



Initiative for Responsible
Mining Assurance

Excerpt from the DRAFT Standard for Responsible Mining and Mineral Processing 2.0

Chapter 1.2 – Community and Stakeholder Engagement

Context & Disclaimer on IRMA DRAFT Standard 2.0

IRMA DRAFT Standard for Responsible Mining and Minerals Processing 2.0 is being released for public consultation, inviting the world to join in a conversation around expectations that drive value for greater environmental and social responsibility in mining and mineral processing.

This draft document invites a global conversation to improve and update the 2018 IRMA Standard for Responsible Mining Version 1.0. It is not a finished document, nor seeking final review, but rather is structured to invite a full range of questions, comments and recommendations to improve the IRMA Standard.

This IRMA DRAFT Standard for Responsible Mining and Minerals Processing (v.2.0) has been prepared and updated by the IRMA Secretariat based on learnings from the implementation of the Standard (v.1.0), experience from the first mines independently audited, evolving expectations for best practices in mining to reduce harm, comments and recommendations received from stakeholders and Indigenous rights holders, and the input of subject-specific expert Working Groups convened by IRMA in 2022.

IRMA's Standard has a global reputation for comprehensive in-depth coverage addressing the range of impacts, as well as opportunities for improved benefit sharing, associated with industrial scale mining. This consultation draft proposes a number of new requirements; some may wonder whether IRMA's Standard already includes too many requirements. The proposed additions are suggested for a range of reasons (explained in the text following), including improving auditability by separating multiple expectations that were previously bundled into a single requirement, addressing issues that previously weren't sufficiently covered (e.g. gender, greenhouse gas emissions), and providing more opportunities for mining companies to receive recognition for efforts to improve social and environmental protection.

Please note, expert Working Groups were created to catalyze suggestions for solutions on issues we knew most needed attention in this update process. They were not tasked to come to consensus nor make formal recommendations. Their expertise has made this consultation document wiser and more focused, but work still lies ahead to resolve challenging issues. We encourage all readers to share perspectives to improve how the IRMA system can serve as a tool to promote greater environmental and social responsibility, and create value for improved practices, where mining and minerals processing happens.

The DRAFT Standard 2.0 is thus shared in its current form to begin to catalyze global conversation and stakeholder input. It does not represent content that has been endorsed by IRMA's multistakeholder Board of Directors. IRMA's Board leaders seek the wisdom and guidance of all readers to answer the questions in this document and inform this opportunity to improve the IRMA Standard for Responsible Mining.

IRMA is dedicated to a participatory process including public consultation with a wide range of affected people globally and seeks feedback, comments, questions, and recommendations for improvement of this Standard. IRMA believes that diverse participation and input is a crucial and determining factor in the effectiveness of a Standard that is used to improve environmental and social performance in a sector. To this end, every submission received will be reviewed and considered.

The DRAFT Standard 2.0 is based on content already in practice in the IRMA Standard for Responsible Mining Version 1.0 (2018) for mines in production, combined with the content drafted in the IRMA Standard for Responsible Mineral Development and Exploration (the 'IRMA-Ready' Standard – Draft v1.0 December 2021) and in the IRMA Standard for Responsible Minerals Processing (Draft v1.0 June 2021).

Chapter Structure

BACKGROUND

Each chapter has a short introduction to the issue covered in the chapter, which may include an explanation of why the issue is important, a description of key issues of concern, and the identification of key aspects of recognized or emerging best practice that the standard aims to reflect.

OBJECTIVES/INTENT STATEMENT

A description of the key objectives that the chapter is intended to contribute to or meet.

SCOPE OF APPLICATION

A description of the conditions under which the chapter may or may not be relevant for particular mines or mineral processing sites. If the entity can provide evidence that a chapter is not relevant, that chapter will not need to be included in the scope of the IRMA assessment. A requirement is 'not relevant' if the issue to which a requirement relates is not applicable at the site. For example, requirements related to the use of cyanide would not be relevant at a site at which cyanide is never used.

TERMS USED IN THIS CHAPTER

This is a list of the terms used in the chapter ■ Each term is separated with ■

Terms listed here are identified in the chapter with a dashed underline. And they are defined in the Glossary of Terms at the end of the chapter.

Chapter Requirements

X.X.X. These are criteria headings

X.X.X.X. And these are the requirements that must be met for an IRMA assessment to be issued and subsequently maintained by a site. Most criteria have more than one requirement. All requirements must be met in order to comply fully with the criterion.

- a. Some requirements consist of hierarchical elements:
 - i. At more than one level.
 - ii. Operations may be required to meet all elements in a list, or one or more of the elements of such a list, as specified.

NOTES

Any additional notes related to the chapter and its requirements are explained here.

GLOSSARY OF TERMS USED IN THIS CHAPTER

Terms used in the chapter are defined here.

ANNEXES AND TABLES

Annexes or Tables are found here.

IRMA Critical Requirements

The 2018 IRMA Standard for Responsible Mining v. 1.0 includes a set of requirements identified as being critical requirements. Operations being audited in the IRMA system must at least substantially meet these critical requirements in order to be recognized as achieving the achievement level of IRMA 50 and higher, and any critical requirements not fully met would need to have a corrective action plan in place describing how the requirement will be fully met within specified time frames.

The 2023 updates to the 2018 Standard may edit some critical requirements in the process of revising and therefore there will be a further review specific to the language and implications of critical requirements that follows the overall Standard review.

