

The Initiative for Responsible Mining Assurance (IRMA)

IRMA Standard Development Procedure
Second Draft

December 2, 2013

Summary

This document specifies the requirements and procedures to be followed by IRMA for the development, review, modification and approval of IRMA's Standard for Responsible Mining.

These procedures are designed to comply with the ISEAL Code of Good Practice for Setting Social and Environmental Standards (2010), and thereby to demonstrate compliance with the applicable requirements of *ISO/IEC Guide 59 Code of good practice for standardization*, and the WTO Technical Barriers to Trade (TBT) Agreement Annex 3 *Code of good practice for the preparation, adoption and application of standards*.

The objective of these procedures is to ensure the credibility of IRMA's Standard for Responsible Mining by incorporating the values of transparency, participation and fairness into the processes for their development, and through compliance with international best practice for standards development.

Contents

A	Scope	3
B	Procedure effective date	3
C	References	3
D	Definitions	3
1.	IRMA Standard Specifications.....	3
2.	Need for the IRMA Standard	4
3.	General process structure	5
4.	Standard Drafting and Revision	5
5.	Language	7
6.	Content.....	7
7.	Field testing	7
8.	Decision-making	7
9.	Review and revision of an IRMA Standard	8
10.	Complaints and disputes	9
11.	Availability of approved IRMA standards	9
12.	Approved departures from procedures	9
13.	Record keeping.....	10
	ANNEX ONE	11
	ANNEX TWO	12

A Scope

This document specifies the procedures to be followed by IRMA when developing, reviewing, and revising IRMA's Standard for Responsible Mining (the 'IRMA Standard').

B Procedure effective date

The specified procedures shall take effect from the date of approval by the IRMA Steering Committee

C References

ISEAL Code of Good Practice for Setting Social and Environmental Standards (2010)

D Definitions

- i **Stakeholder:** Any person or group concerned with or directly affected by a standard.
- ii **Standard:** Document that provides, for common and repeated use, rules, guidelines or characteristics for products or related processes and production methods, with which compliance is not mandatory. For the purposes of this procedure, standard refers to the IRMA Standard for Responsible Mining. IRMA's Standard is made up of a number of chapters.
- iii. **Chapter:** An individual section of the IRMA Standard relating to a particular aspect of mining (e.g. cyanide management, labor practices, reclamation, etc.). Together, the IRMA chapters comprise a single standard for expected performance.
- iv. **Sector:** one of the five stakeholder groups represented in IRMA's governance structure: labor, impacted communities, non-government organizations (NGOs), mining companies, and downstream users (businesses purchasing mined products to make/sell their products).
- v. **IRMA Steering Committee:** IRMA's leadership and governing body, including representation from each of IRMA's five stakeholder sectors
- vi. **IRMA Secretariat:** employees and/or consultants contracted to provide specified services to IRMA
- vii. **IRMA Founding Members:** stakeholder organizations that are publicly committed to the achievement of IRMA's vision and mission of responsible mining and which have been approved as IRMA Founding Members by the IRMA Steering Committee.

1. IRMA Standard Specifications

- 1.1 The IRMA Standard shall meet the follow specifications:
- Define and encourage social and environmental best practices at mining operations around the world
 - Be global in its geographic scope
 - Be applicable to industrial mines (the standard shall not be designed to be applicable to small-scale or artisanal mining).
 - Be applicable to all types of mineral mining with the exception of the energy fuels sector including oil, gas, and with more work needed before consideration of thermal coal and uranium

- Address performance at the mine site level
- Address issues arising at all phases of the mine life-cycle (e.g. during exploration, construction, operation and closure), while recognizing that different aspects of those issues may be assessed at different phases (e.g. in new mines, *planning* for appropriate closure and reclamation will be assessed at the pre-operations phase)
- If necessary, have a structure with a generic element applicable to all kinds of mine sites and a number of more specific modules applicable to specified types of mines
- Be written such that conformance can be objectively and independently verified
- Be designed to align, mutually reinforce and, so far as possible, avoid duplication with complementary standards
- Seek to support schemes working to improve the social and environmental impacts of smallr scale and artisanal mining and not disadvantage smallr scale and artisanal mining
- Provide a tiered system that sets thresholds for meeting the IRMA Standard which must be achieved before a site can be associated with any IRMA endorsement or claims

