, 2

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 3.2 Responsible Mineral Sourcing, Towards Good Practice, 1

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 3.2 Responsible Mineral Sourcing, Towards Good Practice, 2

COMMENT:

This requirement could be too onerous for junior mining companies (e.g., resources required to conduct this level of analysis).

Performance Area 04: New Projects, Expansions and Resettlement

SECTION: 4.1 Environmental and Social Impact Assessments, Good Practice

COMMENT:

The expectation to monitor progress and disclose updates needs clearer guidance. Current wording leaves ambiguity on what "disclosure" entails, whether it means posting on a website, providing summary forms, or sharing full regulatory submissions. Without clarity, disclosure could create conflict with communities or Indigenous Peoples during project development or extension. Define what disclosure looks like, its format, and acceptable channels.

SECTION: 4.1 Environmental and Social Impact Assessments, Towards Good Practice, 2

COMMENT:

If this is set as a minimum requirement (Towards Good Practice), it could present challenges. Applying this as the minimum standard may be very stringent for junior mining companies. You could have very different standards being applied.

Explicit language such as "Conduct ESIA to IFC Performance Standard 1" would reduce ambiguity. Including a list of countries that enforce IFC standards and provide clear implementation guidance. Explicitly say, "Do the ESIA to IFC Performance Standards or "Define", or "do..." would be more suitable.

SECTION: 4.2 Land Acquisition and Resettlement, Towards Good Practice, 1

COMMENT:

The hierarchy of impacts is not clear. It should specify the sequence of actions, first avoid, then minimize, and finally mitigate or compensate.

SECTION: 4.2 Land Acquisition and Resettlement, Towards Good Practice, 2

COMMENT:

There is no definition of "consult," although there is a robust definition for "meaningfully engage." Does the requirement mean "meaningfully engage" here?

COMMENT:

The ESIA requirement in Section 4.1 includes human rights, which aligns with VBM’s internal goal of integrating Human Rights Assessments into new project evaluations. Clarification is needed whether a standalone Human Rights Assessment is expected or whether integration within the ESIA suffices. This would help ensure consistent application across projects and alignment with existing internal standards.

COMMENT:

The standard requires monitoring RAP implementation but does not define a clear end point. CMSI should clarify what constitutes the conclusion of an “active RAP” and provide guidance on long-term monitoring, particularly where impacts may persist beyond five years.

COMMENT:

Disclosure requirements lack specificity on format, channels, and level of detail. Without clear guidance, disclosure could create conflict or misalignment with regulatory processes. Implementation guidance and examples would improve consistency. For example, should it include baseline data, mitigation plans, stakeholder engagement summaries, or cumulative impact assessments?

Performance Area 05: Human Rights

SECTION: 5.1 Human Rights, Good Practice, 1

COMMENT:

Establish parameters to clarify “connected to the Facility’s operations or associated with the Facility’s suppliers and business partners”. For example, taking a risk-based approach, or based on the type of relationship.

SECTION: 5.1 Human Rights, Good Practice, 2

COMMENT:

Provide consistency across the requirements for grievance mechanisms, and clarity on how a single mechanism can meet multiple frameworks, e.g. IFC, UNGPs.

SECTION: 5.1 Human Rights, Good Practice, 3

COMMENT:

Prioritize remedying impacts that the facility has caused, and then those that have been contributed to.

SECTION: 5.1 Human Rights, Good Practice, 4

COMMENT:

“Publicly disclose” needs clarification. More guidance is needed on what level of detail is expected.

SECTION: 5.1 Human Rights, Good Practice, 5

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 5.1 Human Rights, Leading Practice, 1

COMMENT:

Facility-level targets should be at good practice level, and supply chain and business relationship targets should be at Leading Practice level.

SECTION: 5.1 Human Rights, Leading Practice, 2

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 5.1 Human Rights, Leading Practice, 3

COMMENT:

Real and potential should be updated to "actual and potential".

SECTION: 5.1 Human Rights, Leading Practice, 4

COMMENT:

This requirement should be at the Good Practice level.

SECTION: 5.1 Human Rights, Leading Practice, 5

COMMENT:

This requirement is reasonable at Leading Practice level.

SECTION: 5.1 Human Rights, Towards Good Practice, 1

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 5.1 Human Rights, Towards Good Practice, 2

COMMENT:

focus on vulnerable groups and human rights defenders may be at Good Practice level, and women should also be highlighted here.

SECTION: 5.1 Human Rights, Towards Good Practice, 3

COMMENT:

Clarify if whistleblower channels should also be considered here, where they receive human rights grievances, as these can also act as grievance mechanisms.

SECTION: 5.1 Human Rights, Towards Good Practice, 4

COMMENT:

This requirement is reasonable at this practice level.

COMMENT:

Overall, the requirements in this Performance Area seem reasonable. Some changes across the performance levels are suggested, definition or clarification of key terms would be helpful, either here or in related definitions and guidance, and particular clarity on the level of disclosure and due diligence required across supply chains and business relationships is needed.

Performance Area 06: Child and Forced Labour

SECTION: 6.1 Prevention of Child and Forced Labour, Good Practice, 1

COMMENT:

Incorporate a risk-based approach and apply to partners identified as high-risk.

SECTION: 6.1 Prevention of Child and Forced Labour, Good Practice, 2

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 6.1 Prevention of Child and Forced Labour, Good Practice, 3

COMMENT:

This requirement could be consolidated with prohibiting payment of recruitment fees/document withholding requirement.

SECTION: 6.1 Prevention of Child and Forced Labour, Good Practice, 4

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 6.1 Prevention of Child and Forced Labour, Good Practice, 5

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 6.1 Prevention of Child and Forced Labour, Good Practice, 6

COMMENT:

Consider removing references to GRI to avoid the risk of becoming outdated.

SECTION: 6.1 Prevention of Child and Forced Labour, Good Practice, 7

COMMENT:

Include the requirement to implement corrective actions.

SECTION: 6.1 Prevention of Child and Forced Labour, Leading Practice, 1

COMMENT:

Remediation framework is included in this requirement, but is not referred to elsewhere. Either update for consistency or remove.

SECTION: 6.1 Prevention of Child and Forced Labour, Leading Practice, 2

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 6.1 Prevention of Child and Forced Labour, Leading Practice, 3

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 6.1 Prevention of Child and Forced Labour, Leading Practice, 4

COMMENT:

Define and establish consistency across requirements regarding "significant risks".

SECTION: 6.1 Prevention of Child and Forced Labour, Leading Practice, 5

COMMENT:

Define and establish consistency across requirements regarding "significant risks".

SECTION: 6.1 Prevention of Child and Forced Labour, Towards Good Practice, 1

COMMENT:

Potentially consider replacing modern slavery with "child labour, forced labour and human trafficking", as modern slavery has no international level definition.

SECTION: 6.1 Prevention of Child and Forced Labour, Towards Good Practice, 2

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 6.1 Prevention of Child and Forced Labour, Towards Good Practice, 3

COMMENT:

This due diligence could be linked to or integrated within other performance areas. Application to junior mining companies should also be clarified, as this could be too onerous for them.

SECTION: 6.1 Prevention of Child and Forced Labour, Towards Good Practice, 4

COMMENT:

While in most contexts this requirement is reasonable at this practice level, in some contexts this might also be more appropriate at Good Practice level.

SECTION: 6.1 Prevention of Child and Forced Labour, Towards Good Practice, 5

COMMENT:

While training is reasonable at this level, alignment with the ILO or UNGPs could be too onerous, and could be at Good Practice level.

SECTION: 6.1 Prevention of Child and Forced Labour, Towards Good Practice, 6

COMMENT:

While in most contexts these requirements are reasonable at this practice level, in some contexts this might also be more appropriate at Good Practice level.

SECTION: 6.1 Prevention of Child and Forced Labour, Towards Good Practice, 7

COMMENT:

While in most contexts these requirements are reasonable at this practice level, in some contexts this might also be more appropriate at Good Practice level.

SECTION: 6.1 Prevention of Child and Forced Labour, Towards Good Practice, 8

COMMENT:

While in most contexts these requirements are reasonable at this practice level, in some contexts this might also be more appropriate at Good Practice level.

COMMENT:

Overall, the requirements in this Performance Area seem reasonable. Some changes or consolidation across the performance levels and requirements are suggested, definition or clarification of key terms would be helpful, either here or in related definitions and guidance, and references to external frameworks might either be too onerous for junior mining companies or become outdated too quickly.

Performance Area 07: Rights of Workers

SECTION: 7.1 Rights of Workers, Good Practice, 1

COMMENT:

Clarify how detailed these processes should be, and which risks are being referred to. It is difficult to prove what you prevent.

SECTION: 7.1 Rights of Workers, Good Practice, 10

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 7.1 Rights of Workers, Good Practice, 11

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 7.1 Rights of Workers, Good Practice, 12

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 7.1 Rights of Workers, Good Practice, 13

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 7.1 Rights of Workers, Good Practice, 14

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 7.1 Rights of Workers, Good Practice, 15

COMMENT:

Clarify the criteria for assessing effectiveness, e.g., UNGP 31.

