



Initiative for Responsible
Mining Assurance

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

Chapter 3.7 – Cultural Heritage

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 3.7

Cultural Heritage

NOTES ON THIS CHAPTER: A number of changes have been made to more closely align the structure and flow of the chapter with other IRMA chapters, and also to streamline Chapter 3.7.

Proposed additions and changes:

- There is one significant change discussed in Consultation Question 3.7-2, below.
- Also, streamlining was done by moving the specific mitigation actions that should be taken if certain types of cultural heritage are encountered into normative Annexes (i.e., sites will still be assessed against the elements in the Annexes, if applicable). Since all of the different types of cultural heritage are not found at all sites, rather than mark 5 or 6 requirements as "not relevant" we believe this is a better approach. (See requirement 3.7.3.2)
- One requirement related to Indigenous Peoples living in voluntary isolation was moved from this chapter to Chapter 2.2—Indigenous Peoples and Free, Prior and Informed Consent.
- We are also proposing to add a definition of cultural heritage. In the 2018 version of the Mining Standard, we only defined particular types of cultural heritage (e.g., intangible, tangible, replicable, non-replicable, critical) but not cultural heritage in its own right. We are proposing this definition, in particular, to make it clear that cultural heritage encompasses a broad suite of concepts, including not only those that relate to human cultures, but also paleontological resources (e.g., fossils of animals and plants that existed in previous geologic periods).

Cultural Heritage

Refers to (i) tangible moveable or immovable objects, property, sites, structures, or groups of structures, having archaeological (prehistoric), paleontological, historical, cultural, artistic, and religious values; (ii) unique natural features or tangible objects that embody cultural values, such as sacred groves, rocks, lakes, and waterfalls; and (iii) certain instances of intangible forms of culture that are proposed to be used for commercial purposes, such as cultural knowledge, innovations, and practices of communities embodying traditional lifestyles.

Source: Adapted from IFC Performance Standard 8.

Glossary:

- We are proposing other 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 (and before the Annexes). Feedback on definitions is welcome.

CONSULTATION QUESTION 3.7-1

Background: The original 2018 version of IRMA's chapter was based on the IFC Performance Standard 8 (PS8) on Cultural Heritage, but we have received some comments from practitioners engaged in cultural heritage protection that while IFC is a globally known cultural heritage framework, it is "not well used/ mobilized/connected to best available practice thinking."

Question: We would be interested to hear if there are other frameworks being used by in cultural heritage practitioners if there are particularly areas of IRMA's standard that could be strengthened to better reflect current best available practices in the field of cultural heritage protection.

CONSULTATION QUESTION 3.7-2

Background: This proposed version of Chapter 3.7 has one significant addition to fill a gap that was identified with the current IRMA Standard. While the 2018 version of the chapter clearly addresses new impacts on cultural heritage, it does not provide adequate coverage of expectations for existing operations that may have impacted

cultural heritage in the past. While many types of cultural heritage cannot be put back or restored once they have been disturbed, there are, nevertheless, steps that can be taken to provide mitigation or remedy after the fact.

As mentioned above, the original 2018 version of IRMA’s chapter was based on the IFC Performance Standard 8 (PS8) on Cultural Heritage. A guidance note in IFC PS8 says that PS8 applies both to cultural heritage that has not been disturbed as well as that which has already been disturbed,¹ but the requirements in PS8 do not specifically reference what to do in the case of past impacts on cultural heritage.

A number of new requirements are being proposed in IRMA’s revised chapter to help fill the gap in the IRMA and IFC Standards, such that if cultural heritage was disturbed at any point during the mineral development life cycle, those impacts need to be assessed, and, if necessary, addressed. The steps involved include identifying if past impacts have occurred (3.7.1.1) assessing the extent of the impacts and any past mitigation efforts and determining if additional mitigation is required (3.7.2.1), and developing and implementing additional mitigation measures to protect resources such as remediation of impacted areas, compensation for impacts, or other measures (3.7.3.1).

Question: Do you agree that all operating mines and mineral processing sites should have to demonstrate an understanding of whether or not their past activities have impacted cultural heritage resources, and if residual impacts exist, mitigate them?

