

# IRMA: A Tool for NGO, Community and Labor Leaders

Conservation and recycling are on the rise, yet the demand for new mined materials continues, including cobalt, lithium, copper, aluminum, steel, and other materials needed for products ranging from jewelry and electronics to solar panels, wind turbines, and batteries essential for the energy transition. Extracting those materials impacts workers, ecosystems, and communities.

In response to demands for greater environmental and social responsibility in the mining sector, diverse stakeholders and rights holders came together in 2006 to form the Initiative for Responsible Mining Assurance (IRMA).

### What is IRMA?

IRMA is a multi-stakeholder coalition that is equally governed by affected communities, NGOs, organized labor, mining companies, purchasing companies, and the investor and finance sector with a mission to protect people and the environment directly affected by mining. IRMA has developed and provides oversight to:

- the world's most comprehensive and rigorous environmental and social requirements for industrial-scale mines: the IRMA Standard for Responsible Mining
- an independent, third-party audit process to assess a mine site's performance against that IRMA Standard and transparently report the results to the public
- the only governance system that gives equal voting power to communities, labor and civil society alongside mining companies and purchasers, protecting the integrity of the IRMA Standard

### How can civil society and labor leaders use IRMA?

- 1. Use IRMA's Community Toolkit to educate yourself and others and to advocate for adoption of higher standards. The IRMA Community Toolkit includes slide decks, handouts, sample letters, and other tools, available on the IRMA website at: https://responsiblemining.net/resources/#resources-communities.
- 2. Use the IRMA Standard as a tool to evaluate new mine proposals (and existing mines not yet participating in IRMA). The IRMA Standard provides a set of best practices that NGO and community leaders can use to evaluate a mine site.
- 3. Evaluate laws and regulations in your region against expectations in the IRMA Standard. Identify areas where IRMA requirements exceed those of your legal framework, then use this information to call for needed reforms.
- 4. Ask mine sites to engage in the IRMA System. Mines can use the IRMA selfassessment tool and share results with you, then engage in independent, thirdparty audits against the IRMA Standard and have their results made public.



- 5. Request a workshop or webinar. IRMA regularly conducts workshops on how to use the IRMA Standard to advocate for improved practices at industrial-scale mines. Contact IRMA to request a workshop for your community, organization, or union.
- 6. Contribute to Ongoing Improvement of IRMA. The IRMA system is regularly updated based on evolving best practices and recommendations from diverse sectors. Let us know how we can improve to better serve you.
- 7. Become an IRMA Member. There is no cost for NGO, community, or labor organizations to join IRMA. Members participate in membership meetings and working groups—providing the opportunity to connect directly to other IRMA members, including some of the largest mining and purchasing companies in the world—and vote on decisions that shape IRMA's future.

## What should NGO, community, and labor leaders know about the IRMA Standard?

The IRMA *Standard for Responsible Mining* is a set of more than 400 best practice requirements for environmental and social performance at industrial-scale mines.

The IRMA Standard covers:

<ul> <li>Business Integrity</li> <li>Legal compliance</li> <li>Community and stakeholder engagement</li> <li>Human rights and due diligence</li> <li>Complaints and grievance mechanisms</li> <li>Transparency in payments and anti- corruption</li> </ul>	<ul> <li>Social Responsibility</li> <li>Fair labor and terms of work</li> <li>Occupational health and safety</li> <li>Community health and safety</li> <li>Mining and conflict affected or high-risk areas</li> <li>Security arrangements</li> <li>Artisanal and small-scale mining</li> <li>Cultural heritage</li> </ul>
<ul> <li>Planning for Positive Legacies</li> <li>Environmental and social impact, assessment, and management</li> <li>Free, Prior and Informed Consent</li> <li>Obtaining community support and delivering benefits</li> <li>Resettlement</li> <li>Emergency preparedness and response</li> <li>Planning and financing reclamation and closure</li> </ul>	<ul> <li>Environmental Responsibility</li> <li>Water management</li> <li>Waste (tailings) management</li> <li>Air quality</li> <li>Noise and vibration</li> <li>Greenhouse gas emissions</li> <li>Biodiversity, ecosystem services and protected areas</li> <li>Cyanide management</li> <li>Mercury management</li> </ul>

