

# ASI Standards Committee – Minutes – Teleconference

Date: 29 November 2017

#### **Antitrust Statement:**

Attendees are kindly reminded that ASI is committed to complying with all relevant antitrust and competition laws and regulations and, to that end, has adopted an Antitrust Policy, compliance with which is a condition of continued ASI participation. Failure to abide by these laws can have extremely serious consequences for ASI and its participants, including heavy fines and, in some jurisdictions, imprisonment for individuals. You are therefore asked to have due regard to this Policy today and in respect of all other ASI activities.

## Participants:

Chair: Annemarie Goedmakers (Chimbo Foundation)

Committee Members: Catherine Athenes (Constellium), Christophe Boussemart (Nespresso), Giulia Carbone (IUCN), Justin Furness (Council for Aluminium in Building), Roland Dubois (Rio Tinto), Justus Kammueller (WWF), Bjoern Kulmann (Ball), Rosa Garcia Pineiro (Alcoa), Stefan Rohrmus (Schueco), Jostein Soreide (Norsk Hydro), Marcel van der Velden (Arconic), Neill Wilkins (Institute for Human Rights and Business), Jerome Lucaes (Rusal), Robeliza Halip (Tebtebba Foundation).

Alternates: Nicole Funk – alternate for Karl Barth (BMW).

**Proxies:** Adam Lee (IndustriALL Global Union) – nominated Justus Kammueller (WWF) as proxy, Jean-Pierre Mean (Independent anti-corruption expert) – nominated Chairs as proxy (and provided vote on resolutions provided in advance), Tom Maddox (Fauna and Flora International) – nominated Giulia Carbone (IUCN) as proxy.

ASI Secretariat: Fiona Solomon, Sam Brumale, Krista West, Michelle Freesz, Thad Mermer.

Apologies: Brenda Pulley (Keep America Beautiful), Josef Schoen (Audi), Marie-Josee Artist (VIDS -

Association of Village Leaders, Suriname), Philip Hunter (Verite).

**Invited:** None

## Documents circulated:

- 1. Meeting Agenda (including Meeting Action Log)
- 2. Minutes of previous meeting 21 November 2017 v2
- 3. Action 94 Review of scheme claims 050917 Paper (same version as previously circulated)
- 4. Action 124 Post Launch Workplans for Biodiversity and No-Go Areas V2 (27 November 2017)
- 5. ASI Performance Standard V2(final draft)
- 6. ASI Performance Standard V2 Guidance (final draft)
- 7. ASI Chain of Custody Standard V1 (final draft)
- 8. ASI Chain of Custody Standard V1 Guidance (final draft)
- 9. ASI Assurance Manual V1(final draft)
- 10. ASI Claims Guide V1(final draft)
- 11. Alternate Form [Word]
- 12. Proxy form for this meeting [Word]

As for all Standards Committee Teleconferences, the PowerPoint presentation slides were also circulated.

## Meeting objectives:

- 1. Adopt minutes of the previous meeting.
- 2. Discuss and review the definition circulated about 'dependencies'.

- 3. Discuss and review the example claims for ASI credits
- 4. Discuss any other comments as requested to actions related to the review of public consultation comments.
- 5. Discuss and review the post launch Workplan options for biodiversity and no-go areas
- 6. Resolve to approve the final draft of the normative documents (ASI Performance Standard V2, ASI Performance Standard Guidance V1, ASI Chain of Custody Standard V1, ASI Chain of Custody Standard Guidance V1, ASI Assurance Manual V1 and ASI Claims Guide V1) for Board adoption.

#### Items discussed:

### 1. Preliminaries

- **a.** Welcome.
- **b.** Apologies and proxies received as noted.
- c. <u>RESOLUTION</u> to accept minutes of previous teleconference meeting held on 21 November 2017 (*version 2*).
- **d.** Review of Actions Log:
  - Action 128 about the term dependencies will be covered in item 3a.
  - Action 94 will be covered in item 3b where the discussion about claims for ASI credits will continue from the previous teleconference.
  - Action 124 about the post launch Workplans to be discussed in item 3b.
  - The Secretariat noted that an updated version of the Comments Log, with ASI responses, was now posted on the ASI website.