2. Need for the IRMA Standard

- 2.1 The IRMA Standards Coordinator shall draft an explanation of the need for the IRMA Standard for Responsible Mining, which:
- a) specifies the aims and objectives of the standard;
 - b) explains how these aims and objectives contribute to IRMA's mission;
 - c) references any background papers, information or decisions that support the need for the standard;
 - d) includes a statement as to why existing standard(s) or guidelines are not sufficient to achieve IRMA's mission;
 - e) identifies the key stakeholder groups that could be potentially affected by the standard;
 - f) includes an assessment of social/environmental risks in implementing the standard and how to mitigate for these
- 2.2 Official announcement of development of the IRMA Standard
- 2.2.1 The development of the IRMA standard shall be officially announced on the IRMA website (www.responsiblemining.net). The announcement shall be copied to the ISEAL Alliance.
- 2.2.2 The announcement shall include:
- a) a brief, clear description of the scope and objectives of the proposed standard;
 - b) the justification of the need to develop the standard;
 - c) the IRMA registration code that is proposed for the standard;
 - d) the contact point at IRMA for further information;
 - e) the estimated timeline for completion of the proposed standard;
 - f) a statement to the effect that the process shall be in compliance with the ISEAL Code of Good Practice.

3. General process structure

- 3.1 The standard development process shall have a number of basic elements, as follows:
- a) IRMA Steering Committee: IRMA's leadership and governing body, including representation from each of IRMA's five stakeholder sectors. The IRMA Steering Committee oversees the work of the IRMA Secretariat and reviews and approves drafts of the IRMA Standard for public consultation as well as the final version of the IRMA standard
 - b) The IRMA Secretariat: employees and/or consultants contracted by IRMA to (amongst other responsibilities) oversee the development of the IRMA Standard.
 - c) Technical Experts: individuals selected by IRMA to assist the IRMA Standards Coordinator with development of the Standard because of their expertise in key issues covered by the Standard.
 - d) IRMA Founding Member representatives: individuals selected by IRMA Founding Member organizations to represent them in reviewing and commenting on draft IRMA standards. Comments may be submitted in writing, or may be through in-person workshops.
 - e) IRMA Stakeholder Forum (see section 3.2 below): an electronic forum open to all interested parties to provide the opportunity to review and comment on the development of the IRMA standard.
- 3.2 Stakeholder Forum
- 3.2.1 The IRMA Secretariat shall establish a Stakeholder Forum to ensure that all stakeholders who may be affected by the implementation of the IRMA Standard have the opportunity to comment, formally, during the process of development of the Standard.
- 3.2.2 Membership of the Stakeholder Forum shall be open to any stakeholder on request. The Stakeholder Forum will not meet as a group but will communicate electronically.
- 3.2.3 The IRMA Secretariat shall ensure, through a process of Stakeholder mapping and active outreach, that the Stakeholder Forum includes individuals and/or organizations reflecting the full range of stakeholders affected by the Standard.
- 3.2.4 The IRMA Secretariat will set stakeholder participation goals during the mapping so that there are clear participation targets and success criteria and that these are exhibited across a balance of interests.
- 3.2.5 Members of the Stakeholder Forum shall complete a simple questionnaire that identifies their stakeholder interest.

4. Standard Drafting and Revision

- 4.1 The IRMA Secretariat is responsible for developing and revising the IRMA Standard in consultation with IRMA Founding Member organizations.
- 4.2 The IRMA Secretariat shall contract and/or appoint Technical Experts to assist in the development and revision of the IRMA Standard, in consultation with the IRMA Steering Committee. IRMA Steering Committee members shall be given the opportunity to serve, or designate others to serve, as Technical Experts on a portion(s) of the IRMA Standard during drafting and revision.
- 4.3 The IRMA Secretariat will provide the IRMA Steering Committee with at least five days to review and comment on the proposed appointment of any Technical Expert before enlisting that person to author a portion(s) of the IRMA Standard, and will not contract/

appoint any Technical Expert if a member of the IRMA Steering Committee expresses an objection during this period.

- 4.4 The IRMA Secretariat shall consult with IRMA Founding Member organizations to seek comments on draft standards or parts of draft standards (or proposed revisions) prior to their being made available for formal public review.
- 4.5 The IRMA Steering Committee shall review draft standards and proposed revisions and shall decide when a draft is ready to be published for formal public review.