Associated Documents

This document is an extract of the full DRAFT IRMA FOR RESPONSIBLE MINING AND MINERAL PROCESSING (Version 2.0) – DRAFT VERSION 1.0, released in October 2023 for a public-comment period. The English-language full version should be taken as the definitive version. IRMA reserves the right to publish corrigenda on its web page, and readers of this document should consult the corresponding web page for corrections or clarifications.

Readers should note that in addition to the DRAFT Standard, there are additional policies and guidance materials maintained in other IRMA documents, such as IRMA’s Principles of Engagement and Membership Principles, IRMA Guidance Documents for the Standard or specific chapters in the Standard, IRMA Claims and Communications Policy and other resources. These can be found on the IRMA website in the Resources section. Learn more at responsiblemining.net

Comment on the IRMA Standard

Comments on the IRMA Standard and system are always welcome.

They may be emailed to IRMA at: comments@responsiblemining.net

Additional information about IRMA is available on our website: responsiblemining.net

Chapter 1.2

Community and Stakeholder Engagement

NOTES ON THIS CHAPTER: There are several proposed revisions in wording to improve clarity and numerous places where similar concepts have been combined.

Proposed additions and changes:

- The most notable proposed change to this chapter is a requirement that entities have an “access to information” policy (or something similar), to make it clear to stakeholders that they can request and obtain information on the environmental and social performance of the operation. The 2018 Mining Standard included multiple requirements where the entity needed to provide information “upon request”, but those requirements were difficult to audit. See more discussion in the [Note for requirement 1.2.4.3](#).
- There are several requirements where new content has been added. In 1.2.1.1, the previous requirement has expanded beyond merely identifying stakeholders to also carrying out mapping and analyses of stakeholders), in 1.2.1.2 more detail was added regarding what should be in a stakeholder engagement plan, to enable more consistency in auditing those plans, and an analysis of gender roles and dynamics was added in 1.2.1.1.d.
- One other notable change is that a requirement related to cultural awareness and sensitivity training was moved to this chapter from Chapter 3.7 - ‘Cultural Heritage.’

Glossary:

- We are proposing new/revised definitions for several glossary terms. The ‘Terms Used In This Chapter’ box shows which terms are new, and the proposed definitions can be found in the glossary at the end of the chapter requirements. The full glossary is at the end of the document. Feedback on definitions is welcome.

BACKGROUND

Large-scale mining developments have the potential to last for decades over their life cycle. Often mines are built in locations near existing communities; in other cases, new communities emerge because of mining activities. Mining projects have the potential to significantly impact the lives of people in those communities. Some changes may be beneficial, for example, through the provision of jobs, or through mining company investment in community development projects. But mining projects also have the potential to create adverse impacts and even be a source of social conflict within communities.

Increasingly, mining companies, host governments, and financial institutions are recognizing that building strong, lasting relationships with those affected by mining activities can improve the identification and management of risks, as well as the long-term viability of operations.¹

TERMS USED IN THIS CHAPTER

Accessible ■ Affected Community ■ Collaborate ■ Consultation ■ Conflict Analysis ■ Confidential Business Information ■ Culturally Appropriate **NEW** ■ Entity **NEW** ■ Exploration **NEW** ■ Gender **NEW** ■ Grievance ■ Inclusive ■ Indigenous Peoples ■ Livelihoods ■ Mineral Processing **NEW** ■ Mining **NEW** ■ Mitigation ■ Operation **NEW** ■ Project **NEW** ■ Rights Holder ■ Stakeholder ■ Vulnerable Group

These terms appear in the text with a dashed underline. For definitions see the [Glossary of Terms](#) at the end of this chapter.

¹ Herbertson, K., Ballestaeros, A., Goodland, R. and Munilla, I. 2009. Breaking Ground: Engaging Communities In Extractive And Infrastructure Projects. (World Resources Institute). <https://www.wri.org/research/breaking-ground>

Meaningful stakeholder engagement that is proactive, inclusive, accountable, and transparent increases the potential for optimal outcomes for both communities and mining companies.²

OBJECTIVES/INTENT OF THIS CHAPTER

To support entity decision-making and enable community members, individual and collective rights holders, and other stakeholders to participate in mining-related decisions that affect their health, well-being, safety, livelihoods, futures, and the environment.

NOTE ON OBJECTIVES: The objectives have been revised to include the range of stakeholders, including community members and rights holders.

SCOPE OF APPLICATION

RELEVANCE: This chapter is applicable to all exploration, mining and mineral processing projects and operations.

NOTE ON SCOPE OF APPLICATION: This proposed version of the IRMA Standard is meant to apply to exploration, mining, and mineral processing projects and operations (see definitions of project and operation), but not all requirements will be relevant in all cases. We have provided some high-level information below, but the IRMA Secretariat will produce a detailed Scope of Application for each chapter that will indicate relevancy on a requirement-by-requirement basis (and will provide some normative language where the expectations may slightly differ for proposed projects versus operations, or for mining versus mineral processing, etc.).

CRITICAL REQUIREMENTS IN THIS CHAPTER

The entity fosters two-way dialogue and meaningful engagement with stakeholders (1.2.2.1).

NOTE ON CRITICAL REQUIREMENTS: The 2018 IRMA Standard includes a set of requirements identified as being critical. Projects/operations being audited in the IRMA system must at least substantially meet all critical requirements in order to be recognized at the achievement level of IRMA 50 and higher, and any critical requirements not fully met need a corrective action plan for meeting them within specified time frames.