## 2. Standards Committee Update

## a. ASI Accredited Auditor Update:

- The first ASI Accredited Auditor will be Bureau de Normalisation du Québec (BNQ), an independent third party conformity assessment body located in the Province of Quebec in Canada (subject to resolution of minor administrative matters).
- The review of at least one other conformity assessment body to be finalised by the end of the month.
- Planning is underway to provide the following training to be provided to the ASI Accredited Auditors:
  - o ASI Standards (Performance Standard and CoC)
  - o ASI Audit expectations and
  - o Use of the Auditor Dashboard in elementAl.
- Review of remaining applications continues with two new applications expected before the end of the year.
- The Secretariat responded to questions received from the Committee:
  - o Some Accredited Auditors may have a scope limited to just one of the Standards.
  - o BNQ has been accredited for both ASI Standards and has auditors for Canada, Australia, USA, UK and France

#### 3. ASI Normative Documents

a. Action 128: Definition of Dependencies – Discussed and reviewed description of 'dependencies' in relation to Performance Standard V1 criterion 8.1 Biodiversity Assessment:

#	Action	Response / Changes:	Discussion Notes
12.	2 IUCN to propose a definition for 'dependencies' with reference/s, ideally by the day after this meeting.	Definition presented in the following extract:  "Most companies have a two-way relationship with nature. On the one hand they may have direct impacts on biodiversity and ecosystems through their core operations or indirectly through their supply	<ul> <li>Several members stated that the definition provided is more of a context statement than a definition.</li> <li>One member noted that the concept of 'dependencies' is very clear in conservation circles, so it's not defined per se. It concerns the relationships between businesses and ecosystem services.</li> </ul>

#	Action	Response / Changes:	Discussion Notes
			discuss how practically these assessments would be done and agree methodology, with the involvement of experts.  O One member stated that they felt the current version of the criterion was the most auditable and should stand.  The Chair proposed as a compromise that the latest wording go forward, and the Board be advised that an earlier revision is sought on this issue. It was acknowledged that it is the Board's decision to set revision timetables. One member disagreed with the compromise proposal.
			The Committee agreed to retain the current Draft 2 wording (without 'dependencies') and recommend to the Board that this topic have a shorter revision period suggesting a 2 year revision period for this to occur.  ACTION: Board to be notified of the Committee's recommendation to retain the current Draft 2 wording (without 'dependencies') and that this topic has a shorter revision period (suggested as 2 years).

**b.** Action 94: Claims — The discussion about the Claims paper (no change from the original version circulated for the previous meeting) and review examples of claims related to ASI Credits for inclusion in the ASI Claims Guide continued as follows:

#	Action	Response / Changes:	Discussion Notes
94	Secretariat to research how other schemes approach claims on credits in relation to amounts / equivalency.  Follow-up from previous teleconference (21 Nov) – Committee Members to provide other examples in relation to ASI Claims.	<ul> <li>The question presented for discussion was should ASI Credits be communicated in terms of tonnes or %?</li> <li>Points presented included:         <ul> <li>ASI Credits are issued and received in units of mass (eg kg, tonnes), in order to ensure that these are accurately accounted in the Material Accounting Systems of both issuer and purchaser. This will be verified by ASI Auditors, and ASI will also have oversight of total Credits Issued and Received via annual reporting of CoC Certified Entities. Using units of mass for ASI credits is essential to the overall control of these transactions.</li> <li>Use of units in claims for ASI Credits also enables stakeholders to understand the scale of the claim. With no scale, a company buying only 1kg of ASI Credits could say the same thing as another similar company buying 100,000 tonnes of ASI Credits. This would enable tokenism / potential greenwashing. Disclosing the scale of ASI Credits in terms of recognisable units (mass, or percentage of aluminium use) should be encouraged, as it brings transparency to claims about responsible sourcing efforts.</li> </ul> </li> </ul>	<ul> <li>A proposal was tabled that members sourcing ASI credits be able to use only percentages, not mass, in their claims. The reason was to avoid potential confusion with the mass balance model, and ensure that ASI Aluminium and ASI Credits were not seen as interchangeable.</li> <li>It was acknowledged that mass is still needed as a unit of measurement for Credits under the CoC Standard in material accounting systems, for auditing and reconciliation purposes.</li> <li>It was agreed that Credits should be described as 'purchased' not 'sourced'.</li> <li>It was agreed that the example using mass for Credits be removed from the Claims Guide, and that mass-related Claims not be permitted for ASI Credits (outside of how they are regulated under the CoC Standard).</li> <li>ACTION: Amend the examples in the Claims Guide to describe ASI Credits as 'purchased' not 'sourced, remove the use of mass for Credits, and that mass-related Claims not be permitted for ASI Credits (outside of how they are regulated under the CoC Standard).</li> </ul>