SECTION: 7.1 Rights of Workers, Good Practice, 2

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 7.1 Rights of Workers, Good Practice, 3

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 7.1 Rights of Workers, Good Practice, 4

COMMENT:

Include the nuance of meritocracy here regarding equal pay for equal work, as high performers and workers with longer tenures might receive larger increases.

SECTION: 7.1 Rights of Workers, Good Practice, 5

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 7.1 Rights of Workers, Good Practice, 6

COMMENT:

Clarify the definition of facility, and the application to guests at sites, even if guests are company employees visiting from other facilities. This requirement may be too onerous, and there is an opportunity for simplification, such as potentially removing the last two sentences.

SECTION: 7.1 Rights of Workers, Good Practice, 7

COMMENT:

Compliance with the stated working hour limits may present challenges for operations that require continuous processes or fly-in fly-out (FIFO) rotations. These schedules often involve extended shifts and compressed work periods, which differ from standard office-based arrangements. Feasibility will need to be assessed for such operational contexts.

SECTION: 7.1 Rights of Workers, Good Practice, 8

COMMENT:

Clarify fly-in, fly-out (FIFO) scenarios. Our primary schedule in Voisey's Bay - 14 days on, 14 days off (12-hour shift). So, employees work 168 hours in a two-week period - then they are off for two weeks. Another example: we also have a primary schedule in Long Harbor that is 6 days on - 4 days off - 4 days on - 6 days off. Clearly, they are above the "40 hours" - this statement would only work in an office type setting - not a 24/7 operating environment.

SECTION: 7.1 Rights of Workers, Good Practice, 9

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 7.1 Rights of Workers, Leading Practice, 1

COMMENT:

Include required frequencies of this requirement, or establish it as being "as needed" or risk-based.

SECTION: 7.1 Rights of Workers, Leading Practice, 2

COMMENT:

Include required frequencies of this requirement, or establish it as being "as needed" or risk-based.

SECTION: 7.1 Rights of Workers, Leading Practice, 3

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 7.1 Rights of Workers, Leading Practice, 4

COMMENT:

The ability to do this will vary by jurisdiction and should be taken into account.

Clarify or define the term "entry level".

SECTION: 7.1 Rights of Workers, Leading Practice, 5

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 7.1 Rights of Workers, Leading Practice, 6

COMMENT:

This will need guidance and examples of leading practice.

SECTION: 7.1 Rights of Workers, Leading Practice, 7

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 7.1 Rights of Workers, Leading Practice, 8

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 7.1 Rights of Workers, Leading Practice, 9

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 7.1 Rights of Workers, Towards Good Practice, 1

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 7.1 Rights of Workers, Towards Good Practice, 2

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 7.1 Rights of Workers, Towards Good Practice, 3

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 7.2 Grievance Mechanism for Workers (Employees and Contractors), Good Practice, 1

COMMENT:

Clarify if specific channels for specific vulnerable groups are required or preferable. Consultation should be in Leading Practice.

SECTION: 7.2 Grievance Mechanism for Workers (Employees and Contractors), Good Practice, 2

COMMENT:

Provide guidance on the required or recommended regularity of updates, as this is dependent on the stage of the investigation process, and is more established with unionized employees.

SECTION: 7.2 Grievance Mechanism for Workers (Employees and Contractors), Good Practice, 3

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 7.2 Grievance Mechanism for Workers (Employees and Contractors), Good Practice, 4

COMMENT:

Provide guidance on the required or recommended regularity of updates, as this is dependent on the stage of the investigation process, and is more established with unionized employees.

SECTION: 7.2 Grievance Mechanism for Workers (Employees and Contractors), Good Practice, 5

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 7.2 Grievance Mechanism for Workers (Employees and Contractors), Good Practice, 6

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 7.2 Grievance Mechanism for Workers (Employees and Contractors), Good Practice, 7

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 7.2 Grievance Mechanism for Workers (Employees and Contractors), Leading Practice, 1

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 7.2 Grievance Mechanism for Workers (Employees and Contractors), Leading Practice, 2

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 7.2 Grievance Mechanism for Workers (Employees and Contractors), Leading Practice, 3

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 7.2 Grievance Mechanism for Workers (Employees and Contractors), Towards Good Practice, 1

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 7.2 Grievance Mechanism for Workers (Employees and Contractors), Towards Good Practice, 2

COMMENT:

Clearly define the facility in this context.

SECTION: 7.2 Grievance Mechanism for Workers (Employees and Contractors), Towards Good Practice, 3

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 7.2 Grievance Mechanism for Workers (Employees and Contractors), Towards Good Practice, 4

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 7.2 Grievance Mechanism for Workers (Employees and Contractors), Towards Good Practice, 5

COMMENT:

This requirement is reasonable at this practice level.

Performance Area 08: Diversity, Equity, and Inclusion

SECTION: 8.1 Governance of Diversity, Equity, and Inclusion (Corporate Level), Good Practice, 3

COMMENT:

*We need clear language that shows that we can meet the requirement without setting numeric targets by focusing on process-based objectives and qualitative measures that demonstrate commitment to representation as well. **Suggest: set DEI representation objectives (quantitative or qualitative) for corporate leadership.*

SECTION: 8.1 Governance of Diversity, Equity, and Inclusion (Corporate Level), Good Practice, 4

COMMENT:

The change from “where relevant” (draft 1) to “and relevant” is good.

SECTION: 8.1 Governance of Diversity, Equity, and Inclusion (Corporate Level), Good Practice, 5

COMMENT:

Specifying “defined intervals” could be restrictive; companies prefer flexibility but agree it’s reasonable.

SECTION: 8.1 Governance of Diversity, Equity, and Inclusion (Corporate Level), Leading Practice, 2

COMMENT:

Suggest removing the words “and/or targets’ and leaving it as just “objectives.” Additionally, requiring public disclosure of results and objectives is more prescriptive than most other protocols in the standard. Most public disclosure centers around policies, programs, or information not benchmarked against targets. Suggest removing disclosure of objectives and results from public disclosure.

SECTION: 8.2 Management of Diversity, Equity, and Inclusion (Facility Level), Good Practice, 4

COMMENT:

Having the word “reasonable” in the requirement makes it a fair requirement.

SECTION: 8.2 Management of Diversity, Equity, and Inclusion (Facility Level), Good Practice, 5

COMMENT:

Training and awareness programmes at “defined intervals’ may not make sense for this protocol. It may be a couple of training courses in one year and no training for 2 years. We suggest instead of “defined intervals’ changing the frequency to “periodic” or “ongoing” to allow more flexibility in the frequency.

SECTION: 8.2 Management of Diversity, Equity, and Inclusion (Facility Level), Good Practice, 9

COMMENT:

VBM prefers disclosure at corporate level for clarity even if reporting of facility level metrics are required.

SECTION: 8.2 Management of Diversity, Equity, and Inclusion (Facility Level), Leading Practice, 3

COMMENT:

Please make it clear that objectives can be both quantitative and qualitative.

SECTION: 8.2 Management of Diversity, Equity, and Inclusion (Facility Level), Leading Practice, 4

COMMENT:

This is unique that an internal review is reported externally. It is typically used for continuous internal improvement and not external review. Suggest removing the external reporting requirement. Also, is “report externally” different than “publicly disclose’?

SECTION: 8.2 Management of Diversity, Equity, and Inclusion (Facility Level), Towards Good Practice, 4

COMMENT:

In the FAQ of the final version please provide more guidance on what is meant by the requirement.

COMMENT:

This Performance Area could benefit from clearer definitions and guidance, particularly around terms such as "corporate leadership," "rights-holders," and disclosure expectations, to avoid ambiguity and ensure consistent interpretation.

COMMENT:

The intent behind accessibility and training requirements is positive; however, adding flexibility for intervals and recognizing resource constraints would make implementation more practical.

COMMENT:

Overall, the draft standard is aligned with industry best practices/frameworks, but should balance ambition with feasibility, ensuring requirements are achievable across diverse operational contexts.

Performance Area 09: Safe, Healthy and Respectful Workplaces

SECTION: 9.1 Health and Safety Management, Good Practice, 4

COMMENT:

VBM has no issue with these requirements as they are already addressed in our programs. Consider adding the need for timeframes for investigations and follow up action items to ensure timely completion. Consider also adding a requirement to share lessons learned across the industry.

SECTION: 9.1 Health and Safety Management, Towards Good Practice, 7

COMMENT:

VBM has no issue with these requirements as they are already addressed in our programs. Consider adding the need for timeframes for investigations and follow up action items to ensure timely completion. Consider also adding a requirement to share lessons learned across the industry.

SECTION: 9.2 Psychological Safety & Respectful Workplaces, Good Practice, 4

COMMENT:

Suggest clarifying whether "trauma-informed" is expected to be integrated into both informal and formal resolution pathways. Would a whistleblower channel meet this requirement?

SECTION: 9.2 Psychological Safety & Respectful Workplaces, Leading Practice, 2

COMMENT:

The wording "underrepresented in the mining" is unclear; suggest revising to "underrepresented in the mining industry" for clarity.