BACKGROUND

Cultural heritage is the legacy of physical structures, landscapes, and artifacts, as well as intangible attributes of a group or society, such as language, activities, or knowledge that has cultural, scientific, spiritual, or religious value.²

Over time, mining and other forms of industrial development can both create and result in profound and irreversible damage to cultural heritage. Most obviously, mining activities can destroy or damage tangible cultural heritage, such as historical buildings or sites of spiritual significance. Damage to intangible cultural heritage may also occur, for example, as a result of inappropriate visitation of sites or the inappropriate use of traditional knowledge.³

Increasingly, mining entities are recognizing the importance of protecting and where possible promoting cultural heritage to respect the rights of and strengthen relationships with communities wherever they operate.⁴

TERMS USED IN THIS CHAPTER

Affected Community ■ Area of Influence ■ Baseline ■ Biosphere Reserve ■ Chance Find (Procedure) ■ Collaboration ■ Competent Professionals ■ Consultation ■ Contractor ■ Critical Cultural Heritage ■ Cultural Heritage NEW ■ Entity NEW ■ Exploration NEW ■ Free, Prior and Informed Consent ■ Host Country Law ■ Indigenous Peoples ■ Intangible Cultural Heritage ■ Mineral Processing NEW ■ Mining NEW ■ Mining-Related Activities ■ Mitigation ■ Non-Replicable Cultural Heritage NEW ■ Operation NEW ■ Project NEW ■ Protected Area ■ Protected Area Management Category ■ Replicable Cultural Heritage ■ Rights Holders ■ Stakeholders ■ Tangible Cultural Heritage ■ Tentative List for World Heritage Site Inscription ■ World Heritage Site ■

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

¹ “Performance Standard 8 applies to cultural heritage that has been undisturbed as well as disturbed. The client may undertake measures for the protection of already-disturbed cultural heritage that are different from measures for the protection of untouched cultural heritage. Many types of cultural heritage cannot be put back once they have been disturbed, but they may still be valued.” (Source: IFC Guidance Note 8-Cultural Heritage. GN9. Available at: <https://www.ifc.org/en/insights-reports/2012/ifc-performance-standards>)

² Adapted from: Daes, E. 1995. Protection of the heritage of Indigenous people. Final report of the Special Rapporteur, Mrs. Erica-Irene Daes, in conformity with Subcommission resolution 1993/44 and decision 1994/105 of the Commission on Human Rights. E/CN.4/Sub.2/1995/26. June 21, 1995; and IFC. 2012. IFC’s Guidance Notes: Performance Standards on Environmental and Social Sustainability. Guidance Note 7, p. 17.

³ E.g., some Indigenous heritage sites may be gendered—safe for one sex but dangerous to the other; Indigenous Peoples’ knowledge regarding the existence, location and significance of sites is often not public; and in some cases, if knowledge of sacred sites is transferred inappropriately it may be dangerous to both the giver and receiver. (O’Faircheallaigh, C. 2008. Negotiating Cultural Heritage? Aboriginal-Mining Company Agreements in Australia. p. 7)

⁴ E.g., see Anglo American. 2009. The Anglo Social Way: Management System Standards. p. 12. https://www.angloamerican.com/development/approach-and-policies/human-rights/~/_media/Files/A/Anglo-American-

OBJECTIVES/INTENT OF THIS CHAPTER

To protect and respect the cultural heritage of communities and Indigenous Peoples.

SCOPE OF APPLICATION

RELEVANCE: The first requirement in this chapter is applicable to all exploration, mining and mineral processing projects and operations.

Based on the outcome of that requirement, some entities may be able to demonstrate to auditors that they have not impacted and do not have the potential to impact Indigenous Peoples' cultural heritage and/or the cultural heritage of non-Indigenous communities. In such cases, the remainder of the chapter may be deemed not relevant.

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

None at this time.

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.

Cultural Heritage Requirements

3.7.1. Cultural Heritage Due Diligence and Scoping

NOTE FOR 3.7.1. In the 2018 version of the Mining Standard, criterion 3.7.1 was called General Stipulations. It included expectations related to use of competent professionals, stakeholder engagement, and access to information on cultural heritage. The General Stipulations criterion has been removed, but the expectations have not been lost – they have been integrated into criteria and requirements below, in a manner more consistent with other IRMA chapters.

In the 2018 version of the Mining Standard, requirements related to scoping and assessment of potential impacts on cultural heritage were listed under a criterion called Cultural Heritage Screening and Assessment. We are using the work scoping to be more consistent with other IRMA chapters. And have now created one criterion for scoping, and other for assessment in order to be more consistent with the structure of other IRMA chapters.

