

Consultation response

Part 1: Your details

Original language of response: English

Name: Katrine Danielsen

Country of residence: Netherlands

Are you willing to let us publish your response publicly on the Global Tailings Review website? Yes

Please select which stakeholder group you are representing: Other

If 'Other', please specify below: Multistakeholder initiative - a collaborative effort of governments and civil society orgs

Are you responding on behalf of an organization? Yes

Please give the name of the organization: Women's Rights and Mining

Your level within the organisation: Other

Part 2: Your views on each of the Principles and Requirements in the Standard

Topic 1: Knowledge Base

Principle 1

In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?

Partially

Which aspects of Principle 1 do your comments relate to?

Requirement 1.4, Requirement 1.1

Your comments on Principle 1

Requirement 1.1.: Add new footnote "This knowledge should capture gender dimensions of the social, economic and environmental context including evidence on the differentiated and disproportionate impact of extractive business activities on women and girls" Requirement 1.4.: Comment: Women and men are often differently recognized, included and consulted as stakeholders, a concern that can be addressed by developing a gender-responsive stakeholder engagement plan. Add a footnote to "Identify stakeholder" – footnote: Based on a gender-responsive stakeholder engagement plan Add to footnote 7: "Data collection should include gender-responsive participatory processes, follow established ethical research protocols, and consider matters of privacy and data sovereignty. A comprehensive approach would include data and information relating to: the physical environment within which people live and work, natural resources and built infrastructure; gender, social, economic, legal, cultural and political systems, social and gender norms and

rules that govern how people interact with the environment and with each other; the population within the study area, demographic patterns and human activities or issues in the area; boundaries that demarcate rights over the ownership, and the gendered use of land and territory”.

Principle 2

In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?

Partially

Which aspects of Principle 2 do your comments relate to?

Requirement 2.4, Requirement 2.3, Requirement 2.2

Your comments on Principle 2

Requirement 2.2.: Add new footnote: “Efforts should be made to ensure a gender-balanced ITRB, and adequate gender competencies of the senior technical reviewer should be obligated”. Requirement 2.3.: Add to text: “Develop gender-responsive impact mitigation and management plans.” Add to footnote 11: ... Performance Standard 1 Assessment and Management of Environmental and Social Risks and Impacts (p.6) “which underscores the importance of a gender-responsive approach throughout the project lifecycle when analyzing project risks, impacts and opportunities, including steps such as diagnostic, management of environmental and social risks, participatory processes and stakeholder analysis”, and Performance Standard 6 Biodiversity Conservation and the Sustainable Management of Living Natural Resources requirement 7. Requirement 2.4.: Add words to text: Update the assessment of the social, economic and environmental impact – including on the differentiated and disproportionate impact on women and update stakeholder identification and information for any material change to the tailings facility, the social or environmental context or conditions.

Topic II: Affected Communities

Principle 3

In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?

Partially

Which aspects of Principle 3 do your comments relate to?

Comments on the Principle itself, Requirement 3.3, Requirement 3.2, Requirement 3.1, Requirement 3.4

Your comments on Principle 3

Principle 3: Add to footnote 12: “The UN Working Group on Business and Human Rights has developed a gender framework for the UNGP which proposes gender guidance specific to each of the UNGP’s 31 guiding principles” <https://www.ohchr.org/EN/Issues/Business/Pages/GenderLens.aspx> Requirement 3.1.: Add to text: “Demonstrate respect for human rights by conducting gender-responsive human rights due diligence to understand how a tailings facility failure may cause or contribute to adverse human rights impacts, including impacts on the individual and collective rights of indigenous peoples and tribal peoples” Add a