There's a grey area around frequency; clarify expected frequency for formal engagement with underrepresented groups; should this occur every two or three years? Guidance on engagement intervals would be helpful.

SECTION: 9.3 Training, Behaviour and Culture, Good Practice, 4

COMMENT:

Clarify the expected frequency of engagement with underrepresented and marginalized groups.

SECTION: 9.3 Training, Behaviour and Culture, Leading Practice, 3

COMMENT:

There is a connection to Fit for Duty; can engineering solutions help remove accessibility barriers?

Also, consider linking psychological stress factors to D&A programs.

This requirement could be expanded to include integration of new construction or development projects, not just existing workplace design.

SECTION: 9.3 Training, Behaviour and Culture, Leading Practice, 4

COMMENT:

Clarify defined intervals; perhaps rather than creating a defined interval, provide guidance on what good looks like for a defined interval; clarify the "effectiveness" criteria.

SECTION: 9.4 Monitoring, Performance and Reporting, Leading Practice, 2

COMMENT:

What is involved in a review? What is the level of documentation or competency of the reviewer?

Clarification needed on the term "independent review" as it replaces the previously used term "audit", which implies a more structured and detailed process.

COMMENT:

Under the TSM Health and Safety protocol, ISO 45001 certification allowed a simplified approach, will CMSI adopt a similar model?

COMMENT:

For requirements involving independent assessments (e.g., psychological safety), will CMSI provide guidance on audit criteria, valid indicators, feedback mechanisms, and trauma-informed processes? If third-party assessments are required, what criteria govern assessor selection and evaluation of effectiveness, or should companies define their own standards?

COMMENT:

Clarification is needed around what "defined intervals" means in the context of internal and independent reviews.

COMMENT:

Some of the guidance comes from TSM SHR Workplaces (e.g. underrepresented, workplace design). Can we assume, where relevant, these will be transferred to CMSI guidance or FAQs?

Performance Area 11: Security Management

SECTION: 11.1 Security Management, Good Practice, 1

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 11.1 Security Management, Good Practice, 2

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 11.1 Security Management, Good Practice, 3

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 11.1 Security Management, Good Practice, 4

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 11.1 Security Management, Good Practice, 5

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 11.1 Security Management, Good Practice, 6

COMMENT:

*Establish criteria for the level of upstream/downstream engagement;
Clarify how a facility would be assessed if they only engaged with some and not all of these stakeholders.*

SECTION: 11.1 Security Management, Good Practice, 7

COMMENT:

This should be at Towards Good Practice level; Include a focus on cultural-specific training and addressing biases/attitudes, rather than just vulnerable groups, including within security teams.

SECTION: 11.1 Security Management, Good Practice, 8

COMMENT:

This is very prescriptive and perhaps should be removed. If it is retained, it needs a caveat regarding certain jurisdictions.

SECTION: 11.1 Security Management, Good Practice, 9

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 11.1 Security Management, Leading Practice, 1

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 11.1 Security Management, Leading Practice, 2

COMMENT:

This should be at the Good Practice level, although making it is potentially onerous for companies to monitor enforcement of contracts.

SECTION: 11.1 Security Management, Leading Practice, 3

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 11.1 Security Management, Leading Practice, 4

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 11.1 Security Management, Towards Good Practice, 1

COMMENT:

This requirement is reasonable at this practice level.

SECTION: 11.1 Security Management, Towards Good Practice, 2

COMMENT:

This could be overly prescriptive, particularly for low-risk jurisdictions. This often falls under human rights but is more often covered by the risk management team.

SECTION: 11.1 Security Management, Towards Good Practice, 3

COMMENT:

Please define "ability" (with a view towards preparation for auditing).

SECTION: 11.1 Security Management, Towards Good Practice, 4

COMMENT:

Please define key terms, such as “appropriate” (with a view towards preparation for auditing) and highlight referral pathways to improve clarity.

SECTION: 11.1 Security Management, Towards Good Practice, 5

COMMENT:

Consider integrating into other stakeholder engagement requirements to avoid danger of consultation fatigue, and/or provide a hierarchy of communication requirements, considering differences in different jurisdictions.

Performance Area 12: Engagement

SECTION: 12.1 Engagement, Good Practice, 6

COMMENT:

The phrase “where appropriate” raises a question: who determines what is appropriate from an auditing perspective? This needs clarification.

Due diligence is required to assess the community’s capacity for engagement. We cannot assume capacity without conducting an analysis.

The definition of “appropriate” should be clearly established to guide consistent interpretation during audits.

SECTION: 12.1 Engagement, Good Practice, 7

COMMENT:

A cross-reference to Performance Area 17 (Grievance Mechanism) should be included, as it is not currently mentioned.

This requirement is more aligned with the Leading Practice level rather than the Good Practice level.

SECTION: 12.1 Engagement, Good Practice

COMMENT:

General comment: requirements seem scattered in the Good Practice level.

SECTION: 12.1 Engagement, Leading Practice, 2

COMMENT:

This requirement should be Good Practice level.

SECTION: 12.1 Engagement, Leading Practice, 3

COMMENT:

This requirement is a very high bar.

SECTION: 12.1 Engagement, Towards Good Practice, 2

COMMENT:

The definition of “local” is acceptable; however, it should remain adaptable to changes in baseline context or physical conditions. A clear cadence for updating this definition is needed.

Legitimate representatives are predominantly men (whether elected or not). There are also informal leaders, often women, who hold significant influence within the community. These individuals should be mapped separately from general community members.

The category of “legitimate representatives” requires more detailed mapping.

SECTION: 12.1 Engagement, Towards Good Practice, 3

COMMENT:

The current definition of “meaningful engagement” at this practice level is too ambitious (e.g., requiring two-way communication). Engagement is built over time; therefore, the definition at the Towards Good Practice level should remain basic. At the Good Practice level, as engagement scales up, the concept of meaningful engagement can be expanded.

A separate and clear definition of “engagement” should be established for the Towards Good Practice level.

SECTION: 12.1 Engagement, Towards Good Practice, 4

COMMENT:

The use of “meaningful information” and “timely” in this requirement could be open to ambiguity for operations and auditors.

COMMENT:

The current definition of “meaningful engagement” as a process of mutual dialogue with obligations to consult, listen, and integrate stakeholder perspectives into decision-making is too ambitious for the Towards Good Practice level. It includes expectations such as overcoming structural barriers, enabling transparent communication, and ensuring accountability, which are more aligned with Good or Leading Practice. Engagement is built over time. At the Towards Good Practice level, the definition should reflect a basic/foundational approach such as initiating two-way communication and establishing trust. As facilities progress to Good Practice, the definition can be scaled up to include deeper collaboration, responsiveness, and integration of feedback. Recommendation to tiering the definition of engagement across performance levels; using a simplified version at Towards Good Practice to reflect early-stage engagement; reserving the full definition of “meaningful engagement” for Good Practice level and above, where facilities are expected to demonstrate more robust and inclusive processes.

Performance Area 13: Community Impacts and Benefits

SECTION: 13.1 Community Impact Management, Good Practice, 2

COMMENT:

This requirement seems basic; it should go further. Instead of only facilitating and encouraging participation, the expectation should be to ensure that women, vulnerable, and underrepresented stakeholders are actively included in the evaluation and assessment of impacts.

Clarification is needed on what constitutes “vulnerable” or “underrepresented” groups. This is important because identifying these groups has resource implications. The definition should align with the agreed interpretation of “vulnerable and underrepresented stakeholders and rights-holders.”

SECTION: 13.1 Community Impact Management, Good Practice, 4

COMMENT:

Include corrective actions in this requirement; that is the bare minimum for monitoring.

SECTION: 13.1 Community Impact Management, Leading Practice, 1

COMMENT:

This requirement is clear; when we are assessing Leading Practice, this is in line with what we have seen.

SECTION: 13.1 Community Impact Management, Leading Practice, 4

COMMENT:

This requirement may be challenging to implement. While training stakeholders to participate in the assessment of adverse risks and impacts is feasible, there are considerations around appropriate oversight, resource pressures, and liability.

In the Canadian context, there is a potential cost burden that could disproportionately fall on the mining company (e.g., federal budget implications, as seen in Sudbury). Many training needs, such as those for forestry, mining, and transmission lines, are similar, which could create opportunities for shared resources but also complicate responsibility allocation.

SECTION: 13.1 Community Impact Management, Towards Good Practice, 1

COMMENT:

Additional clarity is needed regarding how this process interfaces with licensing and permitting frameworks. In many jurisdictions, these regulatory processes are deeply embedded and may not adequately capture social risks or reflect meaningful stakeholder consultation.

COMMENT:

Overall, the requirements need clearer definitions in the performance area (e.g., “vulnerable groups,” “appropriate,” “meaningful engagement”) and stronger emphasis on accountability and inclusivity i.e., moving beyond facilitation to ensuring active participation of underrepresented stakeholders. Additionally, some expectations may be overly ambitious for early practice levels and should be scaled appropriately (i.e., resource implications, liability, and corrective actions must be explicitly addressed to ensure feasibility).