The IRMA Standard includes a robust set of requirements for how mines interact with communities and stakeholders. Unfortunately, many mines have not meaningfully engaged with stakeholders or developed processes that allow communities to fully engage on issues of concern or interest to them. The IRMA Standard requires that:

- Mines work with directly affected communities and other stakeholders and rights holders to design culturally appropriate engagement processes and complaints procedures that meet community needs.
- Mines offer capacity building and training, facilitate access to independent experts, and work with communities to identify and overcome barriers to participation.
- Mines include women, children, youth, elderly, and vulnerable and marginalized groups in engagement processes, and in the design of those processes.

The Standard increases opportunities for community and stakeholder participation in processes that govern how mines operate. In some jurisdictions, there is no legal obligation for mines to provide opportunities for stakeholders to participate in dialogue and decision-making related to assessments of risks, or the prevention and management of mining impacts. The IRMA Standard requires that:

- Mines engage with communities and other stakeholders and rights holders during risk and impact assessments (including environmental, social, and human rights impacts, impacts on water, and more)
- Mines work with communities and other stakeholders and rights holders on strategies to prevent risks and mitigate impacts.
- Mines engage with communities and other stakeholders and rights holders to develop and implement programs to monitor impacts
- Mines include communities in emergency response planning, in particular with respect to the potential of catastrophic failure of tailings and waste facilities.
- Mines consult communities and other stakeholders and rights holders on the development of reclamation and closure plans, and the sufficiency of the financial assurance needed to cover costs.

### The Standard increases access to information and transparency about mines.

Communities often have a difficult time obtaining reports, assessments, management plans, and monitoring data related to mining operations. The Standard requires:

- Transparent and timely access to information about the mining operation.
- Reporting to stakeholders on the mine's social and environmental performance.
- Access to monitoring data and information on compliance with laws and the IRMA Standard.

### The Standard requires mine sites to comply with local laws and regulations and to go beyond this base level compliance.

- The IRMA Standard requires mines to meet the laws and regulations of the countries where they operate and goes further, adding requirements that are especially important where laws do not go far enough to protect communities and the environment.
- The IRMA Standard's transparency requirements provide an incentive for mines to not only come into compliance but also exceed legal requirements and adopt best practices.

### What should workers know about the IRMA Standard?

### The IRMA Standard supports workers' rights, safe working conditions, living wages and other protections.

- Workers' rights to collective bargaining and freedom of association must be respected, and worker organizing efforts enabled without interference.
- Mines must pay at least a living wage to all workers, and premiums for overtime.
- Workers must receive at minimum a paid holiday of three working weeks per year; and maternity leave must be provided.
- Working hours are limited to protect health and safety unless risk assessments and collective bargaining show longer hours do not place individual workers and others at risk.
- Short-term contracts can't be used as a means of avoiding or reducing worker benefits.
- Mines must practice equal opportunity and non-discrimination (cannot discriminate in hiring or pay based on personal characteristics such as gender, sexual orientation, ethnicity, etc.).
- Harassment, intimidation, and exploitation are not to be tolerated in the workplace.
- Workers must have access to a grievance mechanism that allows anonymous complaints and guarantees non-retribution.
- Child labor and forced labor are prohibited.

### The Standard requires worker engagement in health and safety risk assessment and management.

- Mines must identify all potential workplace hazards and carry out a risk assessment to determine how best to prevent and reduce potential impacts to health and safety (including evaluation of particular risks to vulnerable workers).
- Workers must have the opportunity to engage in health and safety risk assessments, provide input on risk management options, and collectively select health and safety representatives.
- Risk management plans must be developed to outline mitigation actions, and these plans must be updated based on monitoring and evaluation of effectiveness of the actions.

#### Procedures must be in place to protect workers' health and safety.

- Workers must be informed of their rights to be made aware of hazards specific to their work; refuse work/remove themselves in unsafe conditions; report accidents and hazards; request inspections and investigations.
- Workers must be provided with personal protective equipment at no cost, receive training on health and safety procedures, and be provided access to all their health, safety, and medical records.