new footnote to "gender-responsive human rights due diligence" - footnote: "It cannot be assumed that human rights due diligence focuses on women's rights nor on how gender inequality hinders women's realization of their human rights". Add to existing footnote 14: IFC Performance Standard 7 Indigenous Peoples mandates that the assessment of land and natural resource use should be gender-responsive and specifically consider women's role in the management and use of these resources. Requirement 3.2.: Add to existing footnote 16: "These activities may be documented in a mine-wide gender-responsive Stakeholder Engagement Plan". Add to existing footnote 17: Deliberate efforts are needed to ensure the gender-responsiveness of engagement, participation and consultation processes Requirement 3.3.: Add to existing footnote 18: "Environmental and Social Performance Standard (PS) 5 Land Acquisition and Involuntary Resettlement which recognizes how targeted measures are generally required to ensure that women's perspectives are obtained, and that their interests are factored into all aspects of resettlement planning and implementation, particularly with respect to compensation and benefits and IFC (PS) 7 Indigenous Peoples which also mandates that the assessment of land and natural resource use should be gender-responsive and specifically consider women's role in the management and use of these resources." Requirement 3.4.: Comment: Women and men often have unequal access to remedy, complaint or grievance redressal mechanisms. What is more, gender-related complaints and grievances are often not filed, or if they are they are not processed appropriately (e.g., not sensitive to the victims), which might aggravate the grievance further. Add to text: Establish an effective operational-level, non-judicial gender-responsive grievance mechanism that addresses the concerns, complaints and grievances of project-affected people that relate to the tailings facility. Add a new footnote to "gender-responsive grievance mechanism" - footnote: Women and men often have unequal access to remedy, complaint or grievance redressal mechanisms. What is more, gender-related complaints and grievances are often not filed, or if they are they are not processed appropriately (e.g., not sensitive to the victims), which might aggravate the grievance further.

Topic III: Design, Construction, Operation and Monitoring of the Tailings Facility

Principle 4

In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?

Partially

Which aspects of Principle 4 do your comments relate to?

Your comments on Principle 4

Principle 5

In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?

Partially

Which aspects of Principle 5 do your comments relate to?

Comments on the Principle itself, Requirement 5.3

Your comments on Principle 5

Principle 5: Overall comment: In gender-responsive tailing facility design, gender analysis has been integrated into all stages of the lifecycle of the facility
Requirement 5.3.: Add new footnote to "Develop a robust design that considers the social, economic and environmental context" - footnote: Given gender differences of potential risks and impacts (e.g. on land and water use and related livelihoods, socio-cultural values placed on different environmental assets), adequate consideration of the context should be informed by gender analysis and impact/risk assessments. Gender analysis is a rigorous exploration of the conditions and position of women relative to men. It highlights how gender relations and inequalities - within households, at the community level, in value chains, as well as in legal and policy environments - affect tailing facilities, and in particular, how inequalities can lead to differential risks and impacts for women and men.

Principle 6

In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?

Partially

Which aspects of Principle 6 do your comments relate to?

Your comments on Principle 6:

Principle 7

In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?

Partially

Which aspects of Principle 7 do your comments relate to?

Comments on the Principle itself, Requirement 7.8

Your comments on Principle 7

Principle 7: Overall comment: Women experience risks and negative impacts differently and more severely than men. Gendered risks refer to the different potentially harmful consequences of tailing facilities for women and men - which may exacerbate gender inequalities. Addressing gendered risks is critical to ensure that tailing facilities do not have negative impacts on women and that gender inequalities are not exacerbated. Notably, gendered risks can be aggravated when gender intersect with other forms of inequality based on, for example, racism, caste and ethnic discrimination, ageism, and homophobia among others. That means that, in any given context, some women will be more at risk. Requirement 7.8.: Add a footnote to "Independent senior technical reviewers, with qualifications and expertise in social and environmental sciences and performance management" - footnote: This should include adequate competencies in gender. Add to text: "...shall carry out a full review of the ESMS and monitoring results every 3 years, with annual summary reports provided to relevant stakeholders in formats that are accessible and adequately comprehensible to local stakeholders, considerate of differing capacities with respect to literacy, education, and access.

Principle 8

In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?

Partially

Which aspects of Principle 8 do your comments relate to?

Comments on the Principle itself

Your comments on Principle 8

Principle 8: Comment: Encourage the collection of gender disaggregated data and monitoring & evaluation of the impact of the tailings facility without which efforts can unintentionally exacerbate gender inequality and increase women's insecurity. What is more, gendered data and analysis can serve to identify important opportunities to empower women and to contribute to the Sustainable Development Goals (SDGs), which are often overlooked.