Performance Area 14: Indigenous Peoples

SECTION: 14.1 Indigenous Peoples, Good Practice, 1

COMMENT:

The inclusion of “collaborate” is positive. However, the requirement should explicitly reference engagement and/or consultation processes, as the distinction between these terms is important in some jurisdictions (e.g.,

Canada). Adding “consultation” would improve clarity and ensure alignment with legal and cultural expectations. Internationally, the lack of distinction between engagement and consultation could lead to misinterpretation.

SECTION: 14.1 Indigenous Peoples, Good Practice, 2

COMMENT:

The wording in this requirement shows improvement compared to Draft 1 and provides clarity.

SECTION: 14.1 Indigenous Peoples, Good Practice, 4

COMMENT:

The phrase “where appropriate” remains in the requirement and is problematic because it introduces ambiguity. It is unclear whether this qualifier applies only to the first sentence or could be interpreted as a way to avoid applying Indigenous knowledge altogether. From an audit perspective, this vagueness makes compliance difficult to assess. Clearer language or removal of the qualifier is recommended.

SECTION: 14.1 Indigenous Peoples, Good Practice, 5

COMMENT:

The phrase “where necessary” is ambiguous and could imply that the company determines what is necessary. To avoid this, the requirement should clarify that Indigenous Peoples themselves decide if support is needed (e.g., “where necessary, as determined by Indigenous Peoples”). This reframing ensures the decision is community-led and avoids auditability issues.

SECTION: 14.1 Indigenous Peoples, Good Practice, 6

COMMENT:

The term “affected” should reference potentially significant or material adverse impacts for clarity.

The phrase “their land” introduces ambiguity and could lead to complex interpretations around ownership; recommend focusing on impacts rather than possessive references to land.

Linking agreements to the HRDD process feels misaligned with practical agreement-building, which typically involves ongoing relationship management rather than a desktop compliance exercise. While HRDD has value, its role in drafting agreements needs clearer justification.

SECTION: 14.1 Indigenous Peoples, Leading Practice, 6

COMMENT:

Confidentiality of most agreements makes this requirement difficult to implement. The phrase “publicly disclose agreements” needs clarification; what level of detail is expected, and what constitutes acceptable disclosure without breaching confidentiality? Clear guidance on alternatives (e.g., summary reports, cover pages, or progress updates) would improve auditability and practicality.

SECTION: 14.1 Indigenous Peoples, Leading Practice, 7

COMMENT:

This requirement should be in Good Practice level.

SECTION: 14.1 Indigenous Peoples, Towards Good Practice, 1

COMMENT:

This requirement provides good clarification.

SECTION: 14.1 Indigenous Peoples, Towards Good Practice, 2

COMMENT:

The revised wording seems less collaborative than the first draft, as it removes language about engagement with Indigenous communities. While the addition of coordination with authorities is positive, the removal of collaborative elements is a concern. A hybrid approach that combines both definitions - retaining collaboration with Indigenous communities while including coordination with authorities would strengthen this requirement.

SECTION: 14.1 Indigenous Peoples, Towards Good Practice, 5

COMMENT:

Questions remain around terminology (e.g., stakeholder vs. rights-holder) and what constitutes "avoidable." Suggest that Indigenous Peoples should define what is considered unavoidable, rather than companies making that determination. Mining companies could incorporate this into their design performance matrix to ensure Indigenous communities have an opportunity to influence decisions on what is truly unavoidable (e.g., land tenure considerations).

SECTION: 14.1 Indigenous Peoples, Towards Good Practice, 6

COMMENT:

This requirement is a good addition from an auditing perspective.

COMMENT:

Clarity on UNDRIP and FPIC required. There is uncertainty about whether CMS requirements introduce new obligations or simply reinforce existing standards. FPIC definition emphasizes process, which is positive, but lacks clarity on what consent applies to (e.g., initial development vs. subsequent projects) and when consent must be revisited (e.g., leadership changes).

COMMENT:

Regarding auditability and confidentiality, definitions such as "Agreements" raise auditability concerns. Indigenous communities may not share full agreements due to confidentiality, making evidence provision challenging. Clear guidance on acceptable evidence (e.g., cover pages, executive summaries) is needed.

COMMENT:

Terms like "stakeholder" can be problematic in certain jurisdictions (e.g., Canada). Language should reflect cultural and legal contexts to avoid offense and ensure alignment with international norms.

Performance Area 15: Cultural Heritage

SECTION: 15.1 Cultural Heritage, Good Practice, 1

COMMENT:

Good with this requirement.

SECTION: 15.1 Cultural Heritage, Good Practice, 2

COMMENT:

The requirement should be more specific. At a minimum, training should be provided to all workers involved in exploration sites. There could also be an emphasis on training within Requirement 5.

SECTION: 15.1 Cultural Heritage, Good Practice, 4

COMMENT:

irreplaceable is not defined.

SECTION: 15.1 Cultural Heritage, Good Practice, 5

COMMENT:

At a minimum, training should be provided to all workers involved in exploration sites. There could also be an emphasis on training within Requirement 5.

SECTION: 15.1 Cultural Heritage, Leading Practice, 2

COMMENT:

It is more important to have a cultural heritage specialist involved in high-risk areas than what this requirement currently emphasizes. Training should follow a risk-based approach rather than being generic.

SECTION: 15.1 Cultural Heritage, Towards Good Practice, 2

COMMENT:

It seems quite onerous to require identification and risk assessment based on all these sources of information at a Towards Good Practice level. The phrase "identify and assess" seems prescriptive, as opposed to something like "establish a baseline."

SECTION: 15.1 Cultural Heritage, Towards Good Practice, 3

COMMENT:

Based on how this is written, if FPIC is not conducted for cultural heritage, this requirement would not be met.

SECTION: 15.1 Cultural Heritage, Towards Good Practice, 5

COMMENT:

The way this requirement is written is very complicated and should be more straightforward, for example: "Do not impact or potentially impact World Heritage Sites." It is unnecessary to specify "explore, mine, or undertake other operational activities," as that is already understood.

The phrase “do not impact the outstanding universal value” seems risky and unclear. Overall, this requirement is very vague.

COMMENT:

This performance area lacks substance and requires clearer definitions. It places a strong emphasis on Indigenous Peoples’ cultural heritage. Cultural heritage can be minor if nothing is present or major if something exists, which means an assessment component is necessary to determine the level of risk. Without that, the standard is incomplete. It is unclear why all steps would be required if a review confirms there is nothing present. Overall, this is a weak performance area in the standard. Cultural heritage specialists could provide advice, including identifying areas to avoid, but this is not reflected in the current requirements or performance area.

COMMENT:

In the glossary of this performance area, only “Cultural Heritage” and “Critical Cultural Heritage” are defined. These definitions do not address “traditional,” which is instead linked to Indigenous Peoples. The glossary is missing other important concepts, such as unique geological areas and “outstanding universal value.” It also lacks definitions for “tangible” and “intangible” cultural heritage.

Performance Area 16: Artisanal and Small-Scale Mining

SECTION: 16.1 Artisanal and Small, Scale Mining (ASM), Good Practice

COMMENT:

It’s unclear whether this assessment is expected to be a distinct process or could be part of a broader ESIA. If ASM is present in the area of influence, this should already be captured in the ESIA scope. Clarification is needed on whether this requirement can be fulfilled through an ESIA, a broader risk management plan, or require an ASM specific assessment. Additionally, guidance should be provided on whether a distinct ASM-specific mitigation plan is required.

SECTION: 16.1 Artisanal and Small, Scale Mining (ASM), Good Practice

COMMENT:

The phrase “defined intervals” needs clarification. It’s unclear whether this refers to annual updates, updates triggered by contextual changes, or another schedule. The Standard should provide guidance or examples to help facilities determine appropriate minimum intervals.

SECTION: 16.1 Artisanal and Small, Scale Mining (ASM), Good Practice

COMMENT:

Minor suggestion: consider adding “such as” or “for example” before listing types of support (e.g., technical assistance, mercury reduction, safety improvements). This would make the list easier to interpret and signal that it is illustrative, not exhaustive.

SECTION: 16.1 Artisanal and Small, Scale Mining (ASM), Good Practice

COMMENT:

Consider strengthening the requirement by adding language such as “and ensure accessibility” to emphasize not just communication but also practical access.

The Standard could clarify if the language “ASM Operators” as opposed to “legitimate ASM” is intentional and used to be inclusive of all ASMs regardless of their legitimacy status. For example, in contexts where ASM operators may be not legitimate, it is important that all community members (regardless of status) are aware of and able to use the grievance mechanism; relevant in areas where social license to operate depends on engagement with ASM communities.

SECTION: 16.1 Artisanal and Small, Scale Mining (ASM), Leading Practice

COMMENT:

It would be helpful to clarify what is meant by “socio-economic research” in this context. Would existing assessments and baselines studies (e.g., ESIA or community development plans), be qualified as socio-economic research? Is there any disclosure requirement associated with the research products produced? Reinforcing ASM-related components within existing processes may be more feasible and resource-efficient for companies.