 Appropriate assistance and programs to support worker health and safety, including worker mental health, must be offered, and mines must provide first aid at the workplace, and access to external medical facilities if necessary.

## Inspections and monitoring must occur, with the participation of workers' representatives.

- Regular inspections of the working environment, worker health surveillance and monitoring must take place to measure exposures and track the effectiveness of controls to minimize workplace hazards.
- Worker health and safety representatives must have opportunity to participate in monitoring, inspections, and investigations, receive timely notice of incidents, and have access to advisors and independent experts.

### Workers must be treated fairly if there are work-related injuries and illnesses.

- In the event of work-related injuries and illnesses, mines must cover medical expenses and wages during recovery and rehabilitation period.
- If workers cannot return to work due to a work-related injury/illness, compensation must be provided at least until the worker qualifies for an adequate pension.
- If a worker dies because of a work-related injury or illness, the mine must provide compensation at least equal to three-month's salary and coverage of funeral and other expenses.

## How is mine performance measured and why should results be trusted?

IRMA mine site assessments are conducted by independent, third parties, not by the mining companies themselves. Independent, third-party audits are carried out by professionals who are trained and approved by IRMA to ensure a high-level of understanding of IRMA requirements and ensure consistency in assessments.

**Stakeholders and rights holders participate in the assessment process**. IRMA audits are publicly noticed in advance of the audits taking place. During the on-site portion of the audits, auditors seek out affected communities, workers, and other stakeholders and rights holders to provide written input and meet with auditors to discuss a mine's performance. This input provides important information to verify whether mines are meeting the social and environmental obligations in the IRMA Standard. Participation of local stakeholders and rights holders in audits is missing in many other mining certification systems.

The IRMA system requires audits at regular intervals, providing regular access to detailed information about a mine site. A mine that has been verified to meet requirements in the IRMA Standard must be audited again every three years to confirm that it is still in compliance, with a surveillance audit required between each certification audit. This results in new IRMA audits and reports about every 18 months. Audits may identify corrective actions that must be met within a defined period; if corrective actions are not carried out within that period a mine can lose its certification and achievement level.

Audit results are made public. Detailed 100+ page audit reports including a summary of scores by requirement and chapter, as well as details on gaps in performance, are made public on the IRMA website.

Audits are not pass/fail, they provide a score: IRMA Transparency, IRMA 50, IRMA 75, or IRMA 100. To avoid greenwashing, independent auditors score a mine's achievement. Only mines meeting 100% of the IRMA Standard's critical requirements are "certified."

**Stakeholders have access to complaints processes.** If anyone has feedback or a complaint about the audit process or believes a mine has been awarded higher audit scores than are warranted, they can file a complaint with the audit firm. If anyone has feedback or a complaint about any aspect of IRMA, the IRMA Standard, or the IRMA system, they can raise the issue with IRMA. Complaints go through an Issues Resolution System Process.

## How does IRMA governance support better outcomes for communities, workers, and the environment?

## IRMA is the only standard and system for industrial-scale mining that has equal multi-stakeholder governance.

- IRMA is governed and directed by a board that consists of six sectors: Affected Communities, NGOs, Organized Labor, Purchasing Companies, Mining Companies, and the Investor and Finance Sector. The votes of labor unions, affected communities, and NGOs hold equal weight as those from the private sector. Decisions in IRMA can't move forward without the support of all six sectors. Other standard systems may allow multi-stakeholder input, but when it comes to decision-making they allow industry members to hold all or majority voting power.
- IRMA offers an opportunity for communities and non-profits to work in cooperation with the power of well-known brand-name companies who use mined materials in their products (such as jewelry, electronics, cars, and building materials). Increasingly, these businesses want to know that the materials going into their products have been produced in a responsible manner that ensures workers' rights are respected, child labor is not used, environmental protections are in place, the right of Indigenous Peoples to Free Prior and Informed Consent (FPIC) is upheld, and communities derive benefits from hosting the mines. IRMA gives these businesses a specific ask of mines to engage in the IRMA system—and their purchasing power creates greater leverage to meet community demands for more environmentally and socially responsible practices.