Topic IV: Management and Governance

Principle 9

In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?

Partially

Which aspects of Principle 9 do your comments relate to?

Comments on the Principle itself

Your comments on Principle 9

General comment: Given the significance afforded in the Standard to meaningful engagement, establishment of grievance mechanisms, access to information etc. etc. specification of roles, functions and accountabilities (and adequate competency in social aspects and gender dimensions therein) should be included within this section.

Principle 10

In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?

Partially

Which aspects of Principle 10 do your comments relate to?

Your comments on Principle 10:

Principle 11

In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?

Partially

Which aspects of Principle 11 do your comments relate to?

Your comments on Principle 11:

Principle 12

In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?

Partially

Which aspects of Principle 12 do your comments relate to?

Your comments on Principle 12:

Principle 13

In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?

Partially

Which aspects of Principle 13 do your comments relate to?

No

Your comments on Principle 13:

Principle 14

In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?

Partially

Which aspects of Principle 14 do your comments relate to?

Comments on the Principle itself, Requirement 14.1, Requirement 14.2

Your comments on Principle 14:

Principle 14: General comment: There may be a case where community/local stakeholders also have a concern or grievance (this is alluded to in other sections of the Standard). For this purpose, this mechanism could be linked to the broader mine-wide community/local grievance mechanism but some reference of this communication channel in this section is warranted. Requirement 14.1: Edit/add to text: "...that pose a risk to public health, safety, or the environment and socio-economic conditions." Requirement 14.2.: Comment: Women and men often have unequal access to remedy, complaint or grievance redressal mechanisms. What is more, gender-related complaints and grievances are often not filed, or if they are they are not processed appropriately (e.g., not sensitive to the victims), which might aggravate the grievance further.

Topic V: Emergency Response and Long-Term Recovery

Principle 15

In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?

Partially

Which aspects of Principle 15 do your comments relate to?

Comments on the Principle itself, Requirement 15.1, Requirement 15.4

Your comments on Principle 15:

General comment: Understanding needs and context is vital in an emergency response. A crucial, and often overlooked, factor is gender. In the event of a tailings facility failure the experiences of women, girls, men and boys can be very different. Beyond basic needs, such failures often have hidden, long-lasting, devastating effects on a community based on pre-existing gendered differences. Furthermore, power dynamics within households and communities, the gendered division of labour, and gender-based violence could all be worsened or changed by a tailings facility failure / disaster. Emergency response plans need to be designed, planned, monitored and evaluated based on with gender differences Requirement 15.1.: Add to existing footnote 28: "Both the ERP and the EPRP should be developed by experts trained in emergency response planning and, particularly where emergency response includes risks to local stakeholders, supported by individuals with adequate competencies in stakeholder engagement, gender and working with disadvantaged groups within the local population". Requirement 15.4.: Add to existing footnote 33: "The frequency of training and testing will be based on the regular assessment by a trained emergency response professional as to what is required to achieve and maintain readiness with the distinct stakeholders involved. This may require allocation of additional resources to ensure readiness of local stakeholder groups that are commonly excluded from standard communication and engagement channels (e.g. women, girls, elderly, youth)." Training and testing performance results will be disclosed. "

Principle 16

In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?

Partially

Which aspects of Principle 16 do your comments relate to?

Requirement 16.4

Your comments on Principle 16:

Requirement 16.4.: Add new footnote to "Enable the participation of affected people in restoration, disaster recovery works and ongoing monitoring activities" - footnote: Ensure adequate resources and skills (including gender competency) are provided to ensure that stakeholder groups that may be less likely to inform or benefit from such efforts are meaningfully engaged in these processes.

Topic VI: Public Disclosure and Access to Information

Principle 17

In your view, will compliance with this Principle and its Requirements contribute to the prevention of catastrophic failure of tailings facilities?

Partially

Which aspects of Principle 17 do your comments relate to?

Requirement 17.1

Your comments on Principle 17:

Requirement 17.1.: Add new footnote: "Communication methods should be in formats and using methods that ensure accessibility to and comprehension by different stakeholder groups, including those that may be disadvantaged with respect to literacy, access to information and other factors."

