

CMSI Consultation Response

Respondent Details

NAME

Maria Gutierrez

COUNTRY

Colombia

PERMISSION

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

STAKEHOLDER

Other

ORGANISATION

Asociacion Colombiana de Minería

COMMENTS & QUESTIONS BY DOCUMENT

QUESTION 1

Overall does the revised version of the Consolidated Standard system (including Standard, Assurance Process, Governance Model* and Claims Policy) meet your expectations for improvement relative to the original public consultation version?

Response: 4: Exceeds expectations

QUESTION 2

From your perspective, does the updated Consolidated Standard system, including Standard, Assurance Process, Governance Model* and Claims Policy meet expectations for driving performance improvement across the industry at a global scale?

Response: 5: Significantly exceeds

Document:
Assurance

4. Consolidated Standard External Assurance Process

SECTION: 4.5 Reporting

COMMENT:

Para un país como Colombia que está haciendo un esfuerzo por adherirse a este estándar, no solamente debe pensar en los costos para implementar lo necesario y obtener la calificación de prácticas líderes, sino también debe pagarle a un verificador y en este caso también tendrá que pagar a un traductor para subir la información a inglés. Esta suma de costos puede desincentivar a las empresas a adherirse.

TRANSLATION:

For a country like Colombia, which is making an effort to adhere to this standard, not only must it think about the costs to implement what is necessary to obtain the leading practices qualification, but it must also pay for a verifier and in this case it will also have to pay a translator to translate the information into English. These costs could discourage companies from joining.

Appendices

SECTION: D. Draft Reporting Template

COMMENT:

No solamente se deben considerar pueblos indígenas sino etnias en general. En Colombia la consulta previa está dirigida a etnias como indígenas, afros y Rom.

TRANSLATION:

Not only indigenous peoples but ethnic groups in general should be considered. In Colombia, prior consultation is aimed at ethnic groups such as indigenous peoples, Afro-Colombians, and Roma.

QUESTION 1

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

Response: 5: Significantly exceeds

Document:
Standard

Introduction

COMMENT:

Se recomienda no sólo hablar de "pueblos indígenas" sino de "etnias". En Colombia ´por ejemplo, la consulta previa contempla a los indígenas, los afros y a los Rom.

TRANSLATION:

We recommend not only mentioning "indigenous peoples" but also "ethnic groups." In Colombia, for example, prior consultation includes indigenous peoples, Afro-Colombians and the Roma.

Performance Area 14: Indigenous Peoples

COMMENT:

En Colombia no solamente pueden haber indígenas en los territorios, también pueden haber afros o Rom. Por lo anterior el mejor término es referirse a etnias y no a indígenas solamente. También se debe tener en cuenta a los países como Colombia que aplican la consulta previa y es todo un procedimiento para consultar y compensar a las etnias que puedan estar en algún área de interés.

TRANSLATION:

In Colombia there may not only be indigenous people in the territories, but there may also be Afros or Roma. Therefore, the best term to use is ethnic groups and not only indigenous people. It is also important to take into account countries such as Colombia which apply prior consultation, a procedure to consult with and compensate the ethnic groups that may be in an area of interest.

Performance Area 16: Artisanal and Small-Scale Mining

COMMENT:

En países como Colombia cada vez más hay extracción ilícita de minerales e informalidad y por lo tanto este estándar debe mostrar un respaldo total a la minería formal y legal. Por lo anterior, -Debe quedar claro que el estándar apoya una sola MAPE: la legítima. Pues la otra abarca trabajo con menores de edad, trabajo forzoso, grupos armados y por ende vulneración de los derechos humanos. - No pueden haber mecanismos de reclamación para MAPE no legítima (esto no se entiende en el área de desempeño).

- La cesión de tierras o concesiones definitivamente puede estimular las invasiones y desestimular la formalización.

TRANSLATION:

In countries such as Colombia, there is increasing illegal mineral extraction and informality, so this standard must show full support for formal and legal mining. Therefore, -It must be clear that the standard supports only one ASM: a legitimate ASM. Others include child labor, forced labor, armed groups, and therefore human rights violations. - There can be no grievance mechanisms for illegitimate ASMs (this is not understood from the performance area).

- The transfer of land or concessions can definitely stimulate encroachment and discourage formalization.

QUESTION 1

Does the scope, content, and narrative style of the consolidated standard meet your individual expectations for responsible production practices?

Response: 4: Exceeds expectations

QUESTION 2

Do the requirements meet your expectations for being sufficiently clear to support consistent and practical implementation and to achieve necessary performance improvement?

Response: 4: Exceeds expectations

QUESTION 3

From your perspective, does the three-level performance structure (Towards Good Practice, Good Practice, Leading Practice) of the consolidated Standard meet your expectations for providing an effective on ramp and clear articulation of good practice and effective path to continuous improvement?

Response: 4: Exceeds expectations

Document:
Claims

QUESTION 1

Does the level of transparency provided by the Claims Policy (i.e. through disclosing scores for each Performance Area, aggregated scores to indicate overall progress towards Good Practice, and Performance Claims) meet your expectations to incentivise continuous performance improvement?

Response: 4: Exceeds expectations