#	Action	Response / Changes:	Discussion Notes
	In summary: using a scale of units		
		(mass) for ASI Credits is critical at all	
		stages to prevent potential fraud /	
		abuse.	
		If the concern is to make Mass Balance	
		'sound better' than ASI Credits, focus	
		should be on the supporting wording	
		(what it means), not the measurement. For example:	
		Example wording as updated in 'Claims Guide	
		- Final Draft' version circulated for this	
		meeting:	
Model	Mass Balance	ASI Credits	
Claim	<ul> <li><u>Requires ASI approval</u>: Any claims rela appear on products, for example imprin</li> </ul>		
Messagir	on packaging. This includes ASI logos ar For example: (off product claims)	d/or text claims.  For example:	
ALLOWE	<ul> <li>o [Member/entity name] sou kg/tonnes] of ASI Aluminium in 2018. T</li> </ul>		
	to an equivalent mass of ASI Aluminium unbroken chain of ASI Certified Entities	produced by an supports responsible production of ASI Aluminium by ASI	
	supply chain. o [Member/entity name] sourced A	sourcing ASI Aluminium directly through our supply chains.	
	which is equivalent to [x%] of our total a	luminium which is equivalent to [x%] of our total aluminium purchased	
	purchased in 2018. This corresponds to mass of ASI Aluminium produced by an	unbroken chain of production of ASI Aluminium by ASI Certified Casthouses,	
	ASI Certified Entities through the supply	chain. while we continue to work towards sourcing ASI Aluminium directly through our supply chains.	
Messagii NOT	Not permitted: 'this product comes fr sources', or 'this product contains respo	om certified • Not permitted: 'this product comes from certified sources',	
ALLOWE		Not permitted: Claims must not imply that ASI Credits have	
		been allocated to, or are contained within, physical products.	
		Other points presented for discussion:	
		• Other Claims that require ASI approval:	
		Any claims related to sourcing of ASI	
		Aluminium where the Member/Entity is	
		not CoC Certified.	
		<ul> <li>Anything that is more specific than a 'general level of commitment or</li> </ul>	
		involvement in ASI's work program,	
		support for responsible sourcing of	
		aluminium, or an intention to work	
		towards certification in their business.'	
		<ul> <li>It is included to cover off the potential</li> </ul>	
		for specific claims about 'ASI Aluminium'	
		that companies might want to make	
		before they achieve ASI CoC	
		Certification, and gives ASI the power to require these to be reviewed and	
		approved first.	
		<ul> <li>Not encouraging companies to make</li> </ul>	
		this type of claim, hence no examples	
		provided in the Guide.	
		Approvals would consider the general	
		principles in the Claims Guide, that the	
		claim must not:	
		<ul> <li>Confuse any audience as to the association of ASI with other brands</li> </ul>	
		or logos	
		<ul><li>Suggest or imply ASI membership or</li></ul>	
		certification of an entity that is not an	
		ASI member, or part of an ASI	
		member	
		<ul> <li>Suggest or imply ASI certification</li> </ul>	
		before it has been achieved	
		Suggest or imply a larger scope of ASI  ASI many box has been as ASI many box has been been been been been been been bee	
		certification than an ASI member has	
		achieved  — Suggest or imply that other metals	
		<ul> <li>Suggest or imply that other metals, materials or products are ASI certified</li> </ul>	
		Lead to any harm or prejudice to the	
		reputation or credibility of ASI.	
		reputation of credibility of Asi.	