[Plc/siteware/docs/aa_social_way.pdf](https://cdn-rio.dataweavers.io/-/media/content/documents/sustainability/corporate-policies/rt-why-cultural-heritage-matters.pdf?rev=cf46a63414e84401aa1642ae6b7fe181); and also: Rio Tinto. 2011. Why Cultural Heritage Matters. <https://cdn-rio.dataweavers.io/-/media/content/documents/sustainability/corporate-policies/rt-why-cultural-heritage-matters.pdf?rev=cf46a63414e84401aa1642ae6b7fe181>

3.7.1.1. All operations demonstrate an understanding of their cultural heritage context by:⁵

- a. Using competent professionals to:
 - i. Identify if replicable, non-replicable or critical cultural heritage exists in the operation's area of influence; and
 - ii. Determine if there have been any past impacts on cultural heritage related to the operation;
- b. Identifying Indigenous Peoples and others who may have rights associated with cultural heritage (hereafter collectively referred to as rights holders) and stakeholders who may have an interest in cultural heritage; and
- c. Consulting with relevant rights holders and stakeholders in the identification of cultural heritage and determination of past impacts on cultural heritage that may be related to the operation (3.7.1.1.a).

NOTE FOR 3.7.1.1: NEW. Requirement 3.7.1.1 has been added to fill a gap with the 2018 IRMA Mining Standard. The version of this chapter in the 2018 Standard clearly addresses the screening and assessment of potential *new* impacts on cultural heritage but does not outline expectations for existing operations that may have impacted cultural heritage in the past. While many types of cultural heritage cannot be put back or restored once they have been disturbed, there are steps that can be taken to provide mitigation or remedy after the fact.

Requirement 3.7.1.1 therefore asks that companies be able to demonstrate an understanding of the impacts of their past activities on cultural heritage. Later in the chapter, we propose that if some of those impacts have not been sufficiently remediated, there will be additional steps that must be taken. See [CONSULTATION QUESTION 3.7-2](#) above.

Re: 3.7.1.1.c, we use the wording “impacts on cultural heritage related to the operation” rather than impacts related to a particular entity’s activities, because it is possible that the entity that caused the impact is not the entity in charge of the mine or mineral processing operation. No matter who caused the damage, the current owner/operator of the project/operation bears the responsibility for ensuring that mitigation for those impacts occurs, if necessary.

If the results of 3.7.1.1 or 3.7.1.2, below, demonstrate that no replicable, non-replicable, or critical cultural heritage exists in the actual or proposed area of influence, then the remainder of the chapter may be marked as not relevant.

3.7.1.2. When new projects are proposed and/or when changes are proposed to mining-related activities, a scoping (or equivalent) process is undertaken that includes:

- a. Using competent professionals to:
 - i. Identify if replicable, non-replicable, or critical cultural heritage exists in the project's/operation's area of influence, If not done previously;⁶ and
 - ii. Identify if there are risks to cultural heritage posed by proposed mining-related activities;⁷
- b. Identifying Indigenous Peoples and others who may have rights associated with cultural heritage (hereafter collectively referred to as rights holders), and stakeholders who may have an interest in cultural heritage;

⁵ Some or all of this may already have been done as part of an ESIA.

⁶ This may already have been done at sites where changes are being proposed to current operations.

⁷ If screening does not identify any risks or potential impacts to cultural heritage, then further assessment is not needed.

Note that screening may take place as part of the ESIA in IRMA Chapter 1.2, or as part of the biodiversity, ecosystem services and protected areas screening in IRMA Chapter 4.6.

Screening should include a determination of whether or not the proposed project is in an area currently or traditionally occupied or used by Indigenous Peoples, where cultural heritage of other communities may be affected, where there may be Indigenous Peoples living in voluntary isolation, or where nearby areas have been legally protected to preserve cultural heritage.

- c. Conducting consultations with relevant stakeholders and rights holders in the identification of cultural heritage and determination of risks to cultural heritage posed by proposed mining-related activities (3.7.1.2.a).

NOTE FOR 3.7.1.2: This requirement differs from proposed requirement 3.7.1.1 in that companies are assessing the risks to cultural heritage in 3.7.1.2, rather than the past impacts on it.

Requirement 3.7.1.2 has been expanded compared to the version of the requirement in the 2018 Mining Standard. We've added a sub-requirement (b) that potentially affected Indigenous Peoples and stakeholders be identified.

Use of competent professionals (a) and requirements related to consultations with stakeholders/rights holders (c) were previously part of the criterion on General Stipulations, which is being proposed for deletion.

