

CAPAZ: The Passport to Markets Programme

Market Entry Standard Advisory Group Terms of Reference

Background and Introduction

The Alliance for Responsible Mining (ARM) and RESOLVE have initiated the development of the Market Entry Standard (MES), a technical standard for minimum market acceptability to establish shared expectations between artisanal gold producers and downstream users. The standard will also provide a framework for assessing performance, creating efficiencies and enabling a greater scale of environmental and social improvements by the sector, as well as improving economic opportunities and working conditions for potentially millions of artisanal miners, their families, and their communities. The MES is part of the project “CAPAZ: The Passport to Markets Programme” (CAPAZ), initially funded by the European Partnership for Responsible Minerals (EPRM) and eventual further donors and having as objectives the development of a Market Entry Standard (MES) for gold from artisanal and small-scale mining and the corresponding piloting process.

The MES will assume the OECD Due Diligence Guidance Annex II risks mitigation as a starting point but will also consider other elements of key importance identified in consultation with stakeholders. The MES will be developed through a solid, participatory, bottom-up and ISEAL-compliant process, but with rapid implementation for early adopters through the Standard’s piloting as part of required consultation processes.

As part of the consultation and stakeholder engagement process, RESOLVE and ARM seek to establish a MES Advisory Group (AG). The purpose of these terms of reference is to describe the responsibilities, formation, protocols, and schedule of the AG for implementation of the standard development process.

Please contact Jennifer Peyser, RESOLVE (jpeyser@resolv.org) with any questions on these terms of reference.

Responsibilities of the Steering Committee

The MES Advisory Group is a steering committee composed of stakeholders and funders of the CAPAZ program, responsible for providing strategic advice to the implementing partners (ARM and RESOLVE) related to the development of the MES and related programmatic elements, including piloting of the draft standard.

The AG has the following main responsibilities:

- Contributing to scoping and guiding the development of the MES, especially alignment and interoperability with related minerals and responsible sourcing systems or standards;
- Advising and overseeing the scope, procedures, and general activities of the Market Entry Standard Technical Committee;
- Advising on strategic opportunities of interaction and alignment with other, relevant standards or due diligence initiatives to scale-up the piloting of the MES;
- Advising on strategic actions how the standard could be developed and used to support progressive improvement in the ASM gold sector, including through supply chain engagement;
- Raising awareness of, and supporting stakeholder engagement in, the global consultation to draft and pilot test the MES;
- Providing inputs to initiate the consultation process and first piloting of the MES
- Providing guidance on how to address the comments from the consultation phase of the Market Entry Standard

- Seek to reach agreement on the MES draft and recommend it for approval by the ARM Board of Directors.
- Strategic advice on any other project related aspects as requested by ARM and RESOLVE, or as deemed appropriate by the AG.

Members are expected to

- Adhere to these terms of reference
- Share a commitment to support ASM transition to a socially and environmentally responsible activity, and to improve the quality of life of marginalized artisanal miners, their families, and communities
- Represent their stakeholder group, including but not exclusively the interest of their institutions. (Members are expected to keep their respective organizations updated on the MES and AG developments, in the interest of seeking organizational buy-in on AG recommendations and decisions. Members are also asked to support the MES team's outreach to their stakeholder groups on key milestones.)
- Commit to transparency with regard to individual or organizational interests in the standard, by describing interests in the AG application and later if additional interests arise
- Prepare for and regularly participate in Steering Committee meetings and calls.

Membership

The AG shall consist of 6-12 members representing the interests of their organization/stakeholder group and representatives of the funding agency/ies of the CAPAZ Program. The AG will include representation from the following interests:

- Artisanal and small-scale mining sector
- Standards systems or multilateral guidance bodies representing one or more industrial sectors
- Gold refiners or associations
- Downstream companies or associations
- Non-governmental organizations (especially those working with ASM)
- Other technical consultants with responsible sourcing expertise

Through the application and appointment process, committee membership with a balance of upstream, refiner, downstream, relevant minerals standards systems, and civil society/support organizations will be sought. A geographic balance will also be considered.