INPUT WELCOME: The proposed revisions to the 2018 Standard have led to new content, as well as edits of some critical requirements in the process. Therefore, there will be a further review of the language and implications of critical requirements prior to the release of a final v.2.0 of the IRMA Standard. During this consultation period we welcome input on any existing critical requirement, as well as suggestions for others you think should be deemed critical. A rationale for any suggested changes or additions would be appreciated.

² For example, Principle 10 of the Rio Declaration of 1992 states that, “Environmental issues are best handled with the participation of all concerned citizens.” (Source: United Nations. 1992. Report of the United Nations Conference on Environment and Development. Annex I. “Rio Declaration on Environment and Development.” <http://www.un.org/documents/ga/conf151/aconf15126-1annex1.htm>)

Community and Stakeholder Engagement Requirements

1.2.1. Planning and Designing Stakeholder Engagement Processes

NOTE FOR 1.2.1: Removed requirement (1.2.1.4) from this criterion. It has been integrated into 1.2.1.1. See Note for 1.2.1.1, below.

1.2.1.1. Stakeholder mapping and analysis:

- a. Identifies the range of groups and individuals, including community members, rights holders, and others (hereafter referred to collectively as “stakeholders”) who are or may be affected by or interested in the project/operation, including those who may be opposed to the project/operation;³
- b. Identifies potentially marginalized or vulnerable groups for whom special outreach may be necessary;⁴
- c. Analyzes the relative interests and influence of each stakeholder/stakeholder group related to the project/operation, and the implications for engagement strategy;
- d. Analyzes gendered roles and power dynamics within households and communities, and their implications for inclusive engagement;
- e. Includes evaluation of pre-existing community dynamics and a conflict analysis to understand if the project/operation may create or has created intra-community, inter-community or interpersonal tensions or conflicts that warrant special engagement strategies; and
- f. Is updated when there are proposed changes to a project/operation or changes in the operational, environmental, or social context that may influence the number and/or breadth of affected stakeholders.

NOTE FOR 1.2.1.1: REVISED. We combined 1.2.1.1 with former 1.2.1.4 in the 2018 Mining Standard and we are proposing new content.

The version of this requirement in the 2018 Mining Standard referred to stakeholder identification, and we are proposing to expand the requirement to include stakeholder mapping and analysis. Stakeholder mapping is a requirement in other mining-related standards such as the Aluminum Stewardship Initiative and the Responsible Minerals Initiative’s Risk Readiness Assessment.⁵

In sub-requirement (a), we specifically require identification of stakeholders who may be opposed to the operation, as this stakeholder group may be overlooked or avoided by entities proposing or operating mines and processing facilities, even though these stakeholders have the ability to influence projects/operations. This was in our guidance materials previously.

Also, we have added a footnote that explains that if Indigenous Peoples are identified, that the mapping and analysis of those communities needs to occur as per the expectations in 1.2.1.1, but that the performance on the requirement will be factored into the score in Chapter 2.2-Indigenous Peoples and Free, Prior and Informed Consent (See requirement 2.2.3.1.c). Previously, it was unclear how the two chapters overlapped.

We added a sub-requirement (b) because we refer to potentially vulnerable elsewhere, but the step of actually identifying those groups was missing.

³ Note that if Indigenous Peoples groups or communities are identified, Chapter 2.2 requires that the entity perform stakeholder mapping and analysis according to requirement 1.2.1.1 for those communities. Therefore, the mapping and analysis of Indigenous Peoples will factor into the score in that chapter, too (see Chapter 2.2 – ‘Indigenous Peoples and Free, Prior and Informed Consent,’ requirement 2.2.3.1).

⁴ What may constitute a ‘vulnerable group’ requiring additional focus depends on the context and the matter at hand. Entities should draw on stakeholder mapping, stakeholder interviews, project documentation, as well as site observations to determine whether all relevant stakeholders have been identified and included. For this requirement, particular attention should be paid to those who are not able or willing to participate without particular considerations/accommodations; this often includes people with disabilities, socially or geographically marginalized groups, those in a state of poverty, the illiterate, groups for whom local cultural practices deter participation, etc. Additional guidance will be provided in the IRMA Guidance Document.

⁵ Aluminum Stewardship Initiative. 2023. Performance Standard 3.1. Requirement 9.1.c. <https://aluminium-stewardship.org/wp-content/uploads/2023/04/ASI-Performance-Standard-V3.1-April-2023.pdf>; Responsible Minerals Initiative. 2020. Risk Readiness Assessment. p. 2/21. https://www.responsiblemineralsinitiative.org/media/docs/RRR/RBA%20-%20Risk%20Readiness%20Assessment%20Tool_MINING.pdf

We added a sub-requirement (c) as it is best practice to not just identify stakeholders, but also understand the perspectives, interests and priorities of individuals and groups of stakeholders. This is a concept that is integrated into the IFC Performance Standard 1,⁶ and other guidance materials.⁷

Sub-requirement (d) is new. It is being proposed concurrent with a proposed chapter on Gender Equality and Gender Protections. We can add guidance to help entities understand the type of analysis that could be done to better understand gendered roles and power dynamics.⁸

Sub-requirement (e) integrates the former 1.2.1.4 because efforts to understand community dynamics (pre-existing, and potential changes due to the project/operation) should be part of stakeholder analysis.

We added a sub-requirement (f) to update the mapping and analysis when there are proposed changes/major modifications that may affect more or different stakeholders or rights holders.