- **c. Action 124: Post Launch Workplans –** Discussed and reviewed the Workplan options as per the paper which describes:
  - Workplan 1:
    - o Standard Committee to convene a Biodiversity Working Group, as already agreed, with relevant expertise and agree terms of reference for a 2 year workstream (2018-2019)
    - o The Biodiversity WG would explore all relevant issues raised to date, including expansion of no-go areas, ecosystem services and legally protected areas, in preparation for the next major revision
    - o Next major revision process to take place with the Standards Committee during 2020-2022.

## Workplan 2:

- o Standards Committee to convene a time-bound (end-date to be determined) Working Group on the issue of the "Expansion of Criterion 8.4 Commitment to "No Go" in World Heritage Properties", with relevant expertise, a potential neutral facilitator (if resources available), and agree terms of reference (2018).
- o Standards Committee to agree on a retrospective "Cut-Off" date for "No Go" areas before the launch of the ASI Standard V2 (see "Assumptions" section).
- o Major revision for change to "No Go" criterion 8.4 to occur in 2018 with the aim to have an approved criterion 8.4 by end of 2018.
- o Major revision of whole Performance Standard (including incorporating other biodiversity criteria reviewed by WG) to commence in 2019 and be completed by 2021.

# Action	Response / Changes:	Discussion Notes
93 Secretariat to work with Committee members to draft a paper for Committee discussion on options/future work plans, and the process for discussing and deciding among the options, with an expectation that the process be agreed before the launch of the ASI program. One option would relate to the work plan for 'Option 1' in the options paper that was circulated for this meeting. The other 'Option X' needs to clarify: The cut-off date itself Revision date	<ul> <li>Workplan 1:         <ul> <li>Standard Committee to convene a Biodiversity Working Group, as already agreed, with relevant expertise and agree terms of reference for a 2 year workstream (2018-2019)</li> <li>The Biodiversity WG would explore all relevant issues raised to date, including expansion of nogo areas, ecosystem services and legally protected areas, in preparation for the next major revision</li> <li>Next major revision process to take place with the Standards Committee during 2020-2022.</li> </ul> </li> <li>Workplan 2:         <ul> <li>Standards Committee to convene a time-bound (end-date to be determined) Working Group on the issue of the "Expansion of Criterion 8.4 – Commitment to "No Go" in World Heritage Properties", with relevant expertise, a potential</li> </ul> </li> </ul>	<ul> <li>One member who contributed to Workplan X provided clarification of 'retrospective' in Workplan #2 to mean retrospective to the date of a future decision expanding no-go areas, but not retrospective to this point in time.</li> <li>It was also clarified that the list of proposed no-go areas for the study are not pre-emptive of if/how the criteria would be expanded; the outcome of the study and future Committee decisions are clearly for discussion.</li> <li>One member noted that the mine site visit at the AGM was likely a good opportunity to see 'good' practices and was not representative of the spectrum of mining practices.</li> <li>One member asked if Sacred Sites are included and clarification was provided that they could be.</li> <li>One member requested that the scope of the proposed Workplan 2 study be expanded to assess the overall impact on ASI of a change to the criteria, not just the geographical overlay. This would include understanding potential impact on availability of ASI Aluminium. It was noted that individual information on future demand would raise competition law issues.</li> <li>One member requested that the process of analysis be multi-stakeholder and involve industry experts, including outside of ASI.</li> <li>One member states that the proposal was simply for a mapping exercise, with no analysis, and for this reason should be led by NGOs because of their access to protected area databases.</li> <li>It was clarified that there are at least two stages in Workplan 2 – one being a major revision in 8.4 in 2018, followed by another major revision on the whole Standard, concluding 1 year before the current Workplan 1 timetable.</li> </ul>