SECTION: 16.1 Artisanal and Small, Scale Mining (ASM), Leading Practice

COMMENT:

The phrase “explore options” is vague and lacks clarity on the level of commitment expected. The Standard should clarify whether this applies only to a consultative process or other actions associated with land relinquishment (e.g., commitments, feasibility studies, concrete actions, etc.). Additionally, for any land relinquishment, it is assumed non-government stakeholders would also be involved (e.g., ASM communities). Is the omission of non-government stakeholders intentional?

SECTION: 16.1 Artisanal and Small, Scale Mining (ASM), Leading Practice

COMMENT:

This requirement is straightforward in the Leading Practice level.

SECTION: 16.1 Artisanal and Small, Scale Mining (ASM), Towards Good Practice

COMMENT:

Mining companies may struggle to apply this requirement as they typically rely on national legal frameworks to determine ASM legitimacy (e.g., Peru’s formalization process) rather than the OECD definition. The Standard should explicitly reference tools such as the CRAFT Code to offer clearer guidance in determining ASM legitimacy. The CRAFT Code is a widely adopted framework recognized by civil society, the private sector, multi-laterals, and LSM operators. This would improve clarity and usability for companies operating in diverse regulatory contexts in determining the legitimacy of ASM operators.

SECTION: 16.1 Artisanal and Small, Scale Mining (ASM), Towards Good Practice

COMMENT:

It’s unclear what constitutes sufficient public commitment - this should be explicitly defined. The Standard could clarify what form the commitment should take (e.g., policy statement, public disclosure, participation in initiatives).

COMMENT:

The progression between Good Practice and Leading Practice levels could be clarified as it relates to collaboration with ASM. It's unclear why specific examples of collaboration become Leading Practice over other forms of collaboration (e.g., mercury reduction Good Practice versus Selling into legal markets Leading practice). Each requirement should be built logically on the previous level to reflect increasing ambition and specificity. The Standard could clarify the preference for specific forms of collaboration as Leading Practice to support consistent interpretation and implementation.

Performance Area 17: Grievance Management

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

COMMENT:

The requirement language should be more explicit.

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

COMMENT:

This requires communicating the whole process; thus, we need a clear framework to support this. The requirement language is disorganized; timelines should be defined as a distinct requirement rather than embedded within the broader process description.

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

COMMENT:

VBM currently directs individuals to the appropriate mechanisms when issues cannot be resolved at the operational level.

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

COMMENT:

VBM currently does this; however, it's unclear whether improvements are being fully integrated into the mechanism.

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

COMMENT:

At a minimum, these sections should cross-reference whistleblower mechanisms.

They could include both the whistleblower channel and the grievance mechanism and then establish distinct routes. Currently, everything seems mixed together, for example, discrimination, harassment, threats, and intimidation. These issues align more closely with the whistleblower channel than with a grievance mechanism.

There is also confusion in the requirements language. Certain human rights practices could appropriately fall under the whistleblower channel.

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

COMMENT:

At a minimum, these sections should cross-reference whistleblower mechanisms.

They could include both the whistleblower channel and the grievance mechanism and then establish distinct routes. Currently, everything seems mixed together, for example, discrimination, harassment, threats, and intimidation. These issues align more closely with the whistleblower channel than with a grievance mechanism.

There is also confusion in the requirements language. Certain human rights practices could appropriately fall under the whistleblower channel.

COMMENT:

There is a need for greater clarity within this performance area. The distinction between different mechanisms, such as grievance mechanisms versus whistleblower channels, is not clearly outlined. Several requirements appear to mix concepts of grievance resolution with protections typically associated with whistleblower processes (e.g., confidentiality, protection against retaliation). This creates ambiguity about scope and responsibilities.

Performance Area 19: Biodiversity, Ecosystem Services and Nature

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

COMMENT:

Engagement with communities in general should be included with Towards Good Practice. Engagement specific to Ecosystem Services is fine to include in Good Practice.

SECTION: 19.1 Biodiversity, Ecosystem Services and Nature, Good Practice, 2

COMMENT:

The phrase "where feasible" is used inconsistently and lacks clarity from an auditability perspective. It's unclear what constitutes feasibility and how it should be demonstrated. In item (c), the term "commencing" biodiversity offsets" is vague - does it mean planning, studying, or implementing? Consider replacing with clearer language such as "commit to" or "initiate planning for" biodiversity offsets. Biodiversity offsets are not always needed to reach no net loss so these requirements would be better suited as stand alone. Instead a requirement regarding undertaking loss gain accounting could be added.

SECTION: 19.1 Biodiversity, Ecosystem Services and Nature, Good Practice, 3

COMMENT:

This requirement largely repeats existing expectations for biodiversity management plans without adding new layers. It's unclear what additional value is introduced. Including invasive alien species here seems out of place.

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

COMMENT:

Fine with requirement.

SECTION: 19.1 Biodiversity, Ecosystem Services and Nature, Good Practice, 5

COMMENT:

Fine with requirement.

SECTION: 19.1 Biodiversity, Ecosystem Services and Nature, Good Practice, 6

COMMENT:

Disclosure on an annual basis or biannual basis could be included as part of this requirement.

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

COMMENT:

The language closely mirrors ICMM's Nature Position Statement. Item (d) - "contribute towards the GBF targets of placing..." - is vague and needs clearer expectations. Item (c) - "repurpose and harness value from legacy sites..." - lacks clarity on what actions are expected (e.g., nature-based solutions?) Is the intention to reduce impacts to nature by avoiding new brownfields sites by going back to existing sites to try and extract more of the resources? Additionally, the value chain is not mentioned at all, despite its importance and clear inclusion in ICMM guidance.

SECTION: 19.1 Biodiversity, Ecosystem Services and Nature, Leading Practice, 2

COMMENT:

How could this be audited?

SECTION: 19.1 Biodiversity, Ecosystem Services and Nature, Leading Practice, 3

COMMENT:

Ecosystem services is missing in requirement 3. Why is this not included?

SECTION: 19.1 Biodiversity, Ecosystem Services and Nature, Towards Good Practice, 3

COMMENT:

The focus on communication specific to World Heritage Sites and protected areas is too narrow. Communication requirements should be broadened to cover the company's overall nature strategy, commitments and targets. A standalone rule for World Heritage Sites lacks proportionality and misses the opportunity to promote broader transparency on biodiversity commitments.

SECTION: 19.1 Biodiversity, Ecosystem Services and Nature, Towards Good Practice, 5

COMMENT:

The CMS uses the word "significant" in different contexts throughout the document. More clarity in the use of the word "significant". They define "significant adverse effects", but it is not clear if "significant biodiversity values" is defined. Other terminology more aligned with current definitions may be more appropriate e.g. priority biodiversity locations, sensitive biodiversity locations.

SECTION: 19.1 Biodiversity, Ecosystem Services and Nature, Towards Good Practice, 6

COMMENT:

Requirements 5-7 (Towards Good Practice): These requirements are quite stringent and may be challenging for smaller mining companies to implement due to the depth of biodiversity baseline studies, etc.; there is significant amount of work in biodiversity management plan; however it is good for smaller mining companies to do.

SECTION: 19.1 Biodiversity, Ecosystem Services and Nature, Towards Good Practice, 7

COMMENT:

For “pressure-state-response framework” from requirement # 7, what are the metrics? This requirement needs more clarity and other examples (e.g., referring to TNFD LEAP assessment approach, etc.)

COMMENT:

Structure and presentation of requirements could be improved for clarity and usability. The current format makes it difficult to distinguish between foundational and progressive expectations e.g., a tabular structure that clearly separates common requirements across all levels from those that build upon them at Good and Leading Practice levels would enhance readability and implementation.

COMMENT:

Foundational building blocks need strengthening across all levels. Core elements such as biodiversity baselines, stakeholder consultation, and biodiversity management planning should be consistently emphasized across all performance levels (i.e., prerequisites for effective biodiversity management and should be clearly defined and required from the outset).

COMMENT:

Global goal of nature positive uses a 2020 baseline but this is missing from this document.

COMMENT:

Identification of biodiversity opportunities is missing. The standard focuses heavily on risk and impact mitigation but does not sufficiently address the identification and pursuit of biodiversity opportunities (e.g., nature-based solutions is not mentioned).

COMMENT:

Key concepts included in the ICMM nature positive statement such as evaluating biodiversity risks and opportunities along the value chain are missing. The standard does not address biodiversity risks and opportunities across the value chain.

COMMENT:

No year is associated with public disclosure as it is with ICMM’s nature position statement.

Performance Area 20: Climate Action

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

COMMENT:

The term “leading” is ambiguous and subjective. Recommend replacing with “widely recognized” or specifying which frameworks qualify.

The requirement merges multiple concepts i.e., climate risk strategy and decarbonization strategy - which are distinct and should be split into separate requirements. This lack of separation reduces clarity and auditability.

The reference to the Paris Agreement is more appropriate under Good Practice Requirement 2, which deals with target-setting, rather than in Requirement 1.