1.2.1.2. A stakeholder engagement plan is in place and implemented to guide the entity's engagement and communications with stakeholders.⁹ The plan:

- a. Is developed by competent professionals;
- b. Identifies a timetable of engagement activities for the year, and the purpose or goals for each engagement;
- c. Identifies how engagements will capture input from a diversity of stakeholders (including different genders, ages, ethnicities, and any potentially vulnerable groups);¹⁰
- d. Identifies how engagement processes will avoid or minimize conflicts between stakeholders and/or communities that are being engaged;
- e. Identifies how, when and in what formats information relevant to engagements will be communicated to stakeholders; and
- f. Includes documentation of a budget and staff responsibilities for implementing the various engagement activities.

NOTE FOR 1.2.1.2: REVISED. The proposed changes add more specificity so that there is clarity on what stakeholder engagements plans need to include. These plans guide the work of stakeholder engagement, and so a plan that outlines the work should be developed and documented. Much of this content comes from IFC guidance on the sample contents for stakeholder engagement plans.¹¹

⁶ International Finance Corporation (IFC). 2012. Performance Standard 1. "Stakeholder Analysis and Engagement Planning" (paragraphs 26-28). Available at: <https://www.ifc.org/en/insights-reports/2012/ifc-performance-standards>

⁷ For example, see IFC. Stakeholder Engagement: A Good Practices Handbook for Companies Doing Business in Emerging Markets. "Stakeholder Identification and Analysis," p. 13. <https://www.ifc.org/en/insights-reports/2000/publications-handbook-stakeholderengagement--wci--1319577185063>

⁸ For example, see OECD Due Diligence Guidance for Meaningful Stakeholder Engagement in the Extractives Sector. Annex C. Table C.1 Understanding context when engaging with women. <https://www.oecd-ilibrary.org/docserver/9789264252462-en.pdf?expires=1683993976&id=id&accname=guest&checksum=23C2E6E7AD3A11C16CD91D9D9A6BC3FD>

⁹ If Indigenous Peoples are affected by a project/operation, they may be included in an integrated engagement plan that includes all stakeholders and rights holders and specifically addresses engagement with Indigenous Peoples, or a standalone engagement plan may be developed for Indigenous Peoples. Either way, the inclusion of Indigenous Peoples in an engagement plan (or failure to do so) will be reflected in the score for 1.2.1.2.

¹⁰ What may constitute a 'vulnerable group' requiring additional focus depends on the context and the matter at hand. Entities should draw on stakeholder mapping, stakeholder interviews, project documentation, as well as site observations to determine whether all relevant stakeholders have been identified and included. For this requirement, particular attention should be paid to those who are not able or willing to participate without particular considerations/accommodations; this often includes people with disabilities, socially or geographically marginalized groups, those in a state of poverty, the illiterate, groups for whom local cultural practices deter participation, etc. Additional guidance will be provided in the IRMA Guidance Document.

¹¹ For example, see IFC. Stakeholder Engagement: A Good Practices Handbook for Companies Doing Business in Emerging Markets. "Stakeholder Engagement Plans (Sample Contents)," Appendix 3. pp. 165-168. <https://www.ifc.org/en/types/insights-reports/2000/publications-handbook-stakeholderengagement--wci--1319577185063>

1.2.1.3. The stakeholder engagement plan is reviewed annually and updated as necessary based on an evaluation of the effectiveness of the previous year's engagement processes, stakeholder input on engagement processes (1.2.1.4), and any updates to stakeholder mapping and analysis.

NOTE FOR 1.2.1.3: NEW. Requirement 1.2.1.2 in the 2018 Mining Standard included that the engagement plan be scaled to the project's risk, impacts and stage of development. That has been removed due to the subjectivity of the requirement, and lack of consistency that could result from one auditor to the next in determining if the plan is adequately scaled or not. Instead, we are proposing in sub-requirement (b) that entities demonstrate that they evaluate the effectiveness of the plan, which is something that auditors can verify.

1.2.1.4. Periodically, the entity consults with stakeholders to gather input on potential improvements to the design of engagement processes (e.g., timing, accessibility, inclusiveness, cultural appropriateness, etc.).

NOTE FOR 1.2.1.4: REVISED. This was 1.2.1.3 in the 2018 Mining Standard. We removed the part of the requirement to "demonstrate that continuous efforts are taken to understand and remove barriers to engagement for affected stakeholders (especially women, marginalized and vulnerable groups)." Identifying barriers and taking action to remove them is now covered requirement 1.2.3.1.

1.2.2. Stakeholder Engagement Processes

NOTE FOR 1.2.2: Minor change to title of this criterion. Added the word Stakeholder.

Requirement 1.2.2.1 in the 2018 Mining Standard has been deleted. The former 1.2.2.1 said, "Stakeholder engagement shall begin prior to or during mine planning, and be ongoing, throughout the life of the mine." Part of the requirement, i.e., that engagement be ongoing, has been moved to the new 1.2.2.1. We are proposing to delete that engagement "begin prior to or during mine planning". There was already guidance to auditors to not score that element for existing mines because sites cannot turn back the clock to do something that was not initially done. Because this revised Standard represents all phases of the life cycle, we are instead proposing to require that there be evidence that stakeholder engagement has occurred and continues to occur for every project/operation, but we are proposing that we not rate sites on when engagement started.

