

Notes from Informal Meeting of Partial MES Advisory Group

19 October, 2017
Santa Clara, California

Background: A small group of Advisory Group members met for an informal discussion over lunch at the RMI Conference in Santa Clara, California, on 19 October. Further notes below.

NEXT STEPS

The MES team will:

- Prepare a template distribution package for adaptation and distribution, prior to public release of the draft standard
- Prepare a package of materials (presentations, handouts, etc.) to support AG member organizations in leading public consultations at ASM pilot sites.
- Contact OECD to confirm a time and location for a side session alongside 17-19 April Forum to workshop feedback from public consultation period.

STAKEHOLDER CONSULTATION

Members discussed several strategies, resources, and opportunities to support stakeholder consultation before and during the public consultation period.

Suggestions regarding the packaging and distribution of the standard included the following:

- The Standard Committee (with input from the Advisory Group) should identify specific questions for the public to answer (in addition to allowing general comment), which should be organized according to the sector(s) to which the question is primarily directed. Upstream actors should be asked to identify any major concerns or issues that would prevent or disincentivize their participation.
- The distribution package should clearly outline the purpose of the MES and the anticipated benefits for various stakeholder groups. This is particularly important for upstream producers and traders.
- The MES team will provide a template distribution email/package for adaptation and distribution by Advisory Group members to their own networks.
- The draft standard should be translated into French and Spanish.

The AG also identified the following resources and stakeholder groups to support development and consultation of the standard:

- RMI could convene an ad hoc call of its Multi-stakeholder Standards Group for early feedback on an outline, or during the period of public consultation
- Solidaridad and possibly others could lead consultations at their own pilots. The MES team will provide materials (e.g., presentations, handouts) and guidance to support the consultation.
- The annual ICGLR-OECD-UNGEOE Forum on Responsible Supply Chains of Minerals will be held April 17-19, 2018 and will be an opportunity to workshop issues raised in the course of public

consultation (anticipated from late January – late March). The MES team will engage with OECD to identify an appropriate time and location for a side session at the Forum.

- Prior to draft publication, the MES Team (and Advisory Group members as available) will consult with ISEAL (Patrick Mallet) and coffee standards setters (COSA) on lessons learned from an analogous standard in that sector.

STANDARD DESIGN

Members returned to conversations from the prior AG call regarding the possibility of including gradations in the standard (analogous to LEED Silver, Gold, Platinum). Members noted the following considerations:

- Regardless of whether the standard offers gradations, it should gather information about a wide range of risks, not just those risks identified by OECD as requiring disengagement (“Tier I risks”).
- The standard should include guidance about how risks and associated data are communicated and/or kept confidential.
- In addition to aligning on definition of risks requiring disengagement, management, and mitigation – and supporting the assessment of such risks – the standard should align with the OECD’s 5-Step System. This means including some element to align with Step 1 (Establish Management Systems).
- There is a tension between incentivizing the market to support best practices, and encouraging engagement with those at very early stages of acceptability. To encourage engagement at the earliest stages without enabling stagnation, the standard will need to include some method of scoring progress. It could include a system for rewarding upstream actors with the most significant improvements, and downstream actors whose engagement has enabled the most impact. One option would be for prizes to be awarded by organizations whose positive attention would be highly desired by candidates – such as LBMA RMI, Global Witness, Enough Project, etc.).
- While the standard should also align with the nomenclature of the OECD around “risk,” it will likely be important to speak in parallel about “impact,” and the Standard should incorporate opportunities to measure and communicate about both.
- In furthering the “spirit of the OECD” (active engagement in supporting development through a risk mitigation, rather than risk avoidance, approach), it could be of interest to award points or some kind of multiplier for achieving progress in more challenging or complex environments, such as Conflict-Affected and High Risk Areas.
- It was noted that the MES could become a tool for measuring the impact of the OECD Due Diligence Guidance.

OBJECTIVES FOR NEXT CALLS (TO BE SCHEDULED)

Next call (mid-late November or early December)

- General updates (standard drafting process, pilots)
- Discuss the above ideas for stakeholder engagement and standard design, as well as input from parallel discussion by other members at IGF.
- Advise on materials to be developed to support consultation (including consultations led by AG member organizations).
- Outline a strategy for distribution of the draft standard, including compilation of a listserv (if appropriate) or identifying individual member outreach plans.

Prior to draft release (early to mid-January)

PARTICIPANTS

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