Part 3: Your views on the Standard

Your view as to whether the content of the Standard meets your expectations

Your view as to whether the content of the Standard meets your expectations (closed question):

2: Falls somewhat below my expectations

Please summarize why you chose this option:

While the Standard thoughtfully integrates the need for meaningful engagement of (potentially) affected individuals and communities, the document would be strengthened through more explicit recognition of gender specific barriers to meaningful engagement and how this may affect other intended aims of the standard. Due to gender inequalities, different risks, impacts and benefits on women and girls compared to men and boys may result from a range of strategies, particularly if they are additionally disadvantaged with respect to economic status, literacy, race, age, physical ability and/or other factors. This includes, but is not limited to gender differences in terms of capacity to adequately understand and participate in information and engage

Your view on whether the Standard will create a step change for the industry in the safety and security of tailings facilities

Your view on whether the Standard will create a step change for the industry in the safety and security of tailings facilities (closed question):

3: Will strengthen some but not all aspects of the safety and security of tailings facilities

Please summarize why you chose this option:

While the Standard thoughtfully integrates the need for meaningful engagement of (potentially) affected individuals and communities, the document would be strengthened through more explicit recognition of gender specific barriers to meaningful engagement and how this may affect other intended aims of the standard. Due to gender inequalities, different risks, impacts and benefits on women and girls compared to men and boys may result from a range of strategies, particularly if they are additionally disadvantaged with respect to economic status, literacy, race, age, physical ability and/or other factors. This includes, but is not limited to gender differences in terms of capacity to adequately understand and participate in information and engage

Does the content of the Standard address all aspects of tailings facility management adequately?

Does the content of the Standard address all aspects of tailings facility management adequately (closed question)?

No

Please explain why and/or what is missing:

While the Standard thoughtfully integrates the need for meaningful engagement of (potentially) affected individuals and communities, the document would be strengthened through more explicit recognition of gender specific barriers to meaningful engagement and how this may affect other intended aims of the standard. Due to gender inequalities, different risks, impacts and benefits on women and girls compared to men and boys may result from a range of strategies, particularly if they are additionally disadvantaged with respect to economic status, literacy, race, age, physical ability and/or other factors. This includes, but is not limited to gender differences in terms of capacity to adequately understand and participate in information and engage

Part 4: Suggestions for topics to be included in the accompanying Recommendations Report

On which topics would you expect to have further clarification or guidance in this document?

Guidance on gender analysis as an integral part of tailings facility design, planning, operation, M&E - and in all aspects of risk assessment, community engagement, communication, resettlement, compensation, grievance redressal - in all stages of the lifecycle of a tailings facility.

Other information

Non-fitting response text (text submitted which did was not in response to one of the questions above)

Attachment 1 reference (if applicable)

ref:0000000917:Q83

Attachment 2 reference (if applicable)



Global Tailings Standard Draft for Public Consultation, November 2019

Comments from Women's Rights and Mining¹ (18 December 2019)

General Comments

First of all, Women Rights and Mining (WRM) wants to thank United Nations Environment Program (UNEP), the Principles for Responsible Investment (PRI) and the International Council on Mining and Metals (ICMM) for drafting the Global Tailings Standard and contributing to making a difference for the better. In particular, we commend UNEP, PRI and ICMM for recognizing the urgency associated with developing a global standard for the safe and secure management of tailings facilities.

While the Standard thoughtfully integrates the need for meaningful engagement of (potentially) affected individuals and communities, the document would be strengthened through more explicit recognition of gender specific barriers to meaningful engagement and how this may affect other intended aims of the standard. Due to gender inequalities, different risks, impacts and benefits on women and girls compared to men and boys may result from a range of strategies, particularly if they are additionally disadvantaged with respect to economic status, literacy, race, age, physical ability and/or other factors. This includes, but is not limited to gender differences in terms of capacity to adequately understand and participate in information and engagement strategies and related grievance mechanisms, emergency response readiness of at-risk stakeholders and ascertaining risks and impacts of potential decisions (e.g. site locations) and changing conditions.