1.2.2.1. (Critical Requirement)

The entity fosters two-way dialogue and meaningful stakeholder engagement by:¹²

- a. Providing stakeholders with opportunities to contribute to meeting agendas and add topics of concern to them;
- b. Providing relevant information to stakeholders, including advance notice of proposed activities;
- c. Engaging in a manner that is free from manipulation, interference, coercion, or intimidation;
- d. Engaging with a broad spectrum of stakeholders representing a diversity in genders, ages, ethnicities, and members of any potentially vulnerable groups;¹³
- e. Regularly soliciting feedback from stakeholders on issues relevant to the stakeholders;

¹² "Meaningful engagement" includes a two-way exchange of information between the company and stakeholders, with stakeholders' views being taken into account in decision-making; engagement is conducted in good faith (i.e., the company genuinely intends to understand how stakeholder interests are affected by their actions and address adverse impacts, and stakeholders honestly represent their interests, intentions and concerns); and companies are responsive to stakeholder input and follow through on commitments." (Source: OECD. 2017. *OECD Due Diligence Guidance for Meaningful Stakeholder Engagement in the Extractive Sector*. p. 18. Available at: <http://www.oecd.org/publications/oecd-due-diligence-guidance-for-meaningful-stakeholder-engagement-in-the-extractive-sector-9789264252462-en.htm>)

¹³ What may constitute a 'vulnerable group' requiring additional focus depends on the context and the matter at hand. Entities should draw on stakeholder mapping, stakeholder interviews, project documentation, as well as site observations to determine whether all relevant stakeholders have been identified and included. For this requirement, particular attention should be paid to those who are not able or willing to participate without particular considerations/accommodations; this often includes people with disabilities, socially or geographically marginalized groups, those in a state of poverty, the illiterate, groups for whom local cultural practices deter participation, etc. Additional guidance will be provided in the IRMA Guidance Document.

- f. Including participation by site management and subject-matter experts when addressing concerns of significance to stakeholders; and
- g. Engaging on an ongoing basis, throughout the project/operation life cycle.

NOTE FOR 1.2.2.1: REVISED. This was 1.2.2.2 in the 2018 Mining Standard. It was a critical requirement (for more on critical requirements see the note that accompanies ‘Critical Requirements In This Chapter,’ above).

There are a few sub-requirements that are either new or revised.

Sub-requirement 1.2.2.1.a is new. Allowing stakeholder to contribute to meeting was added because stakeholders have reflected that they often arrive at meetings with pre-set agendas, without time to discuss the issues that are of greatest concern or interest to them.

In sub-requirement 1.2.2.1.c, we have removed the words “in a timely manner” because this duplicates 1.2.4.1, below. But we have added in 1.2.4.1.b that advance notice of proposed activities be provided, because sharing information on proposed activities gives stakeholders an opportunity to potentially influence activities that may conflict with cultural or environmental values or livelihood activities. For example, there may be local knowledge about locations of sensitive species that might be disturbed by noise during certain time periods, and this input influence the nature or timing of proposed activities in a positive manner.

Otherwise, the requirement either incorporates elements related to meaningful engagement that were included elsewhere in the 2018 Mining Standard, or deletes elements that have been moved elsewhere in the chapter. For example, the need for engagement to be ongoing was in the previous 1.2.2.1.

The need to include participation by a broad spectrum of stakeholders including women, men, marginalized and vulnerable groups is now stated more clearly in 1.2.2.1.d. It was previously mentioned in 1.2.1.3 and 1.2.2.4 in the 2018 Mining Standard.

One sub-requirement was removed from 1.2.2.1 (providing stakeholders with feedback on how the company has taken their input into account). That expectation has been integrated into 1.2.2.6.

1.2.2.2. At least one permanent stakeholder engagement mechanism is in place that:

- a. Is designed in collaboration with stakeholders, including representatives from affected communities; and
- b. Facilitates regular and ongoing:
 - i. Stakeholder review of the project’s/operation’s environmental and social performance; and
 - ii. Input to the entity on issues of concern to stakeholders, including but not limited to grievances.

NOTE FOR 1.2.2.2: REVISED. The content in this requirement is the same as the 2018 Mining Standard, but has been re-organized so that there are two distinct sub-requirements to be audited.

Changed wording from “oversight” of performance, which could be interpreted as imparting a level of level of supervision, to “review of” and “input” on performance, which was the original intent of the requirement.

Added reference to grievances as concerns that could be discussed through the mechanism.

1.2.2.3. When stakeholder engagement processes depend substantially on community representatives speaking for the community:

- a. Efforts are made by the entity to confirm whether or not such people represent the views and interests of diverse affected community members and can be relied upon to reliably communicate relevant information back to the community, and from the community to the entity; and
- b. If either the representatives are not considered to represent the views of the community, or information from the engagement processes are not flowing back to the community, then the entity implements additional engagement processes to enable more meaningful input from and information sharing with the broader community.

NOTE FOR 1.2.2.3: REVISED. Renumbered (was requirement 1.2.2.4 in the 2018 Mining Standard) and restructured so that it is clearer to auditors and others that there are two parts to this requirement.

First, if the entity engages with community representatives that are supposed to be speaking for or on behalf of a community, it is the entity's responsibility to understand if this form of engagement is truly capturing the views and interests of a broad range of affected stakeholders, and if the broader community is subsequently being briefed by community representatives on their interactions with the entity.

Second, if that is not occurring, then it is up to the entity to implement additional engagement processes so that the broader community is more engaged, and their opinions, concerns and suggestions better reflected.