4.6 Formal Public Review

- 4.6.1 First and subsequent drafts of the IRMA standard (and proposed revisions) shall be published on the IRMA website for public consultation together with a summary of the key points.
- 4.6.2 Comments shall be requested using IRMA's formal standard comments form, which shall be available for free download on the IRMA website on an ongoing basis to receive input on any draft or final IRMA standard or proposed revisions.
- 4.6.3 The public consultation phase will include at least two rounds of comment submissions by interested parties. Each round shall include a period of at least 60 days for the submission of comments, unless the IRMA Steering Committee approves a shorter period in writing. In such cases, the comment period will still be no less than 30 days and justification for any reduction will be included in the public summary of the consultation process.
- 4.6.4 In the case of revisions to an approved IRMA standard:
 - a) Administrative and non-substantive changes to the standard (e.g. typographical corrections, removal of inconsistencies) can be made at the discretion of the IRMA Secretariat without need of a consultation or formal revision process (see also 9.2).
 - b) While two consultation periods should be assumed, one round may be sufficient if IRMA can demonstrate that adequate outreach was accomplished in the first round resulting in balanced participation of interested parties and no objections were raised or substantial comments were received in the first round.
 - c) One round of consultation may be deemed sufficient where there is general support and a clear justification for finalizing a proposed revision quickly, for example to address urgent problems of safety, human health or environmental damage, or where necessary to meet rapid changes in the marketplace.
- 4.6.5 Formal comments shall be those submitted on IRMA's formal standard comments form in English, via mail or email to the respective address on the header for the draft standard. Formal comments shall be processed in accordance with the formal procedures described below.
- 4.6.6 All other comments shall be considered as informal comments, responded to in so far as the capacity of IRMA allows.
- 4.6.7 All comments (formal or informal) should be attributed. Anonymous comments (whether formal or informal) shall not be considered.
- 4.6.8 All formal comments shall be acknowledged on receipt. Formal comments on public drafts shall be collated by IRMA Secretariat, or designee. S/he shall prepare a report on the formal comments which includes a summary of the issues raised, an analysis of the range of stakeholder groups who have submitted comments, a general response to the comments, and an indication of how they have been taken into account in the subsequent public draft standard. A copy of all the formal comments shall be included as an annex to the report, which, together with the subsequent public draft of the standard, shall be published on the IRMA website.

- 4.6.9 The IRMA Secretariat shall analyze the sources of the comments to ensure that formal comments have been received from representatives of all the key stakeholder groups identified as being impacted by the implementation of the proposed standard. The IRMA Secretariat shall be proactive in seeking input from representatives of stakeholder groups that have not yet commented. This shall include making special efforts to help ensure that formal comments are received from representatives of any marginalized groups that may be affected by the standard, and/or ensure that specific provisions have been made to explicitly identify and take into account potential impacts of the standard on such groups.
- 4.7 The number of draft standards circulated for public consultation prior to finalization of the standard shall be at the discretion of the IRMA Steering Committee, after the review of any issues that are subject to disagreement between stakeholders and taking into consideration the efforts that have been made to resolve any such disagreements, the extent to which the draft is deemed to meet the specifications listed in section 1, above, and the extent to which the draft is considered to contribute to the achievement of IRMA's mission.

5. Language

- 5.1 The working language for IRMA standard setting shall be English.
- 5.2 The meaning of English words should follow those given in the Shorter Oxford English Dictionary or the Concise Oxford Dictionary, unless the intended meaning is specified in the Standard.
- 5.3 The final approved version of the IRMA Standard shall be posted on the IRMA website in English and in Spanish; IRMA will seek to have it translated into other languages as resources permit to increase Stakeholder understanding and engagement.
- 5.4 The reference version of all IRMA standards shall be the English version. All versions in other languages shall include a disclaimer, explaining that in case of doubt the English language version of the standard shall take precedence.

6. Content

- 6.1 The content of the IRMA Standard shall be consistent with requirements outlined in Section 6 of the ISEAL Code of Good Practice where relevant to the design and scope of the IRMA program (included for reference in this procedure as Annex 1)
- 6.2 The standard's final text shall state that it has been developed in compliance with the ISEAL Code of Good Practice subject to confirmation by ISEAL.

7. Field testing

- 7.1 As determined useful in creating a successful Standard, specific chapters of the IRMA Standard will be tested in the field as part of the standards development process.