Overview of the Standard

Topic Area 2:

Suggested revision: "To demonstrate this respect, project-affected people must be afforded opportunities for meaningful engagement in decisions that affect them. **Affording these opportunities requires due recognition that project-affected individuals and groups within communities have different capacities to engage.**"

Topic Area 6:

Suggested revision: "Operators **must provide mechanisms to express grievances or request information that are reasonably accessible to local stakeholders and** respond in a systematic and timely manner to all reasonable stakeholder requests for information".

¹ WRM is a collaborative effort of the Dutch Ministry of Foreign Affairs, Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ), Global Affairs Canada, and civil society organizations including the Canadian organization IMPACT as well as organizations based in the Netherlands: ActionAid, Simavi, Solidaridad and KIT Royal Tropical Institute. For more information, see <https://womenandmining.org/> or contact Jan Pieter Barendse, Ministry of Foreign Affairs The Netherlands - JanPieter.Barendse@minbuza.nl

The Role of the State

General comment: Informing the State and promoting best practices in tailings management presumably extends beyond non-regulatory (traditional inspection/enforcement) functions. Given the scope of the Standard, some mention seems warranted of State roles in other functions (e.g. stakeholder engagement strategies, emergency preparedness and response) and functions related to ensuring that most marginalized or traditionally excluded groups are adequately included (and women and girls therein).

The Role of Other Stakeholders

Suggested revision: “These stakeholders can best protect this interest if they are given a meaningful role in key decisions that affect them as proposed in this Standard. They are also in a strong position to ensure inclusion of marginalized groups, such as women, girls, the elderly and rural poor, in all strategies across the project-lifecycle and demand transparency from Operators regarding tailings facility plans, management and emergency response plans, and other data and information relating to the tailings facility. Insisting on strict compliance with the Standard can also support positive relationships and help foster trust”.

Preamble

Suggested revision: “This standard strives towards the ultimate goal of zero harm to people - regardless of their gender, age, colour, caste, class, ethnicity, religion, language, literacy, access to economic resources, marital status, sexual orientation, gender identity, disability, residence in a rural location, and migration, indigenous or minority status - and the environment.... “ This additional text could also be included as a footnote.

Topic I: Knowledge base

Requirement 1.1.:

Add new footnote “This knowledge should capture gender dimensions of the social, economic and environmental context including evidence on the differentiated and disproportionate impact of extractive business activities on women and girls”

Requirement 1.4.:

Comment: Women and men are often differently recognized, included and consulted as stakeholders, a concern that can be addressed by developing a gender-responsive stakeholder engagement plan.

Add a footnote to “Identify stakeholder” – footnote: Based on a gender-responsive stakeholder engagement plan

Add to footnote 7: “Data collection should include gender-responsive participatory processes, follow established ethical research protocols, and consider matters of privacy and data sovereignty. A comprehensive approach would include data and information relating to: the physical environment within which people live and work, natural resources and built infrastructure; gender, social, economic, legal, cultural and political systems, social and gender norms and rules that govern how people interact with the environment and with each other; the population within the study area, demographic patterns and human activities or issues in the area; boundaries that demarcate rights over the ownership, and the gendered use of land and territory”.

Requirement 2.2.:

Add new footnote: “Efforts should be made to ensure a gender-balanced ITRB, and adequate gender competencies of the senior technical reviewer should be obligated”.

Requirement 2.3.:

Add to text: “Develop **gender-responsive** impact mitigation and management plans.”

Add to footnote 11: ... Performance Standard 1 Assessment and Management of Environmental and Social Risks and Impacts (p.6) “**which underscores the importance of a gender-responsive approach throughout the project lifecycle when analyzing project risks, impacts and opportunities, including steps such as diagnostic, management of environmental and social risks, participatory processes and stakeholder analysis**”, and Performance Standard 6 Biodiversity Conservation and the Sustainable Management of Living Natural Resources requirement 7.

Requirement 2.4.:

Add words to text: Update the assessment of the social, economic and environmental impact – including **on the differentiated and disproportionate impact on women and** update stakeholder identification and information for any material change to the *tailings facility*, the social or environmental context or conditions.