If there are no engagement processes that depend substantially on community representatives, but the engagement processes use other mechanisms to remain inclusive of the views and interests of a broad range of affected stakeholders, then this could be marked as 'Not Relevant'.

1.2.2.4. Engagement processes are documented, including, at minimum:

- a. Names of participants;
- b. Input received from stakeholders; and
- c. Feedback provided by the entity to stakeholders.

NOTE FOR 1.2.2.4: This was requirement 1.2.2.6 in the 2018 Mining Standard.

1.2.2.5. The entity reports back to affected communities and individual stakeholders on:

- a. Input received during stakeholder engagement processes; and
- b. How stakeholder input and concerns were taken into account and addressed by the entity.

NOTE FOR 1.2.2.5: REVISED. This was 1.2.2.7 in the 2018 Mining Standard). We integrated reporting on how stakeholder input was taken into account (was previously included as 1.2.2.2.e in the 2018 Mining Standard).

1.2.3. Strengthening Capacity to Engage

NOTE FOR 1.2.2: Minor change to title of this criterion. Added the words "to Engage".

1.2.3.1. Efforts to build capacity for effective stakeholder engagement are implemented and documented, including:

- a. Periodic consultations with stakeholders from affected communities to assess stakeholders' capacity to effectively engage with the entity (e.g., to engage in dialogue, consultations, studies, impact assessments, the development of mitigation plans, monitoring programs, community development strategies, etc.);
- b. Periodic consultations with stakeholders to identify and understand potential barriers to participation in engagement processes that exist for different genders, ages, ethnicities, and any potentially vulnerable groups;¹⁴
- c. Where barriers to participation or capacity gaps¹⁵ are identified, collaboration with relevant stakeholders to agree on strategies to facilitate more effective engagement that include appropriate funding, training, or other forms of assistance;¹⁶ and
- d. Periodic consultations with stakeholders to evaluate the effectiveness of strategies to remove barriers and build capacity, and updating of capacity building strategies, as necessary.

¹⁴ What may constitute a 'vulnerable group' requiring additional focus depends on the context and the matter at hand. Entities should draw on stakeholder mapping, stakeholder interviews, project documentation, as well as site observations to determine whether all relevant stakeholders have been identified and included. For this requirement, particular attention should be paid to those who are not able or willing to participate without particular considerations/accommodations; this often includes people with disabilities, socially or geographically marginalized groups, those in a state of poverty, the illiterate, groups for whom local cultural practices deter participation, etc. Additional guidance will be provided in the IRMA Guidance Document.

¹⁵ Capacity gaps or needs may be legal, technical, process-oriented (e.g., negotiation skills), logistical, or other. Different assessment and consultation processes may need to take place over time, as the stakeholders involved in the development of mitigation strategies may not be the same ones engaged in monitoring, for example.

¹⁶ Depending on the circumstances, appropriate assistance may include providing access to training, independent experts, capacity building, etc.

NOTE FOR 1.2.3.1: REVISED and combined with elements of 1.2.1.3 from the 2018 Mining Standard.

This requirement has been revised to make it clear that capacity building is a process of assessing barriers to participation and capacity needs, planning and providing assistance (with direction from the stakeholders themselves), monitoring to determine if efforts are being effective, and updating planned capacity building efforts if necessary.

Sub-requirement (c) integrates the concept of understanding and removing barriers to participation, which had been covered in the former 1.2.1.3.

Also, added a footnote that, regarding the assessment, a number of assessments may need to take place over time, as the stakeholders involved in one aspect of the operation (e.g., studies or assessments) may differ from those who are engaged in other parts of the operation (e.g., the development of mitigation plans or monitoring), or those helping to developing community health-related mitigation strategies may be different than the stakeholders who are engaged in mitigation of impacts on biodiversity.

1.2.4. Communications and Access to Information

1.2.4.1. Communications with stakeholders and provision of information occur:

- a. In a timely manner.¹⁷ If that is not possible, the entity provides stakeholders with a documented justification or explanation for the delay; and
- b. In a manner that is culturally appropriate and accessible to the stakeholders.¹⁸

NOTE FOR 1.2.4.1: REVISED and combines 1.2.4.3 and 1.2.4.4 from the 2018 Mining Standard.

“Communications with stakeholders” could include providing updates on changes to the operation, reporting back on issues raised (see 1.2.2.5), and could be various forms such as written and verbal presentations, materials such as fact sheets, letters, emails and written responses meant specifically for stakeholders (e.g., responses to queries or complaints), while “provision of information” refers to providing copies of existing documentation such as policies, procedures, studies, reports or data that the site has already produced for other reasons. Provision of information may occur proactively or be a result of information requests.

Previously, IRMA did not define “culturally appropriate,” but instead included a footnote to provide some context. We are proposing to include the following definition and welcome any feedback on it.

Culturally Appropriate

Refers to methods, formats, languages, and timing (e.g., of communications, interactions and provision of information) being aligned with the cultural norms, practices and traditions of affected communities, rights holders and stakeholders.

1.2.4.2. Community engagement is conducted by competent professionals with demonstrated experience or training in cultural awareness and sensitivity.

NOTE FOR 1.2.4.2: NEW. It also integrates a requirement from Chapter 3.7 that referred to cultural awareness training. It has been included here instead of Chapter 3.7 to make it clear that training in cultural awareness and sensitivity should occur for any of the entity’s staff who may interact with Indigenous Peoples or peoples from a different cultural background (not just those who may come into contact with cultural heritage resources that need to be protected).