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

COMMENT:

The reporting is not clear in the requirement; it does not indicate transparently reporting on GHG emissions and Scope 1, 2 and 3.

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

COMMENT:

We retain VBM’s response from first consultation draft.

No specific guidance or examples listed here. This is inconsistent. Missing scope 3 target.

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

COMMENT:

The term “material” is vague and open to interpretation. It is unclear whether “materiality” refers to volume of emissions, financial significance, influence over reduction, or sector-specific relevance. Without a clear definition, which Scope 3 sources should be included?

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

COMMENT:

The requirement bundles unrelated elements i.e., investments, engagement, and offsets into a single clause, making it difficult to interpret or audit. The phrasing “mitigation and adaptation” is vague and lacks operational clarity.

The term “planned or actual” is ambiguous; unclear how companies should demonstrate compliance or progress. The concept of “measurable improvement” is undefined.

The requirement is not representative of Leading Practice. It lacks ambition, specificity, and measurable targets (e.g., net-zero).

If this is considered Leading Practice, it implies that lower-tier requirements are setting an unacceptably low bar.

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

COMMENT:

We retain VBM’s response from first consultation draft.

The term “social value” is not defined within this requirement. There should be an elaboration or clarity on how social value can be quantified as it seems to be the aim in this requirement. Doesn’t make sense to be in 20.1 as this work with local stakeholders are done at the facility level.

SECTION: 20.1 Corporate Climate Change Strategy (Corporate Level), Leading Practice, 5

COMMENT:

We retain VBM’s response from first consultation draft.

This requirement does not align with Leading Practice. This should be in Good Practice. Additionally, Good Practice today could be legislatively required in five (5) year; therefore, there is a need for some kind of time-frame for which all this is revisited to either move the requirements into a different level of practice and include requirements as shift occurs (i.e., carbon pricing).

SECTION: 20.1 Corporate Climate Change Strategy (Corporate Level), Leading Practice, 7

COMMENT:

We retain VBM’s response from first consultation draft.

There seems to be a lack of generic reporting mechanism or something that gives different levels of reporting in different levels of adherence as the organization reports on the progress of their decarbonization strategy i.e., sustainability reporting is a basic requirement.

SECTION: 20.1 Corporate Climate Change Strategy (Corporate Level)

COMMENT:

General Feedback for section 20.1:

a. Requirements lack clear definitions and measurable criteria (e.g., Scope 1, 2, and 3 boundaries, net-zero commitments, materiality for Scope 3). Ambiguous terms like “leading” and “material” need to be replaced with defined or widely recognized standards.

b. Multiple concepts are bundled into single requirements, reducing clarity and auditability. Requirements should be split (e.g., climate risk strategy vs. decarbonization strategy) and include explicit guidance on reporting, KPIs, and public disclosure.

c. Current requirements set a low bar compared to ICMM expectations and lack ambition (e.g., net-zero, adaptation strategies, stakeholder engagement). More guidance, examples, and structured pathways (roadmaps, budgeted plans) are needed to support implementation.

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

COMMENT:

Lack of specificity on Scope 1, 2, and 3 at Towards Good Practice level. Absence of net-zero commitment. The bar is set below ICMM expectations. The absence of target-setting and clarity on the scope of emissions weakens this requirement.

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

COMMENT:

We retain VBM’s response from first consultation draft.

Inconsistency in the guidance provided on standards, leading to potential confusion. Clear and explicit guidance needs to be included to ensure consistency and usability. Currently, key content is embedded within the glossary rather than being presented upfront in the requirements.

Reference to broadly accepted guidance is too vague, given the wide range of available standards. Need more clarity around applicability around criteria (i.e., specific examples or criteria should be included to help users align with the most relevant standards).

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

COMMENT:

We retain VBM's response from first consultation draft.

This requirement is too vague. Legal compliance should be explicitly outlined within the Towards Good Practice level to ensure clarity and alignment with minimum standards. It is not clearly defined. Requiring a plan to establish clear targets and a structured pathway to be followed (i.e., roadmap for achieving compliance - or a basis for progression to higher levels of practice) should be included at all levels.

A climate adaptation and stakeholder and rights-holder engagement strategy should also be a requirement at each level and is missing from the Towards Good Practice level.

A budgeted decarbonization roadmap to achieve targets should also be included at each level and is missing from this requirement.

Public disclosure should be included at each level and is missing from this requirement.

Key Performance Indicators and tracking them should be included in each level and is missing here.

SECTION: 20.2 Climate Change Management (Facility Level), Good Practice, 1

COMMENT:

We retain VBM's response from first consultation draft.

"Targets or objectives" lacks clarity and could lead to inconsistent interpretation. The requirement should focus on "targets" and remove the mention of "objectives". Additionally, there is a lack of clarity around the word "define" i.e., does this entail having a plan? The word "define" should be replaced with "identity", or "measure", or "determine".

SECTION: 20.2 Climate Change Management (Facility Level), Good Practice, 2

COMMENT:

Develop a plan; report on the plan (do not need the short- medium-, and long-term verbiage); this requirement needs more clarity in language.

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

COMMENT:

This requirement is about mitigation, yet it is not clearly framed as such.

SECTION: 20.2 Climate Change Management (Facility Level), Good Practice, 4

COMMENT:

There is overlap between requirement (4.) and (5.).

What is “defined interval”; this language is vague.

SECTION: 20.2 Climate Change Management (Facility Level), Good Practice, 5

COMMENT:

We retain VBM’s response from first consultation draft.

There is overlap between requirement (4.) and (5.); this requirement should be specific for climate risk.

SECTION: 20.2 Climate Change Management (Facility Level), Good Practice, 7

COMMENT:

We retain VBM’s response from first consultation draft.

The requirement for an “internal review” lacks clarity regarding its purpose, scope and deliverables. It is unclear how this differs from annual tracking and what specific actions and outcomes the internal review is intended to achieve. There is a lack of clear guidance on the intent and expected deliverables.

SECTION: 20.2 Climate Change Management (Facility Level), Good Practice, 8

COMMENT:

Requirement (8.) should be removed as companies identify their own solutions for lowering GHG emissions.

SECTION: 20.2 Climate Change Management (Facility Level), Leading Practice, 1

COMMENT:

The term “material sources” is unclear in this context.

Problematic language i.e., “without compromising local procurement objectives”; this phrase appears vague and potentially provides a loophole for non-compliance. It introduces subjectivity and may be used to justify inaction on Scope 3 emissions.

SECTION: 20.2 Climate Change Management (Facility Level), Leading Practice, 2

COMMENT:

It’s unclear why supplier engagement is only addressed at the facility level. This is more appropriately a corporate-level responsibility, where supplier relationships and influence are managed.

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

COMMENT:

We retain VBM’s response from first consultation draft.

This requirement should be embedded in all practice levels, not just Leading Practice.

SECTION: 20.2 Climate Change Management (Facility Level), Leading Practice, 4

COMMENT:

We retain VBM’s response from first consultation draft.

The wording of this requirement is not sufficiently strong and lacks actionable clarity.

· The term “relevant employees” should be replaced with “relevant leaders” to emphasize accountability at the leadership level.

· The phrase “pursue active leadership” is vague and does not clearly define the expected action. There is a lacking guidance or specific examples of what constitutes “active partnership”.

Requirement (4)(d) should be moved to the foundational level - it is a baseline expectation for all facilities and does not align with Leading Practice.

SECTION: 20.2 Climate Change Management (Facility Level)

COMMENT:

General Feedback for section 20.2:

a. Language is inconsistent between corporate and facility levels (e.g., WRI GHG Protocol vs. “internationally recognized frameworks”). Terms like “initial risk assessment,” “targets or objectives,” and “defined intervals” are vague and need precise definitions to avoid misinterpretation.

b. Several requirements bundle multiple concepts (e.g., mitigation vs. adaptation, risk vs. action planning), reducing clarity and auditability. Requirements should be streamlined, with clear expectations for plans, timelines, and reporting. Internal review requirements lack guidance on scope and deliverables.

c. Some requirements (e.g., energy efficiency measures, supplier engagement) lack actionable clarity or introduce loopholes (e.g., “without compromising local procurement objectives”). Stronger language, examples, and baseline expectations are needed to ensure accountability and avoid subjectivity.

SECTION: 20.2 Climate Change Management (Facility Level), Towards Good Practice, 1

COMMENT:

The corporate-level requirement explicitly references the WRI GHG Protocol, while this facility-level requirement refers more broadly to “internationally recognised frameworks”. There is inconsistency in language. The requirement does not refer to alignment with corporate targets or objectives. Need for a structured plan, i.e., a first step should be the development of a facility-level plan.

The phrase “internationally recognised frameworks” lacks definition i.e., unclear how companies are expected to interpret or comply.

SECTION: 20.2 Climate Change Management (Facility Level), Towards Good Practice, 2

COMMENT:

What is “initial risk assessment?” this language is vague.

SECTION: 20.3 Annual Climate Change Public Reporting, Good Practice, 1

COMMENT:

We retain VBM’s response from first consultation draft.