#	Action	Response / Changes:	Discussion Notes
	- What is being "cut off" - If it's eligibility of mines for certification, if that applies to new vs expanding operations vs existing operations, and whether mines would be decertified if the eligibility restriction took effect; plus a discussion of the potential limitations of availability of ASI material if this approach was taken - If it's a process cutoff, a timeline for discussion of no-go areas.	neutral facilitator (if resources available), and agree terms of reference (2018).  Standards Committee to agree on a retrospective "Cut-Off" date for "No Go" areas before the launch of the ASI Standard V2 (see "Assumptions" section).  Major revision for change to "No Go" criterion 8.4 to occur in 2018 with the aim to have an approved criterion 8.4 by end of 2018.  Major revision of whole Performance Standard (including incorporating other biodiversity criteria reviewed by WG) to commence in 2019 and be completed by 2021.  Related actions, expected time lines and assumptions for each Workplan were presented.  The following context was also presented:  Note: The Board call scheduled to review and adopt the ASI program is on 12 December 2017.  The ASI Board holds the responsibility for agreeing standards revision timing, and activities that have strategic or budget impact.	<ul> <li>It was clarified that the ASI budget and strategy is already set for 2018 and hence why the Board must make the decision as to any change to this.</li> <li>Several members raised concerns that continued uncertainty on the issue of no-go areas will result in companies not certifying any mines until the decision on the criteria is made, due to the level of resources required to achieve a mine-site certification that may be revoked within a short period. It was noted that ASI members only have 1-2 mines each. Without certified bauxite supply, they would not produce ASI Aluminium. A 3-5 year period for return on investment is what their Boards would look for, which requires certainty in the criteria during that period. It was clarified that from the company perspective, Workplan 1 provides more certainty than Workplan 2. Concerns were also raised as to whether the timing for Workplan 2 was realistic.</li> <li>It was suggested that because the cut-off date is in the future all existing mines will not be affected by the future decision regarding potentially expanding the nogo areas. However the previous discussion on continuing expansions was also referenced.</li> <li>It was agreed to continue discussion at the next meeting.</li> </ul>

## d. Adoption of ASI normative documents

- A recap of ASI standards development processes 2016-2017 was circulated.
- A summary of the work carried out to date since the 2016 AGM noted over 100 hours of contact time (both face to face and teleconference) during that period.
   The Secretariat thanks the Committee and the Chairs for their work and focus during this time.
- The final drafts of the ASI normative documents incorporating changes as agreed during Committee discussions of the 2017 public consultation input were presented for approval by the Standards Committee, for subsequent adoption by the ASI Board:
  - o ASI Performance Standard V2 (final draft)
  - o ASI Performance Standard V2 Guidance (final draft)
  - o ASI Chain of Custody Standard V1 (final draft)
  - o ASI Chain of Custody Standard V1 Guidance (final draft)
  - o ASI Assurance Manual V1 (final draft)
  - o ASI Claims Guide V1 (final draft)

It was <u>RESOLVED</u> to approve the final drafts of the ASI normative documents (ASI Performance Standard V2, ASI Performance Standard Guidance V1, ASI Chain of Custody Standard V1, ASI Chain of Custody Standard Guidance V1, ASI Assurance Manual V1 and ASI Claims Guide V1) for Board adoption, subject to the agreed minor amendments from item 3b.

- A summary of the next steps were noted as:
  - o Final legal-review for anti-trust risks, as per ASI procedure.
  - o Submission of approved final drafts for Board adoption at the next Board teleconference 12 December 2017.
  - Once adopted by the Board, the English versions of the documents will be published on the ASI website and the ASI Certification program launched – target mid-December.
  - o Other work to be carried out includes:
    - Update *elementAl* with final wording and structure of the Board adopted ASI Performance Standard and the ASI Chain of Custody Standard and Guidance.
    - Translation into other languages will commence.
    - Timing to complete the elementAl update and translations will be confirmed with the launch communication.