8. Decision-making

- 8.1 Decisions to approve drafts of the IRMA Standard for public consultation and decisions to approve the final IRMA Standard will be made by the IRMA Steering Committee. Decisionr making will follow the IRMA Steering Committee's Decisionr Making Procedures
- 8.2 On completion of the final period for public consultation the IRMA Secretariat shall prepare a report which shall:

- a) summarize the standards development process;
 - b) explain the main issues and concerns raised during the process, and explain how these have been addressed;
 - c) include a clear statement as to whether the process complied with the ISEAL Code of Good Practice;
 - d) include a clear description of any departures from IRMA's documented procedures, and an explanation for any such departures;
 - e) include the draft standard;
 - f) include a summary of all comments received during the last period of public consultation and their treatment.
- 8.3 The IRMA Steering Committee:
- a) shall approve and adopt the standard if it affirms that the standard development process was adequate and the standard is consistent with the specifications that the IRMA Steering Committee approved when the standard's development was initiated.
 - b) shall not approve the standard if it deems otherwise.
- 8.4 If the Steering Committee does not approve the standard it shall state the reasons for this, and should suggest what steps it considers necessary in order to address its concerns. The IRMA Secretariat shall consider these reasons and propose what further actions should be taken. If these actions result in revisions to the standard, the standard shall be re-submitted to the IRMA Steering Committee for approval after the relevant standard setting steps have been completed.
- 8.5 If the standard receives the approval of the IRMA Steering Committee the standard shall be published within 30 days on the IRMA website.
- 8.6 The standard may then be implemented, as specified in accordance with its scope and standard effective date(s).

9. Review and revision of an IRMA Standard

- 9.1 The IRMA Secretariat shall keep a file of all comments on the IRMA Standard that are submitted after the approval of the standard.
- 9.2 Typographical errors, inconsistencies and minor substantive changes may be made as follows:
- 9.2.1 Typographical errors and inconsistencies may be corrected with the approval of the IRMA Secretariat.
 - 9.2.2 The IRMA Secretariat may also propose minor substantive changes. The IRMA Secretariat shall draft a written justification for the proposed change, which shall be circulated to the IRMA Steering Committee, relevant Technical Experts, IRMA Founding Members, and accredited IRMA scheme certification bodies for a 30-day review period. After this 30-day review period the IRMA Secretariat may amend the standard in line with the proposal, taking account of any comments received.
 - 9.2.3 In the case of changes resulting from corrections or amendments as described in 9.2 above, the updated standard shall be clearly identified with a version number and date and the most recent version shall be posted on the IRMA website.
- 9.3 Within five years after the approval date of: (i) any new standard; (ii) any substantive revision to an existing standard; the IRMA Secretariat shall carry out a formal, publicized comment period of sixty days. It shall then collate and review all the comments on the

standard, and prepare a report recommending whether or not the standard should be revised, and if so specifying the procedure to be followed.

- 9.3.1 This report shall be submitted to the IRMA Steering Committee, which may accept or reject the recommendations.
- 9.3.2 If substantive changes to the standard are proposed as a result of the review process, the process for developing and approving a revised standard shall follow the procedures and requirements specified in this standard setting procedure.

10. Complaints and disputes

- 10.1 Any stakeholder has the right to submit a complaint; complaint forms shall be made available on the IRMA website.
- 10.2 Complaints/disputes related to content of the approved standard shall be responded to by the IRMA Secretariat, by providing an explanation of why a particular point of view was not incorporated into the final standard submitted for approval, and/or explaining how the point may be raised again in relation to future revisions of the standard.
- 10.3 No further appeal or complaint in relation to content shall be considered but such comments shall be documented and maintained in the standards comment file for future reference when the standard is reviewed.
- 10.4 Complaints/disputes related to procedural issues shall be responded to initially by the IRMA Secretariat (or designee). If the complainant is not satisfied with the explanation, the complaint/dispute shall be addressed by the IRMA Steering Committee according to the following the procedures:
 - 10.4.1 The complainant outlines and submits the complaint to the IRMA Steering Committee.
 - 10.4.2 The IRMA Steering Committee may determine that the complaint is spurious or frivolous and reject the complaint on that basis.
 - 10.4.3 If the complaint is not considered to be spurious or frivolous the IRMA Steering Committee shall accept the complaint, upon which the complainant and IRMA Secretariat, or designee, have 15 working days to submit any further documentation that they consider is relevant to the complaint/dispute.
 - 10.4.4 The IRMA Steering Committee may (at its discretion) attempt to resolve the complaint through mediation with the parties, but in the absence of such an agreed resolution, for whatever reasons, shall render its own decision as to the complaint within 45 days of its acceptance of the complaint (10.4.3) . The decision of the IRMA Steering Committee shall be final.