¹⁷ “in a timely manner” will likely vary based on the entity’s resources and procedures (e.g., some companies may have due diligence procedures in place for releasing data publicly) and also the size/nature of the request. Generally, however, requests should be fulfilled within 1 to 3 months, although for particularly large requests or requests made to companies with limited capacity to fulfill information requests, some flexibility may be needed. Also, some companies have stringent quality assurance procedures that must be followed in order to share data publicly, and so may require more time to prepare materials for release. (See also 1.2.4.3 for requests that are not responded to in what seems like a “timely manner.”)

¹⁸ Stakeholders can help to define for the entity what is considered culturally appropriate.

We expect to elaborate in guidance that not all staff will need the same level of training – those with major roles should be more proficient, but those with incidental roles should also have intercultural awareness and engage in a culturally sensitive manner.

The requirement for training on cultural awareness is similar to an expectation in the Mining Association of Canada’s Toward Sustainable Mining Communities protocol.¹⁹

1.2.4.3. An access to information policy (or equivalent) is in place and implemented to guide the provision of information to stakeholders. The policy:

- a. Provides that requests for information related to the environmental or social performance of the project/operation will be met in full or, if caveats are added, they align with the following:
 - i. If requests are challenging to fulfill because of the large volume of information requested, the entity will provide stakeholders with summaries of requested information and a documented justification or explanation for why information is not being provided in full or according to the preferred timeline of the stakeholder; or
 - ii. If document contains some confidential business information, the entity will redact only the confidential information, allowing for the release of non-confidential information.
- b. Is communicated to stakeholders; and
- c. Is publicly available.

NOTE FOR 1.2.4.3: REVISED. As mentioned in the note for 1.2.4.1, above, this requirement combines elements of various requirements found in the 2018 Mining Standard (1.2.4.3.a integrates elements of 1.2.4.1 and 1.2.4.2).

We are proposing changes to the requirement because in numerous other chapters in the IRMA Standard there are expectations that certain information be provided to stakeholders "upon request". But those requirements have proven very difficult to audit as written, because if the auditee tells auditors that there were no requests for information then the auditor has two choices – mark it as fully meets (which isn’t accurate, since there is no evidence, other than perhaps a verbal guarantee, that if asked the entity would provide the information) or mark it as not relevant (which is more accurate, since there were not requests, but is problematic because if stakeholders are not aware that they can request information, then there may never be any requests).

The proposal here is that instead of the approach in the 2018 Mining Standard, which was essentially a blanket statement saying, “information shall be made available,” that entities have in place an “access to information” or similar policy that commits the entity to providing information to stakeholders if requests are made, and that this policy be communicated to stakeholders.

This new approach aims to make it clear to entities and stakeholders that IRMA expects that stakeholders have access to information about the environmental and social performance of a project or operation if they are so interested. It also still takes into consideration the fact that it may be difficult to fulfill all requests in full, and so we are proposing that at minimum, summaries of data or information are provided.

NOTES

To be determined. There were no notes in the 2018 Mining Standard.

CROSS REFERENCES TO OTHER CHAPTERS

This table will be added when the new content for all chapters is finalized and approved

¹⁹ Mining Association of Canada. 2021. Indigenous and Community Relationships Protocol. Pages 6 and 9-11. Toward Sustainable Mining. https://mining.ca/wp-content/uploads/dlm_uploads/2023/04/ICR-Protocol-English-2023.pdf

PROPOSED NEW DEFINITIONS

Culturally Appropriate

Refers to methods, formats, languages, and timing (e.g., of communications, interactions, and provision of information) being aligned with the cultural norms, practices, and traditions of affected communities, rights holders, and stakeholders.

Entity

A company, corporation, partnership, individual, or other type of organization that is effectively in control of managing an exploration, mining or mineral processing project or operation.

Exploration

A process or range of activities undertaken to find commercially viable concentrations of minerals to mine and to define the available mineral reserve and resource. May occur concurrent with and on the same site as existing mining operations.

Gender

Gender refers to the norms, responsibilities, and social structure enforcing pre-defined roles for women, men, girls, boys, and gender-diverse people. As a social construct, gender varies from society to society and can change over time. Regarding mineral development (i.e., exploration, mining, mineral processing), issues of gender equality often focus on women in particular because they face a heightened risk to adverse effects from mining-related activities, due in large part to patriarchal gender norms and differences in women's access to and control over resources relative to men.

Source: Adapted from World Health Organization, Health Topics: Gender, https://www.who.int/health-topics/gender#tab=tab_1

Major Modification

A proposed change in an existing operation that could create new risks or change the scale or scope of existing adverse impacts on the health or safety of workers or communities, human rights, the rights or interests of Indigenous Peoples, cultural heritage, livelihoods, or the environment.

Mineral Processing

Activities undertaken to separate valuable and non-valuable minerals and convert the former into an intermediate or final form required by downstream users. In IRMA this includes all forms of physical, chemical, biological and other processes used in the separation and purification of the minerals.

Mining

Activities undertaken to extract minerals, metals and other geologic materials from the earth. Includes extraction of minerals in solid (e.g., rock or ore) and liquid (e.g., brine or solution) forms.

Operation

The set of activities being undertaken for the purpose of extracting and/or processing mineral resources, including the running and management of facilities and infrastructure required to support the activities, and the ongoing legal, environmental, social and governance activities necessary to maintain the business endeavor.