## 4. AOB

a. No other business.

## 5. Next Committee teleconferences:

- **a.** Next meeting:
  - Wednesday 6 December 2017 Work planning for 2018

## ASI Standards Committee Meeting Action Log Summary - (Open and from previous meeting)

#	Meeting	Subject	Action	Assigned to:	Due Date	Status
77	5-7 April 2017	ASI Performance Standard – Ecosystem Services	Convene a Biodiversity WG with biodiversity experts to explore the addition of ecosystem services and legally protected areas in the next revision.	ASI Secretariat / Biodiversity WG (To be convened)	Revised to 2018	Open
124	8 Nov 2017	Performance Standard Future Options/Work Planning	Secretariat to work with Committee members to draft a paper for Committee discussion on options/future work plans, and the process for discussing and deciding among the options, with an expectation that the process be agreed before the launch of the ASI program. One option would relate to the work plan for 'Option 1' in the options paper that was circulated for this meeting. The other 'Option X' needs to clarify:  The cut-off date itself Revision date What is being "cut off" If it's eligibility of mines for certification, if that applies to new vs	Secretariat and Committee Members	Revised to 6 December 2017	Open

#	Meeting	Subject	Action	Assigned to:	Due Date	Status
			expanding operations vs			
			existing operations, and whether mines would be			
			de-certified if the			
			eligibility restriction took			
			effect; plus a discussion of			
			the potential limitations of			
			availability of ASI material if this approach was taken			
			- If it's a process cut-off, a			
			timeline for discussion of			
			no-go areas.			
			Note at the 29 November			
			2017 teleconference, the			
			paper was discussed but			
			more time is needed to			
			review and agree on a post launch Workplan. Action will			
			remain open until the 6			
			December 2017			
			teleconference where the			
126	21 Nov	Principle 8	discussion will continue.  The Secretariat will add	Secretariat	29 November	Closed
120	2017	Biodiversity	discussion information of	Secretariat	2017	Ciosea
		Guidance	about the concept of			
			'Planetary Boundaries' to			
427	24.11	D: : 1 0	the Guidance.		20.11	Cl. I
127	21 Nov 2017	Principle 8 Biodiversity	The Secretariat will add the concept of 'Planetary	Secretariat	29 November 2017	Closed
	2017	Guidance	Boundaries' will be		2017	
			incorporated into the draft			
			Biodiversity Working			
128	21 Nov	Principle 8	Group's Terms of Reference.	IUCN	23 November	Closed
128	21 NOV 2017	Biodiversity	IUCN to propose a definition for 'dependencies' with	IOCN	2017	Ciosea
	2017	Disalit State,	reference/s, ideally by the		2017	
			day after this meeting.			
129	21 Nov	Public	Responses to public	Secretariat	29 November	Closed
	2017	Consultation Comments & ASI	comments received during the public consultation to be		2017	
		Response Log	published on the ASI website			
			in accordance with the			
			public consultation plan.			
130	29 Nov	Criterion 8.1	Board to be notified of the	Secretariat	30 November	Closed
	2017	Biodiversity Assessment	Committee's recommendation to retain		2017	
		, 1330331110110	the current Draft 2 wording			
			(without 'dependencies')			
			and that this topic has a			
			shorter revision period			
131	29 Nov	Claims Guide	(suggested as 2 years).  Amend the examples in the	Secretariat	30 November	Closed
151	2017	Sidinis Galac	Claims Guide to:	Jeon etaniat	2017	Ciosca
			- describe ASI Credits as			
			'purchased' not 'sourced,			
			- remove the use of mass for Credits, and			
			- that mass-related Claims			
			not be permitted for ASI			
			Credits (outside of how			
			they are regulated under			
<u></u>			the CoC Standard).			