The AG facilitation team will be led by RESOLVE as independent facilitator, with support from and engagement by the Alliance for Responsible Mining's MES team.

Application and Appointment

ARM and RESOLVE will conduct outreach to government, multilateral, upstream, refiner, downstream gold sector, NGOs, academics, and consultancies to announce the application process.

Interested individuals may submit an expression of interest to RESOLVE by May 31 (*see attached form*), to confirm interest and that the representative meets the following AG criteria:

- Expertise with regard to the development and implementation of sustainability assurance systems and standards;
- Expertise with artisanal mining or responsible minerals sourcing (including gold or other minerals);
- Support from candidate's organization to serve on this volunteer committee;
- Ability to represent organization's and broader stakeholder group's interests in the MES development;
- Availability to serve for the entire period of the first draft standard, May 2017 – July 2018,

including approximately six calls (please see schedule below)

Where there are more qualified applicants representing a specific interest than are required, RESOLVE will identify AG members with consideration to selection criteria as well as overall balance, including supply chain position, relevant standards systems, and geographic diversity, in consultation with ARM.

Applicants are also asked to note the following additional considerations:

- English will be the working language of the AG.
- AG members participate on a volunteer basis. While a stand-alone meeting is not anticipated and a web-based option will be provided for calls, any direct costs that may be incurred are the responsibility of members.

If a member must resign from the AG or if additional expertise is sought, RESOLVE may identify or seek nominations for additional participants.

Decision-making and Other Operating Procedures

The AG will seek to make decisions by consensus, defined here as the absence of sustained opposition to a decision. Quorum for decision-making is at least half of members. In the absence of full consensus, the AG shall revert to decisions by 75% majority. Alternative positions may be reflected as “minority opinions” in the minutes.

AG discussions will be held under the Chatham House Rule, i.e., information and outcomes will be shared without attribution to individuals or organizations. Committee members may request to share specific comments on a confidential basis. The facilitation team will summarize decisions and action items in writing, for review by AG members; these summaries will include a list of call participants but will not attribute comments. The summaries will be made publicly available.

All decisions as well as a summary of deliberations shall be documented in minutes of Steering Committee meeting; those must be kept by RESOLVE and ARM during 5 years.

Additional operating procedures will be determined by the group.

Schedule

The AG will convene via teleconference, with the possibility for 1 or more in-person meetings if practical, in conjunction with major events/conferences.

Proposed schedule:

- Selection by May 31, 2017
- Initial call in June 2017
- Quarterly call schedule (July 2017 – June 2018) to be developed in consultation with AG members and linked to MES and MES Technical Committee milestones
- Conclusion of phase 1 AG by July 2018 (*renewal or reorganization to be linked to MES and CAPAZ next steps*)

Additional teleconferences may be scheduled as necessary.

CAPAZ: The Passport to Markets Programme

Market Entry Standard Advisory Group Nomination – Expression of Interest

RESOLVE and ARM are seeking nominations for the MES Advisory Committee. Interested individuals may submit an expression of interest to RESOLVE by **May 31, 2017** with the information requested below.

Please email your response to Jennifer Peyser and Taylor Kennedy at RESOLVE ((jpeyser@resolv.org; tkennedy@resolv.org).

1. The candidate confirms that he/she has read and possesses the following criteria required of MES Advisory Group members:
 - Expertise with regard to the development and implementation of sustainability assurance systems and standards;
 - Expertise with artisanal mining or responsible minerals sourcing (including gold or other minerals);
 - Support from candidate's organization to serve on this volunteer committee, including direct costs which could be incurred;
 - Ability to represent organization's and broader stakeholder group's interests in the MES development;
 - Comfort with English as the working language of the AG; and
 - Availability to serve for the entire period of the first draft standard, June 2017 – July 2018, including approximately six calls and a possible in-person meeting.
2. Contact information for candidate:
 - a. Name
 - b. Title
 - c. Organization
 - d. Email
 - e. Phone number