

CHARTER OF THE ASSURANCE GROUP

MMSD PROJECT OBJECTIVES

- First, to assess global mining and minerals use in terms of the transition to sustainable development. This would cover the current contribution – both positive and negative – to economic prosperity, human well-being, ecosystem health and accountable decision-making, and the track record of past practice;
- Second, to identify how the services provided by the minerals’ system can be delivered in accordance with sustainable development in the future;
- Third, to propose key elements for follow-up on how to improve the minerals system; and
- Fourth – and crucial for long-term impact – to build platforms of analysis and engagement for ongoing cooperation and networking between all stakeholders.

1. Purpose

The Assurance Group’s key responsibility is to seek to ensure the highest quality, balance, and integrity of the work of the Mining, Minerals and Sustainable Development (MMSD) Project by means of project guidance and peer review. Through the diversity, experience and expertise of the Assurance Group members, it is also hoped that the members will help the MMSD Project achieve a greater degree of independence and accountability. The Assurance Group helps guide the MMSD Project in the fulfilment of the purposes of MMSD as stated in its Scoping Study, and future contracts, Work Plans, or other documents. It reviews the content, conduct and design of the project, with authority to comment on and endorse the Work Plan, other project work products and the final project report. It provides regular advice to the Work Group, through the Project Director who is the head of that team. The Assurance Group is comprised of a diverse group of recognized individuals, from many nations and backgrounds, chosen for their independence and experience in fields relevant to the purposes of MMSD, and dedicated to helping the mining and minerals sector make a greater contribution to the global transition to sustainable development. The Assurance Group is governed by the principles in this Charter, which is effective upon acceptance by the Assurance Group, the Executive Director of the International Institute for Environment and Development (IIED), and the Sponsors Group.

2. Membership

The Assurance Group consists of 25 members. Initial members were appointed by the Project Coordinator, in consultation with the Project Director. Future members will be selected and approved by the Assurance Group in accordance with criteria and procedures adopted by the Assurance Group. The Assurance Group will consult with the Project Coordinator and Project Director on the selection process, but ultimate authority for selecting and approving future members rests with the Assurance Group.

3. *Chairs*

The Assurance Group is led by a Chair and a Vice-Chair. The members of the Assurance Group elect the Chair and Vice-Chair for such terms as the Assurance Group deems appropriate. The Chair and Vice-Chair shall be elected from among the members of the Assurance Group.

4. *Tenure*

Members will serve until August 1, 2002 unless they resign beforehand or are removed in accordance with paragraph 16 below. Between four to six meetings of the Group are envisaged.

5. *Status*

Members serve as individuals and not as representatives of institutions or constituencies.

6. *Decision Making Principles and Procedures*

The Assurance Group will make decisions on the basis of consensus. When consensus is not possible, the members will seek to identify the underlying reasons for disagreement and suggest options and alternatives. Consensus may include ‘agreeing to disagree’ on specific issues and identifying the steps that may be taken to try to resolve or otherwise address the issues. When necessary to resolve an issue and where consensus cannot be achieved, a vote may be taken and decided by simple majority of those present at a duly convened meeting of the Assurance Group. Robert’s Rules of Order may also be used to facilitate agreement.

7. *Transparency*

The Assurance Group seeks to be transparent in its work. Its meetings will normally be held in open sessions. Approved minutes of its meetings will be made available publicly and members of the Assurance Group have the right to convey the substance of discussions and highlight areas of disagreement without attributing remarks to particular individuals. The basic documents of the Assurance Group will be made available in English, Spanish, and French.

8. *Communications*

MMSD’s communications strategy includes dissemination of statements concerning the Assurance Group’s activities. Members of the Assurance Group have the right to be informed of, and approve, any such statement prior to its dissemination.

9. *Role of the Assurance Group*

The Assurance Group advises and participates with the Work Group and Sponsors Group on:

- meeting the Project’s objectives;
- the Project’s Work Plan, methodology and activities;
- the Project’s priorities;
- the equitable engagement of stakeholders;

- all publications, products, or other outputs by way of review and critique
- follow-up mechanisms; and
- communications and outreach to various stakeholder groups.

10. Authority

The Work Group will seek to satisfactorily address the Assurance Group's concerns and expectations, in line with its terms of reference as set out in the Scoping Report. The Assurance Group has the right to comment on and endorse the Work Plan, and final report of the MMSD project. Assurance Group members individually or with other Assurance Group Members have the right to publicly express their opinion, including any dissenting opinion, on the Project and its activities, products and outputs. The Work Group and IIED will not state or imply that any Assurance Group member is responsible for, or agrees with, any statement, report or conclusion made by the Work Group or IIED, unless specifically authorized to do so by the appropriate Assurance Group member. In the event agreement within the Assurance Group is not possible, there will be an opportunity for members to state a reserve or minority opinion. The final MMSD report shall include a section for the Assurance Group to express its perspective on the MMSD project and process and, if necessary, minority or reserve positions of Assurance Group members concerning the publication of the final report or any work product.

11. Partnerships

The Assurance Group helps guide MMSD to form or develop appropriate partnerships with outside institutions.

12. MMSD Performance

The Assurance Group may express its views in an appropriate form to senior IIED management or the Project Coordinator about the performance of the Project Director and to the WBCSD about the performance of the Project Coordinator.

13. Conflicts of Interest

Assurance Group members may belong to organisations that are members of the Sponsors Group or otherwise connected to the Project. Assurance Group members must notify the Project Director in writing of any potential or actual conflict of interest between MMSD activities and their own activities or interests. The Project Director shall bring this information to the attention of the Assurance Group. The Assurance Group will decide whether the member sending the notification should abstain from participating in any activities directly related to the actual or potential conflict.

14. Benefits

Members of the Assurance Group shall not, other than through acceptance of honoraria or reimbursement for their service on the Assurance Group, personally benefit from any of the programs, publications, studies or other activities of the MMSD Project.

15. *Liability*

Subject to the provisions of paragraph 10, IIED management, under IIED's approved procedures, retains authority for final approvals, decisions, authorisations and expenditures for the Project. IIED shall take no action that exposes members of the Assurance Group to liability for its decisions.

16. *Removal*

The Assurance Group may act to remove a member for persistent failure or inability to perform the duties outlined in this Charter. This decision shall be made by the other members of the Assurance Group operating by consensus.

17. *Amendments*

The Assurance Group may propose and approve amendments to this Charter and may approve procedures for proposing and approving such amendments, provided, however, that any such amendments must also be approved by the Work Group and the Sponsors Group in order to be effective.

18. *Procedures*

The Assurance Group, with agreement of the Project Director, may develop simple and efficient procedures to fulfill the responsibilities set out in this Charter, including procedures for the formation of committees and for the protection of proprietary or other confidential commercial information shared with the Project by stakeholders or others in confidence in order to allow the information to be discussed fully with the Assurance Group without violating such pledges of confidentiality. These procedures shall be revised as necessary at the request of the Assurance Group, the Project Director, or the Project Coordinator.