Topic II: Affected communities

Principle 3:

Add to footnote 12: “The UN Working Group on Business and Human Rights has developed a **gender framework for the UNGP which proposes gender guidance specific to each of the UNGP’s 31 guiding principles**” <https://www.ohchr.org/EN/Issues/Business/Pages/GenderLens.aspx>

Requirement 3.1.:

Add to text: “Demonstrate respect for human rights by conducting **gender-responsive** human rights due diligence to understand how a tailings facility failure may cause or contribute to adverse human rights impacts, including impacts on the individual and collective rights of indigenous peoples and tribal peoples”

Add a new footnote to “**gender-responsive** human rights due diligence” - footnote: “**It cannot be assumed that human rights due diligence focuses on women’s rights nor on how gender inequality hinders women’s realization of their human rights**”.

Add to existing footnote 14: **IFC Performance Standard 7 Indigenous Peoples mandates that the assessment of land and natural resource use should be gender-responsive and specifically consider women’s role in the management and use of these resources.**

Requirement 3.2.:

Add to existing footnote 16: “These activities may be documented in a mine-wide **gender-responsive** Stakeholder Engagement Plan”.

Add to existing footnote 17: **Deliberate efforts are needed to ensure the gender-responsiveness of engagement, participation and consultation processes**

Requirement 3.3.:

Add to existing footnote 18: “Environmental and Social Performance Standard (PS) 5 Land Acquisition and Involuntary Resettlement **which recognizes how targeted measures are generally**

required to ensure that women’s perspectives are obtained, and that their interests are factored into all aspects of resettlement planning and implementation, particularly with respect to compensation and benefits and IFC (PS) 7 Indigenous Peoples which also mandates that the assessment of land and natural resource use should be gender-responsive and specifically consider women’s role in the management and use of these resources.”

Requirement 3.4.:

Comment: Women and men often have unequal access to remedy, complaint or grievance redressal mechanisms. What is more, gender-related complaints and grievances are often not filed, or if they are they are not processed appropriately (e.g., not sensitive to the victims), which might aggravate the grievance further.

Add to text: Establish an effective operational-level, non-judicial **gender-responsive** grievance mechanism that addresses the concerns, complaints and grievances of project-affected people that relate to the tailings facility.

Add a new footnote to “**gender-responsive** grievance mechanism” - footnote: Women and men often have **unequal access to remedy, complaint or grievance redressal mechanisms. What is more, gender-related complaints and grievances are often not filed, or if they are they are not processed appropriately (e.g., not sensitive to the victims), which might aggravate the grievance further.**

Principle 5:

Overall comment: In gender-responsive tailing facility design, **gender analysis** has been integrated into all stages of the lifecycle of the facility

Requirement 5.3.:

Add new footnote to “Develop a *robust design* that considers the social, economic and environmental context” - footnote: **Given gender differences of potential risks and impacts (e.g. on land and water use and related livelihoods, socio-cultural values placed on different environmental assets), adequate consideration of the context should be informed by gender analysis and impact/risk assessments. Gender analysis is a rigorous exploration of the conditions and position of women relative to men. It highlights how gender relations and inequalities - within households, at the community level, in value chains, as well as in legal and policy environments - affect tailing facilities, and in particular, how inequalities can lead to differential risks and impacts for women and men.**

Principle 7:

Overall comment: Women experience risks and negative impacts differently and more severely than men. Gendered risks refer to the different potentially harmful consequences of tailing facilities for women and men - which may exacerbate gender inequalities. Addressing gendered risks is critical to ensure that tailing facilities do not have negative impacts on women and that gender inequalities are not exacerbated. Notably, gendered risks can be aggravated when gender intersect with other forms of inequality based on, for example, racism, caste and ethnic discrimination, ageism, and homophobia among others. That means that, in any given context, some women will be more at risk.

Requirement 7.8.:

Add a footnote to “**Independent** senior technical reviewers, with qualifications and expertise in social and environmental sciences and performance management” - footnote: **This should include adequate competencies in gender.**

Add to text: “...shall carry out a full review of the ESMS and monitoring results every 3 years, with annual summary reports provided to relevant stakeholders in formats that are accessible and adequately comprehensible to local stakeholders, considerate of differing capacities with respect to literacy, education, and access.