Project

The development phases before a mining or mineral processing operation can begin (e.g., exploration, pre-feasibility, feasibility, conceptual design, planning, permitting). Includes all desk-top and field-based activities, including exploration activities, needed to inform and develop a project proposal, support the environmental and social impact assessment of a proposal, generate information necessary to fulfill regulatory and permitting requirements, engage with stakeholders and rights holders, and maintain the entity's business endeavor.

EXISTING DEFINITIONS

Accessible

In reference to grievance mechanism or engagement processes, accessible means these mechanisms or processes being known to all stakeholder groups for whose use they are intended, and providing adequate assistance for those who may face particular barriers to access.

Affected Community

A community that is subject to risks or impacts from a project/operation.

REVISED. Changed wording from project to project/operation.

Collaboration

The process of shared decision-making in which all stakeholders constructively explore their differences and develop a joint strategy for action. It is based on the premise that, through dialogue, the provision of appropriate information, collectively defined goals, and the willingness and commitment to find a solution acceptable to all parties, it is possible to overcome the initially limited perspectives of what is achievable and to reach a decision which best meets the interests of the various stakeholders. At this level, responsibility for decision-making is shared between stakeholders.

Competent Professionals

In-house staff or external consultants with relevant education, knowledge, proven experience, and necessary skills and training to carry out the required work. Competent professionals would be expected to follow scientifically robust methodologies that would withstand scrutiny by other professionals. Other equivalent terms used may include: competent person, qualified person, qualified professional.

REVISED. Deleted reference to Chapter 4.1.

Confidential Business Information

Material that contains trade secrets or commercial or financial information that has been claimed as confidential by its source. The information must be secret in the sense that it is not, as a body or in the precise configuration and assembly of its components, generally known among or readily accessible to people within the circles that normally deal with the kind of information in question; it must have commercial value because it is secret; and it must have been subject to reasonable steps under the circumstances, by the person lawfully in control of the information, to keep it secret.

Conflict Analysis

The systematic study of the profile, issues, and stakeholders that shape an existing or potential conflict, as well as factors in the interaction between the three. It helps companies gain a better understanding of the environment in which they operate and their role in that context.

Consultation

An exchange of information between a company and its stakeholders that provides an opportunity for stakeholders to raise concerns and comment on the impacts and merits of a proposal or activity before a decision is made. In principle the company should take into account the concerns and views expressed by stakeholders in the final decision.

Grievance

A perceived injustice evoking an individual's or a group's sense of entitlement, which may be based on law, contract, explicit or implicit promises, customary practice, or general notions of fairness of aggrieved communities. For the purposes of the IRMA Standard, the words grievances and complaints will be used interchangeably.

REVISED. Added that IRMA Standard uses grievances and complaints interchangeably.

Inclusive

In the context of stakeholder engagement, means that engagement includes men, women, gender diverse, the elderly, youth, displaced people, and other potentially vulnerable, marginalized, or disadvantaged people or groups.

REVISED. Added the term gender-diverse.

Livelihood

The full range of means that individuals, families, and communities utilize to make a living, such as wage-based income, agriculture, fishing, foraging, other natural resource-based livelihoods, petty trade, and bartering.

Mitigation (including in relation to human rights impacts)

Actions taken to reduce the likelihood of the occurrence of a certain adverse impact. The mitigation of adverse human rights impacts refers to actions taken to reduce its extent, with any residual impact then requiring remediation.

Source: Adapted from UN Office of the High Commissioner for Human Rights. 2012. The Corporate Responsibility to Respect Human Rights: An Interpretive Guide.

Rights Holder

Rights holders are individuals or social groups that have particular entitlements in relation to specific duty bearers (e.g., state or non-state actors that have a particular obligation or responsibility to respect, promote and realize human rights and abstain from human rights violations). In general terms, all human beings are rights-holders under the Universal Declaration of Human Rights. In particular contexts, there are often specific social groups whose human rights are not fully realized, respected or protected.

Stakeholders

Individuals or groups who are directly or indirectly affected by a project/operation, such as rights holders, as well as those who may have interests in a project/operation and/or the ability to influence its outcome, either positively or negatively.

REVISED. Changed wording from persons to individuals, and from project to project/operation.

Vulnerable Group

A group whose resource endowment is inadequate to provide sufficient income from any available source, or that has some specific characteristics that make it more susceptible to health impacts or lack of economic opportunities due to social biases or cultural norms (e.g., may include households headed by women or children, people with disabilities, the extremely poor, the elderly, at-risk children and youth, ex-combatants, internally displaced people and returning refugees, HIV/AIDS-affected individuals and households, religious and ethnic minorities, migrant workers, and groups that suffer social and economic discrimination, including Indigenous Peoples, minorities, lesbian, gay, bisexual, transgender, queer or questioning (LGBTQ+) and gender-diverse individuals, and in some societies, women).

Sources: Adapted from IFC. 2002. Handbook for Preparing a Resettlement Action Plan, FAO, and World Bank: "Vulnerable Groups."

REVISED. Proposing to add reference to LGBTQ+ and gender-diverse individuals in the list of examples.

CONSULTATION QUESTION 1.X-2 (From proposed Chapter 1.X on Gender Equality and Protection): References to women and gender-diverse individuals as potentially "vulnerable" or as "vulnerable groups" may sound disempowering and/or otherwise not aligned with the objectives of this chapter to advance gender equality. Are there other widely recognized terms or phrases we could use that recognize the potential susceptibility of women and gender-diverse individuals to adverse impacts such as health impacts or lack of economic opportunities due to social biases or cultural norms?