Reporting of Scope 3 emission should not be reserved for Leading Practice; it is fundamental and should be part of Foundational Practice level.

A reference to the Carbon Disclosure Project (CDP) is missing in Leading Practice.

For requirement (1)(c), once criteria are established, the origin of the recommendations becomes less relevant. The level of specificity in this subsection is excessive.

SECTION: 20.3 Annual Climate Change Public Reporting, Good Practice, 2

COMMENT:

The requirement is vague about what exactly is being assured; there is no reference to the criteria, standards, or frameworks against which the assurance should be conducted.

SECTION: 20.3 Annual Climate Change Public Reporting, Leading Practice, 1

COMMENT:

The requirement lacks clear guidance on how to calculate “carbon content” or “carbon intensity”; there is no reference to established standards or methodologies.

SECTION: 20.3 Annual Climate Change Public Reporting

COMMENT:

General Feedback for section 20.3:

a. Reporting requirements seem disconnected from the rest of the performance area and should be integrated with corporate-level obligations (e.g., Section 20.1). Scope 3 reporting should not be reserved for Leading Practice i.e., it is fundamental and should appear at lower levels.

b. Several requirements lack clear guidance on methodologies (e.g., calculating carbon content or carbon intensity) and assurance criteria. Excessive specificity in some subsections (e.g., TCFD references) contrasts with vague language elsewhere, creating inconsistency.

c. Requirements bundle multiple elements (e.g., offsets, stakeholder engagement, physical risk disclosure) without clear definitions or measurable expectations. Stronger alignment with recognized frameworks (e.g., CDP, WRI GHG Protocol) and explicit examples are needed.

SECTION: 20.3 Annual Climate Change Public Reporting, Towards Good Practice, 1

COMMENT:

We retain VBM’s response from first consultation draft.

Separating public reporting from the rest of the Performance Area feels misaligned. Reporting implies “publicly disclose” and would be more appropriately integrated into the corporate level requirements (Section 20.1).

This requirement is inconsistent with other levels.

COMMENT:

The current draft CMS seems like a step down from more robust existing standards. A matrix structure showing the common requirements (e.g., targets, plan to achieve targets, budgeted roadmaps to support plan, adaptation strategies, KPIs, and public disclosure) across performance levels would improve clarity and consistency. This approach, with varying ambition and stringency for Towards Good, Good, and Leading Practices, would be more effective than the current table format of the standard.

COMMENT:

The Towards Good Practice level should explicitly include compliance with legislative standards to ensure clarity. Additionally, the current Leading Practice lacks ambition, with many of its requirements better suited

to the Towards or Good Practice levels. Introducing a higher level beyond Leading Practice could encourage more ambitious climate goals and better alignment with industry standards that are progressive.

Performance Area 21: Tailings Management

SECTION: 21.1 Tailings Management, Good Practice, 1

COMMENT:

This requirement is clear.

SECTION: 21.1 Tailings Management, Good Practice, 2

COMMENT:

This requirement is clear.

SECTION: 21.1 Tailings Management, Good Practice, 3

COMMENT:

This requirement is clear.

SECTION: 21.1 Tailings Management, Good Practice, 4

COMMENT:

Does this comment around timebound summary of actions apply just to the non-traditional or to all action plans? Clarify if this requirement applies to non-conventional vs conventional.

SECTION: 21.1 Tailings Management, Leading Practice, 1

COMMENT:

Requires clarification: If we use tailings as backfill underground does that count as (i) reducing the quantity of tailings to be disposed of?

SECTION: 21.1 Tailings Management, Towards Good Practice, 1

COMMENT:

No concerns with this requirement.

SECTION: 21.1 Tailings Management, Towards Good Practice, 2

COMMENT:

No concerns with this requirement.

SECTION: 21.1 Tailings Management, Towards Good Practice, 3

COMMENT:

No concerns with this requirement. Does not currently apply to VBM Operations.

COMMENT:

Generally, support the direction of Draft 2's tailings management requirements, appreciating the flexibility between GISTM and MAC protocols.

COMMENT:

Minor clarifications are required in some requirements but the intent of each of the requirements is supported.

Performance Area 22: Pollution Prevention

SECTION: 22.1 Non, mineral Waste and Hazardous Materials Management, Good Practice

COMMENT:

The requirement is overly stringent (given that sites already apply this methodology). It would be helpful to clarify whether tools like a risk register or impact register would satisfy the expectation. The requirement should specify acceptable formats or mechanisms (e.g., risk register) for identifying and documenting risks to improve clarity and auditability.

SECTION: 22.1 Non, mineral Waste and Hazardous Materials Management, Good Practice

COMMENT:

The inclusion of the UN Globally Harmonized System is appreciated, and the allowance for equivalent regulatory systems is helpful. However, the expectation is unclear for those unfamiliar with GHS - additional guidance or examples would improve clarity.

SECTION: 22.1 Non, mineral Waste and Hazardous Materials Management, Good Practice

COMMENT:

This requirement is clear in this practice level.

SECTION: 22.1 Non, mineral Waste and Hazardous Materials Management, Leading Practice

COMMENT:

As part of ISO14001 standard we are supposed to set the targets; this requirement could be met with the ISO14001 framework.

SECTION: 22.1 Non

COMMENT:

General Feedback on section 22.1:

a. Several requirements (e.g., developing and implementing a waste reduction plan) are perceived as vague, particularly around what plans should include and how they differ from existing environmental management

systems. Additional guidance and examples would improve interpretability and auditability. Some requirements overlap with current practices and standards (e.g., ISO 14001 for setting targets); clarification on how these requirements integrate with or build upon existing frameworks would reduce redundancy.

SECTION: 22.1 Non, mineral Waste and Hazardous Materials Management, Towards Good Practice

COMMENT:

Need context on MARPOL convention; clarification is needed on the relevance of the MARPOL Convention in the context of mining waste management (scope may not be immediately applicable to most facilities).

SECTION: 22.1 Non, mineral Waste and Hazardous Materials Management, Towards Good Practice

COMMENT:

The expectation to “develop and implement a plan” is vague and lacks clarity. It’s unclear how this differs from existing environmental management systems already in place at sites. The requirement should specify what the plan entails, how it builds on existing systems, and what evidence is expected for assurance. Greater structure and clarity are needed to improve interpretability and auditability.

SECTION: 22.1 Non, mineral Waste and Hazardous Materials Management, Towards Good Practice

COMMENT:

We have a standard that all chemicals be assessed for risks and impacts. Need to add clarity on how to meet this requirement; add specific examples here as this would be helpful so that we can ensure we check all the boxes (e.g., case studies).

SECTION: 22.2 Mineral Wastes, Good Practice, 1

COMMENT:

This requirement is clear at this practice level.

SECTION: 22.2 Mineral Wastes, Good Practice, 2

COMMENT:

This requirement is clear at this practice level.

SECTION: 22.2 Mineral Wastes, Good Practice, 3

COMMENT:

This requirement is clear at this practice level.

SECTION: 22.2 Mineral Wastes, Leading Practice, 1

COMMENT:

The change to “collaborate” is now clear.

SECTION: 22.2 Mineral Wastes

COMMENT:

General Feedback on section 22.2:

a. Language in some requirements (e.g., “minimise mineral waste” and “avoid mineral waste”) is seen as impractical and overly ambitious; consider revising to allow flexibility and reflect operational realities and regulatory constraints. Additional clarification is needed on what “minimisation” means in practice (e.g., ratio per ton of ore) and how commitments can be measured; clearer, business-friendly language would improve feasibility.

b. Requirements under Good Practice and Leading Practice are generally clear and well understood.

SECTION: 22.2 Mineral Wastes, Towards Good Practice, 1

COMMENT:

The expectation to “minimise mineral waste” may be impractical for operations scaling up production. Language should allow flexibility, e.g., “sustainably manage” mineral waste. Additionally, achieving “safe, stable and non-polluting landforms” often requires regulatory permits (e.g., vegetation clearance), which can delay implementation.

Consider revising the language to reflect operational realities and regulatory constraints. How do you “minimise” mineral waste? Is there clarification that can be added indicating mineral waste minimised per ton of ore? In other words, a ratio commitment.

SECTION: 22.2 Mineral Wastes, Towards Good Practice, 3

COMMENT:

This is very ambitious; it is similar comments made for requirement 1 (Towards Good Practice); cannot promise that we can “avoid” mineral waste. Clarify the language; make it more business friendly.

SECTION: 22.3 Non, GHG Air Emissions, Good Practice

COMMENT:

This requirement is clear at this practice level.

SECTION: 22.3 Non, GHG Air Emissions, Good Practice

COMMENT:

This requirement is clear at this practice level.

SECTION: 22.3 Non, GHG Air Emissions, Good Practice

COMMENT:

This requirement is clear at this practice level.

SECTION: 22.3 Non, GHG Air Emissions, Good Practice

COMMENT:

This requirement is clear at this practice level.