11. Availability of approved IRMA standards

- 11.1 Approved IRMA standards shall be published on the internet in electronic format and shall be freely available to all stakeholders free of charge.

12. Approved departures from procedures

- 12.1 Departures from these procedures may be approved by the IRMA Secretariat in consultation with the IRMA Steering Committee in exceptional circumstances, when compliance with the procedure was not possible for reasons beyond the control of IRMA, and/or when an alternative process would be in the best interests of the mission of IRMA while meeting the spirit and intent of the ISEAL Code of Best Practice.

- 12.2 The IRMA Secretariat shall document any such departures in writing. The report shall explain the nature and the reason or justification for the departure.
- 12.3 The IRMA Steering Committee may provide additional comments or direction to the IRMA Secretariat, at its discretion.

13. Record keeping

- 13.1 The IRMA Secretariat shall keep the following records in relation to the development of the IRMA Standard:
 - 13.1.1 Written proposal to revise or develop the standard;
 - 13.1.2 Names and affiliations of individuals consulted on the standard during its revision or development;
 - 13.1.3 Copies of public draft standards circulated for comment;
 - 13.1.4 Copies of all comments received on public draft standards;
 - 13.1.5 Summary of comments received in response to each public draft, together with a general response to those comments according to topical subject categories;
 - 13.1.6 A description of all departures from the specified procedures for standards development, and the actions taken in respect of those departures;
 - 13.1.7 The decision of the IRMA Steering Committee.

ANNEX ONE

Excerpt from ISEAL Code of Good Practice for Setting Social and Environmental Standards: P005 (2010)

6. Standards Structure and Content

6.1 Objectives

6.1.1 The social, environmental and/or economic objectives of a standard shall be clearly and explicitly specified in the standard

6.1.2 Standards shall be no more trade-restrictive than necessary to fulfil the legitimate objectives of the standard.

6.2 Structure

6.2.1 The structure of a standard shall form a logical framework such that all the requirements clearly contribute to the achievement of the standards' objectives. Standard-setting organisations shall develop statements of intent for each principle that define the principle's aims, and that provide a link between the criteria and the relevant principle.

6.2.2 Standards shall be structured to allow for monitoring and evaluation of progress toward achieving the standard's objectives.

6.3 Content

6.3.1 Standards shall avoid language and structure that may create ambiguities in their interpretation.

6.3.2 Standards shall be expressed in terms of process, management and performance criteria, rather than design or descriptive characteristics. Standards shall not favour a particular technology or patented item.

6.3.3 Standards shall attribute or cite all original intellectual sources of content.

6.3.4 Administrative requirements relating to conformity assessment and marks of conformity shall be presented separately from technical, process or management requirements.

6.4 Adding Value

6.4.1 In defining the content of a standard, the standard-setting organisation shall seek to complement and build on relevant regulatory requirements and to take account of market needs, as well as scientific and technological developments. The standard shall require practices that meet or exceed existing regulatory requirements and that reflect a defined market need and shall clearly indicate the references it makes to existing national law and / or international regulations.

6.5 Standards Interpretation

6.5.1 International standards shall be used as the basis for corresponding national or regional standards, except where they would be ineffective or inappropriate. National or regional standards shall be as consistent as possible with relevant international standards and at least as stringent.

6.5.2 Where international standards are to be adapted for application at the national or regional level, the standard-setting organisation shall develop interpretive guidance or related policies and procedures for how to take into account local economic, social, environmental and regulatory conditions.

6.5.3 Where national or regional standards are to be developed, they shall be developed through a multi-stakeholder process and shall consist of a locally applicable interpretation of the international standard.

6.6 Consistency Between Standards

6.6.1 With a view to consistency between standards, a standard-setting organisation shall inform organisations that have developed related or similar international standards of the proposal to develop a new standard or revise an existing standard, and shall encourage their participation in its development.

6.6.2 Standard-setting organisations shall document and justify the extent to which they are engaging with related standardr setting organisations in discussions on consistency and reducing overlaps.