



Consultancy - Terms of Reference:
Scoping Study on Engaging with
Chinese Mining Companies

Employment Type: Consultancy

Duration: to be completed by end of 2022.

Reports to: Research and Programme Manager, Accountable Mining Programme, Transparency International Australia

Remuneration Package: to be agreed with consultant.

Application Closing Date: 21 October 2022

Location of Consultancy: Melbourne and/or online.

1. BACKGROUND

Transparency International Australia (TIA) is the Australian chapter of Transparency International (TI), a global movement composed of more than 100 national Chapters worldwide. We are united by our shared vision: a world in which government, business, civil society and the daily lives of people are free of corruption.

As TI's Centre of Expertise on mining, TI Australia has led the **Accountable Mining Programme** for the global TI movement since 2016. This Programme seeks to achieve real change in combatting corruption in the mining sector and has worked in three phases. During Phase I (2016-2017), TI Australia supported participating TI Chapters to identify and assess corruption vulnerabilities in the mining approvals processes in their countries and begin building multi-stakeholder networks. Phase II (2018-2021) focused on addressing those vulnerabilities at a national, regional and global level through multi-stakeholder engagement, advocacy and policy initiatives. A set of [business integrity tools](#) were developed and collaborative partnerships with various mining associations and companies of different sizes established.

In its the current Phase III, the programme's workstream of business integrity is implementing the project **Raising Company Standards and Ambition on Business Integrity in the Mining Sector**. The Project's overall objective is for mining companies of different sizes to have increased awareness of the importance of business integrity and its relevance for responsible business and ESG performance. We want mining companies of all sizes to raise their business integrity standards and improve their practices so that they engage responsibly with governments, host communities and civil society when starting new projects and expanding or investing in existing projects. To do this, we seek to work with mining companies of various sizes, and leveraging existing Accountable Mining tools and relationships with key industry platforms and associations, companies, investors and partners.

To promote longer-term results, the Project aims to drive lasting change in company practices through sustained improvements to business integrity policies, procedures and practices and by supporting collective leadership by selected participating companies. Through these efforts, the Project will

contribute to transparent and ethical conduct becoming a norm and expectation in the industry and integral to any company that seeks to be a 'miner of choice'. As part of this project, this consultancy supports the planning for implementing a strategy to engage with Chinese mining companies or industry associations.

2. OBJECTIVES

The overall objectives of the consultancy are:

1. To conduct a mapping exercise of Chinese mining companies and Industry associations to identify and understand the contexts in which they operate, analyse the presence and opportunities for engagement to develop an engagement plan.
2. To produce a report discussing the opportunities and challenges of engaging with Chinese mining companies to promote transparency and accountability, as well as identifying strategic platforms and relevant industry associations to engage.
3. To provide recommendations on how the Project should engage Chinese mining companies in the next three years and beyond to achieve greater transparency and engage further on business integrity issues, as well as any specific areas of focus and approaches TIA should consider.

3. METHODOLOGY

The consultant should develop robust research framework involving both desk-based research and stakeholder interviews, done remotely. The consultant is ultimately responsible for the overall methodological approach and design of the consultancy and it is expected to propose a methodology that they consider most appropriate to achieve the aims of this consultancy, for agreement with TI Australia. It is anticipated that the consultant will use a combination of desk-based research and structured interviews with key stakeholders in relevant countries, including TI Chapter staff, government officials, industry representatives and members of civil society. The study is not necessarily limited to countries participating in the Accountable Mining Programme. The consultant and TI Australia will agree on the exact geographical focus and scope of the research. The consultant is expected to refine the scope and methodology of this research during the scoping phase in cooperation with TI Australia and provide a plan for delivering outputs. The consultant should present a brief statement of the proposed methodology in the application, outlining potential geographic focus.

4. EXPECTED DELIVERABLES

The consultant is expected to deliver the following:

1. A concept note outlining the proposed methodology and timeframe of planned activities, developed in the initial phase for approval by TI Australia.
2. A final report including the details below. The format and length will be agreed with TI Australia in the methodology concept note.
 - a) a completed mapping exercise of Chinese mining companies and Industry associations to identify and understand the contexts in which they operate (Geographic focus may be refined in discussion with TI Australia).

- b) a section discussing the opportunities and challenges of engaging with Chinese mining companies to promote transparency and accountability, as well as identifying strategic platforms and relevant industry associations to engage.
3. A technical guidance document outlining key recommendations and considerations to develop an engagement strategy with Chinese companies. The format and length will be agreed with TI Australia in the methodology concept note.

5. SELECTION CRITERIA

Applicants should have the following skills and experience:

Note: Applicants that meet most but not all of these competencies are encouraged to apply.

Core competencies:

- An advanced university degree or professional qualifications in a relevant field, e.g. law, engineering, business or social sciences;
- A proven research background, including highly developed analytical skills, with a track record of undertaking both primary and secondary research, including through remote interviews;
- A demonstrated commitment to integrity and independence with the ability to analyse complex information from diverse stakeholders and provide unbiased independent insights and recommendations;
- Highly developed technical knowledge of extractives sector governance, and ideally of the mining approvals process, across multiple countries with expertise on Chinese companies an asset;
- A record of experience engaging and communicating with senior Chinese government and mining industry representatives is an advantage.

Technical Competencies:

- Experience in engaging stakeholders from the private sector with experience with mining companies and industry associations and initiatives (nationally or internationally) a distinct advantage;
- 5+ years of experience in working in a policy, knowledge or program delivery role in a relevant area such as corporate accountability and responsible business conduct (familiarity with anti-corruption and business integrity an advantage);
- Excellent people skills, including experience in working across cultures, with acute sensitivity to working with partners whose first language is not English;
- Regional experience and a good understanding of political, socio-economic and human rights issues globally;
- Excellent command of English to a native speaker's level. Knowledge of Mandarin is an asset.

6. REMUNERATION AND COSTS

The Consultant should provide a detailed breakdown, before any tax or other charges, of all their estimated costs, including but not limited to; total fee as a lump sum or standard daily rates, work materials and any other associated costs. Due to the current COVID 19 situation, travel for this

consultancy is discouraged, but may be considered within the budget if necessary. The Consultant needs to have reliable internet and the ability to conduct interviews remotely on video or telephone.

7. LOGISTICS AND WORK PLAN

The consultancy is due to start in late October- early November 2022 and complete by the end of the year. A detailed timeline will be agreed with the consultant at the beginning of the assignment.

8. CONTACT INFORMATION AND APPLICATION

Applications must be sent by email to duyen.nguyen@transparency.org.au by close of business on 21 October 2022. Applications should contain these documents in English:

- A proposal of how the assignment will be approached, including a budget.
- A letter of motivation, explicitly providing concrete examples of relevant experience relating to the Selection Criteria (maximum two pages).
- Curriculum Vitae with a complete description of the applicant's profile and experience (maximum four pages).
- Contact details for at least three independent referees with in-depth and proven knowledge of the applicant's expertise and relevant work experience for this Terms of Reference.
- A sample research paper/consultancy report, published in the last five years as the first author.