### Why NGO, Community and Labor Support for IRMA Matters

IRMA's ability to improve environmental and social responsibility in mining is based on credibility earned with civil society and workers. Increasingly, businesses that make products from mined material are looking to reduce their risks and fuel positive change in the mining sector by purchasing from responsible mines. If businesses don't think IRMA serves affected communities, workers, and the environment, they will use other performance benchmarks for what is responsible, possibly reverting to

standards that are less comprehensive, use a less rigorous audit process, and do not adopt IRMA's equal multistakeholder governance model.

We want NGOs, communities, and workers to understand and contribute to the expectations in the IRMA Standard to ensure these align with their objectives, to feel confident there is robust verification of a mine's performance, and to have equal representation in IRMA leadership.

### For More Information

IRMA Secretariat staff and NGO, affected community, and organized labor organizations that are IRMA Members can provide perspectives and answer your questions. Please contact us at: info@responsiblemining.net.

### IRMA Members representing the NGO, labor, and community sectors

- Batani Foundation
- Center for Environmental Governance
- Center for Science in Public Participation
- Earthworks
- Fauna and Flora International
- First Nations Women Advocating for Responsible Mining (Canada)
- Geology in the Public Interest
- Gila Resources Information Project
- Good Governance Africa
- Great Basin Resource Watch
- Human Rights Watch
- IndustriALL Global Union

- IUCN (Netherlands)
- Mining Affected
   Communities United in
   Action (MACUA)
- North of England Institute of Mining and Mechanical Engineers
- PACT
- Rivers Without Borders
- Society for Threatened Peoples
- Transport & Environment
- United Steelworkers
- Wilp Luutkudziiwus
- Zimbabwe Environmental Law Association

### Additional Background on IRMA

### IRMA's Commitment to NGOs, Communities, and Workers

IRMA is fundamentally committed to accountability to NGOs, community-based advocates, indigenous leaders, labor unions, and other stakeholders and rights holders. IRMA is the product of over a decade of work by leaders from these sectors, working alongside private sector business leaders who also want to address mining's impacts.

Understandably, many community-based advocates are skeptical of the business community's interest in responsible practices and wonder if this is just greenwashing. The global mining industry has had tragic incidents, and some other standards have failed to deliver greater social and environmental protections. IRMA strives to earn and maintain trust and confidence of NGO, community, and labor leaders, evidenced by a leadership structure that ensures these sectors have equal decision-making power in IRMA.

### Why do leading businesses care about IRMA?

Many mining companies are aware that their reputation and credibility has been harmed by poor practices that have resulted in catastrophic damage to the environment and communities—even when those harms were not from their own operations. In addition, many leading brands that make the products we use every day (cars, electronics, jewelry, etc.) have been held to account for the harm done at mines—even when they don't own or operate mines themselves. Most companies don't buy directly from mines—the supply chain of mined materials is often long and complex. Many companies have corporate commitments to prohibit child labor, protect human rights, increase transparency, protect the environment, ensure worker safety, respect Indigenous rights, and reduce greenhouse gas emissions that cause climate change. They are looking to IRMA and the network of NGOs, communities, and labor unions that hold IRMA accountable, to provide a tool that leverages the power brands have in their purchasing dollars to fuel positive change.

### How have business and non-profit leaders worked together in IRMA?

For over a decade, NGO, community, labor, and business leaders have worked together to develop the IRMA *Standard for Responsible Mining*, a set of best practices that intends to protect workers, local communities, and the environment around the world from harmful impacts of industrial-scale mining. They have brought in the help of scientists and other experts to work through contentious issues. They held two rounds of public comment, in 2014 and 2016, on the first two drafts of the IRMA Standard, making revisions based on more than 1,200 comments. With continued robust engagement from all stakeholders and rights holders, we can ensure IRMA is a tool that improves mining industry practices by encouraging clear standards and motivating mine operators worldwide to strive for better practices while creating greater value for this performance.

### How is IRMA funded?

IRMA operates as a small, lean, global NGO. Funding during the decade of development to date has come from philanthropic foundations, private sector companies, and in-kind contributions of civil society organizations. The longer-term business model is based on a combination of funds from membership, philanthropic foundations investing in environmental conservation and social justice, government partners, pilot project partners, and participation fees paid by businesses who use the IRMA program to demonstrate achievement of environmental and social performance.