SECTION: 22.3 Non, GHG Air Emissions, Good Practice

COMMENT:

The requirement to publicly disclose air emissions performance aligns with existing practices under GRI. However, it would be helpful to clarify whether GRI or other specific GRI standards are considered equivalent for assurance purposes.

SECTION: 22.3 Non, GHG Air Emissions, Leading Practice

COMMENT:

This requirement is clear at this practice level.

SECTION: 22.3 Non

COMMENT:

General Feedback on section 22.3:

a. Requirements are generally clear and align with existing practices; however, clarification is needed to ensure flexibility for older or legacy operations when establishing baselines, as this is easier for new facilities.

b. Guidance on acceptable reporting standards (e.g., whether GRI or equivalent frameworks are considered sufficient for assurance) would improve clarity.

SECTION: 22.3 Non, GHG Air Emissions, Towards Good Practice

COMMENT:

This requirement is clear at this practice level.

SECTION: 22.3 Non, GHG Air Emissions, Towards Good Practice

COMMENT:

This requirement is so easy to do for "new operations"; but it would be difficult for older operations. Include clarification here. Need more flexibility for older/legacy operations. The inclusion of reference date will allow flexibility for legacy operations.

SECTION: 22.6 Accidental Polluting Releases, Good Practice, 1

COMMENT:

This requirement is clear at this practice level.

SECTION: 22.6 Accidental Polluting Releases, Good Practice, 2

COMMENT:

This requirement is clear at this practice level.

SECTION: 22.6 Accidental Polluting Releases, Good Practice, 3

COMMENT:

This requirement is clear at this practice level.

SECTION: 22.6 Accidental Polluting Releases, Good Practice, 4

COMMENT:

This requirement is clear at this practice level.

SECTION: 22.6 Accidental Polluting Releases, Good Practice, 5

COMMENT:

This requirement is clear at this practice level.

SECTION: 22.6 Accidental Polluting Releases, Leading Practice, 1

COMMENT:

This requirement is clear at this practice level.

SECTION: 22.6 Accidental Polluting Releases, Towards Good Practice, 1

COMMENT:

This requirement is clear at this practice level.

SECTION: 22.6 Accidental Polluting Releases, Towards Good Practice, 2

COMMENT:

This requirement is clear at this practice level.

SECTION: 22.7 Noise, Vibration and Light Pollution/Nuisance, Good Practice, 1

COMMENT:

This requirement is clear at this practice level.

SECTION: 22.7 Noise, Vibration and Light Pollution/Nuisance, Good Practice, 2

COMMENT:

This requirement is clear at this practice level.

SECTION: 22.7 Noise, Vibration and Light Pollution/Nuisance, Good Practice, 3

COMMENT:

This requirement is clear at this practice level.

SECTION: 22.7 Noise, Vibration and Light Pollution/Nuisance, Leading Practice, 1

COMMENT:

This requirement is clear at this practice level.

SECTION: 22.7 Noise, Vibration and Light Pollution/Nuisance, Towards Good Practice, 1

COMMENT:

This requirement is clear at this practice level.

SECTION: 22.7 Noise, Vibration and Light Pollution/Nuisance, Towards Good Practice, 2

COMMENT:

This requirement is clear at this practice level.

COMMENT:

Section 22.6 and section 22.7: Requirements across all levels are generally clear and align with existing practices.

Performance Area 23: Circular Economy

SECTION: 23.1 Circular Economy for all Facilities, Good Practice, 1

COMMENT:

Regarding identifying opportunities to minimize pre-consumer scrap; what happens if operations remain unchanged year-to-year and whether maintaining Good Practice still applies? "Identifying" does not involve action or disclosure.

SECTION: 23.1 Circular Economy for all Facilities, Good Practice, 2

COMMENT:

Regarding identifying opportunities to minimize pre-consumer scrap; what happens if operations remain unchanged year-to-year and whether maintaining Good Practice still applies? "Identifying" does not involve action or disclosure.

SECTION: 23.1 Circular Economy for all Facilities, Good Practice, 3

COMMENT:

Regarding identifying opportunities to minimize pre-consumer scrap; what happens if operations remain unchanged year-to-year and whether maintaining Good Practice still applies? "Identifying" does not involve action or disclosure.

SECTION: 23.1 Circular Economy for all Facilities, Good Practice, 4

COMMENT:

For lifecycle circularity planning, this activity is not currently performed.

SECTION: 23.1 Circular Economy for all Facilities, Leading Practice, 2

COMMENT:

"Make documented progress" toward collaboration and innovation; this is not measurable and could create issues from an auditing perspective.

SECTION: 23.1 Circular Economy for all Facilities, Leading Practice, 3

COMMENT:

"Make documented progress" toward collaboration and innovation; this is not measurable and could create issues from an auditing perspective.

SECTION: 23.1 Circular Economy for all Facilities, Towards Good Practice, 1

COMMENT:

The concept of "circularity" is unclear; why has the terminology changed from circular economy to circularity?

SECTION: 23.1 Circular Economy for all Facilities, Towards Good Practice, 2

COMMENT:

For the requirement to "identify and document waste streams", clarification is needed on whether measurement is required, what level of specificity is expected, and whether public disclosure is necessary. We are concerned about audit implications and precision (e.g., assays).

SECTION: 23.2 Additional Requirements for Smelters, Leading Practice, 4

COMMENT:

Retaining the phrase "where feasible" in section 23.2 Leading Practice requirement 4 is important.

SECTION: 23.2 Additional Requirements for Smelters, Towards Good Practice

COMMENT:

Why do these requirements apply only to smelters in Performance Area 23.2 and not other facilities?

COMMENT:

The performance area needs clearer language and definitions to ensure auditability. Guidance should include measurable criteria, precision expectations, and examples to avoid ambiguity during implementation.

COMMENT:

Requirements should acknowledge operational realities (e.g., economic and technical constraints) and clarify what is expected when activities are not feasible or when operations remain unchanged year-to-year.

COMMENT:

Broader applicability and consistency are needed across facilities (not just smelters), with explicit explanations for terminology changes (e.g., circular economy vs. circularity) and requirements involving "documented progress."

COMMENT:

General Comment: How can we be set up for success? The performance area should tighten up language and provide more guidance, definitions, and examples (especially measurable ones) to support effective implementation and auditing.

Performance Area 24: Closure

SECTION: 24.1 Closure Management, Good Practice, 2

COMMENT:

Stakeholder engagement timing is critical; early engagement can cause workforce flight and community instability. Should be managed carefully and not mandated "as early as possible."

SECTION: 24.1 Closure Management, Good Practice, 3

COMMENT:

There is difficulty in planning detailed closure actions decades in advance; stakeholder expectations and land use priorities change over time.

SECTION: 24.1 Closure Management, Good Practice, 4

COMMENT:

"Progressive closure" is not feasible for certain facilities (e.g., refineries in Japan and UK) due to operational constraints; flexibility is needed.

SECTION: 24.1 Closure Management, Good Practice, 6

COMMENT:

Public disclosure of closure cost estimates and underlying assumptions; view this as commercially sensitive and providing competitive advantage if shared publicly.

SECTION: 24.1 Closure Management, Good Practice, 9

COMMENT:

Strongly disagree with the requirement to estimate temporary closure costs; this is an internal business decision with little external value.

This requirement requires a clearer definition of "sudden" vs. "temporary" closure.

SECTION: 24.1 Closure Management, Leading Practice, 1

COMMENT:

Disagree with disclosure of calculation methodologies; there is a risk of competitive disadvantage. If disclosure is required, a standardized methodology (e.g., Australia's approach) should be mandated for fairness.

SECTION: 24.1 Closure Management, Towards Good Practice, 1

COMMENT:

Concern about references to engagement as early as “design stage”; this is unrealistic and could trigger workforce flight risks if rumors of closure spread too early without appropriate communication.

SECTION: 24.1 Closure Management, Towards Good Practice, 2

COMMENT:

Clarification needed on “defined intervals”; prefer flexibility to set intervals (currently 5 years).

SECTION: 24.1 Closure Management, Towards Good Practice, 3

COMMENT:

What is the expectation for financial assurance in non-legislated jurisdictions (e.g., Brazil, UK, Japan); duplicating financial provisions already accounted for in financial statements; this would create significant business burden.

COMMENT:

This Performance Area would benefit from clearer guidance on engagement timing, definitions of “sudden” versus “temporary” closure, and flexibility in setting intervals for plan updates to reflect operational realities.

COMMENT:

In several jurisdictions, public bonding is not mandated by law. The current standard raises the question of whether, in regions where such requirements do not exist, companies are expected to hold funds in trust. Implementing this approach could have a significant impact on company cashflows, particularly for businesses where this financial obligation was not anticipated. Additionally, the imposition of public bonding requirements may affect a company’s competitiveness, depending on the specific disclosure mechanisms involved.

COMMENT:

The intent behind financial assurance and disclosure requirements is understood; however, clearer boundaries on what must be disclosed, and consideration of competitive sensitivities are needed.

COMMENT:

Adding flexibility for facilities where progressive closure is not feasible and providing standardized methodologies for cost estimation would improve practicality and consistency across jurisdictions.