Principle 8:

Comment: Encourage the collection of gender disaggregated data and monitoring & evaluation of the impact of the tailings facility without which efforts can unintentionally exacerbate gender inequality and increase women’s insecurity. What is more, gendered data and analysis can serve to identify important opportunities to empower women and to contribute to the Sustainable Development Goals (SDGs), which are often overlooked.

Topic IV: Management and Governance

General comment: Given the significance afforded in the Standard to meaningful engagement, establishment of grievance mechanisms, access to information etc. etc. specification of roles, functions and accountabilities (and adequate competency in social aspects and gender dimensions therein) should be included within this section.

Principle 14:

General comment: There may be a case where community/local stakeholders also have a concern or grievance (this is alluded to in other sections of the Standard). For this purpose, this mechanism could be linked to the broader mine-wide community/local grievance mechanism but some reference of this communication channel in this section is warranted.

Requirement 14.1:

Edit/add to text: “...that pose a risk to public health, safety, ~~or~~ the environment and socio-economic conditions.”

Requirement 14.2.:

Comment: Women and men often have unequal access to remedy, complaint or grievance redressal mechanisms. What is more, gender-related complaints and grievances are often not filed, or if they are they are not processed appropriately (e.g., not sensitive to the victims), which might aggravate the grievance further.

Topic V: Emergency Response and Long-Term Recovery

General comment: Understanding needs and context is vital in an emergency response. A crucial, and often overlooked, factor is gender. In the event of a tailings facility failure the experiences of women, girls, men and boys can be very different. Beyond basic needs, such failures often have hidden, long-lasting, devastating effects on a community based on pre-existing gendered differences. Furthermore, power dynamics within households and communities, the gendered division of labour, and gender-based violence could all be worsened or changed by a tailings facility failure / disaster. Emergency response plans need to be designed, planned, monitored and evaluated based on with gender differences

Requirement 15.1.:

Add to existing footnote 28: “Both the ERP and the EPRP should be developed by experts trained in emergency response planning and, particularly where emergency response includes risks to local stakeholders, supported by individuals with adequate competencies in stakeholder engagement, gender and working with disadvantaged groups within the local population”.

Requirement 15.4.:

Add to existing footnote 33: "The frequency of training and testing will be based on the regular assessment by a trained emergency response professional as to what is required to achieve and maintain readiness with the distinct stakeholders involved. **This may require allocation of additional resources to ensure readiness of local stakeholder groups that are commonly excluded from standard communication and engagement channels (e.g. women, girls, elderly, youth).**" Training and testing performance results will be disclosed. "

Requirement 16.4.:

Add new footnote to "Enable the participation of affected people in restoration, disaster recovery works and ongoing monitoring activities" - footnote: **Ensure adequate resources and skills (including gender competency) are provided to ensure that stakeholder groups that may be less likely to inform or benefit from such efforts are meaningfully engaged in these processes.**

Topic VI: Public Disclosure and Access to Information

Requirement 17.1.:

Add new footnote: **"Communication methods should be in formats and using methods that ensure accessibility to and comprehension by different stakeholder groups, including those that may be disadvantaged with respect to literacy, access to information and other factors."**

Annex 1: Glossary and Notes

Independent Tailings Review Board

General Comment: Given the significance the Standard affords to meaningful engagement, risk communications, related mechanisms to address grievances and concerns, readiness of at-risk local stakeholders, among other topics, it seems that the tailings review board should include some persons with related competencies in these areas in order to effectively monitor and assess implementation with respect to these issues.

Suggested additions to glossary:

Gender refers to all the attributes, activities and responsibilities connected to being a male or a female in a given society. Gender norms and practices determine how men and women are perceived, and the particular gender roles they are expected to perform.

Gender analysis is a rigorous exploration of the conditions and position of women relative to men. It highlights how gender relations and inequalities - within households, at the community level, in value chains, as well as in legal and policy environments - affect tailing facilities, and in particular, how inequalities can lead to differential risks, impacts and outcomes for women and men.

Gendered risks refer to the different potentially harmful consequences of tailing facilities for women and men which may exacerbate gender inequalities. Addressing gendered risks is critical to ensure that tailing facilities do not have negative impacts on women and that gender inequalities are not exacerbated.