3.7.2. Cultural Heritage Assessment

3.7.2.1. If past impacts on cultural heritage are identified (see 3.7.1.1), a damage assessment (or equivalent) is undertaken that:⁸

- a. Is carried out by competent professionals;
- b. Documents the nature of the cultural heritage that has been impacted (i.e., was it replicable, non-replicable or critical cultural heritage, and was it tangible or intangible), the location of the impacts, and extent of the impacts;
- c. Documents any past activities taken to mitigate the impacts on cultural heritage;
- d. Determines if past mitigation efforts were agreed by affected Indigenous Peoples, if relevant;
- e. Includes consultations with relevant rights holders and stakeholders in the identification of past impacts and the nature of the cultural heritage that was impacted; and
- f. If past mitigation measures did not accord with the measures related to replicable, non-replicable or critical cultural heritage found in Annex 3.7-A, or, if relevant, the measures for cultural heritage in protected areas found in Annex 3.7-B, then additional mitigation measures are developed in collaboration with affected rights holders and stakeholders.

NOTE FOR 3.7.2.1: NEW. See note for 3.7.1.1. Depending on the outcome of the due diligence undertaken in 3.7.1.1, additional assessment of past impacts on cultural heritage may be necessary. Requirement 3.7.2.1 outlines a proposal for what that assessment might entail.

The term “mitigation measures” is meant to encompass the range of strategies that could be taken to prevent further impacts, minimize actual impacts, restore, or remediate areas that have been impacted, or compensate for past impacts. Strategies could include, for example, actions like stabilization, use of barriers or protective devices, rehabilitation of disturbed areas, restoration, repair, removal, and preservation of cultural resources, and/or compensation to Indigenous Peoples or affected communities.

3.7.2.2. If proposed mining-related activities may lead to new or additional impacts on cultural heritage (see 3.7.1.2), an assessment is undertaken that:

- a. Is carried out by competent professionals;
- b. Documents the nature of the cultural heritage that may be affected (i.e., is it replicable, non-replicable or critical cultural heritage, and is it tangible or intangible), and the likely extent of the potential impacts;
- c. Includes consultations with relevant rights holders and stakeholders in the identification of the nature of and extent of the potential impacts on cultural heritage; and

⁸ For example, see: Welch, J., Cowell, S., Ryan, S., Whiting, D., & Cantley, G. 2023. “Cultural Resource Damage Assessment,” *Advances in Archaeological Practice*, 11(2), 111-125. <https://www.cambridge.org/core/journals/advances-in-archaeological-practice/article/cultural-resource-damage-assessment/5256E58A791028468B0660B5A35679EC>

- d. Includes collaboration with affected rights holders and stakeholders to identify mitigation measures that are consistent with the measures related to replicable, non-replicable and critical cultural heritage found in [Annex 3.7-A](#), and the measures for cultural heritage in protected areas found in [Annex 3.7-B](#), as relevant.

NOTE FOR 3.7.2.2: All of the provisions in 3.7.2.2 are in the 2018 Mining Standard. Assessing the nature of the cultural heritage is in the original 3.7.2.2. The use of competent professionals (a) and requirements related to consultations with stakeholders/rights holders (c) and (d) were originally in criterion 3.7.1 'General Stipulations' in the 2018 Mining Standard, which is being proposed for deletion.

3.7.3. Cultural Heritage Management

3.7.3.1. A cultural heritage management plan or its equivalent is in place and implemented to protect cultural heritage. The plan:

- a. Is developed by competent professionals;
- b. Outlines specific actions to mitigate past and/or potential impacts on cultural heritage;
- c. Identifies key indicators, tied to an identified baseline, to enable evaluation of the effectiveness of mitigation activities over time;
- d. Assigns implementation of actions, or oversight of implementation, to responsible staff, ensuring that only competent professionals carry out the mitigation work;
- e. Includes an implementation schedule; and
- f. Includes estimates of human resources and budget required and a financing plan to ensure that funding is available for the effective implementation of the plan.

NOTE FOR 3.7.3.1: REVISED. This was 3.7.7.1 in the 2018 Mining Standard. We have updated this requirement to be more consistent with management plan expectations in other IRMA chapters.

3.7.3.2. The mitigation measures in the management plan are:

- a. Consistent with the mitigation measures for replicable, non-replicable, and critical cultural heritage in [Annex 3.7-A](#), as relevant; and
- b. If actual or potential impacts are associated with cultural heritage in a protected area, mitigation is aligned with the requirements in [Annex 3.7-B](#).

NOTE FOR 3.7.3.2: NEW. This replaces a number of requirements in the 2018 version of this chapter (see the Annexes for more information on which ones have been moved there). Rather than include all of the specific mitigation measures in the chapter itself, we are proposing to move them to Annexes to improve readability and flow of the chapter. Those measures are still normative and, if not being met, will be reflected in the rating and narrative for the requirement in the public audit report.

3.7.3.3. A process is in place for monitoring and evaluating the effectiveness of the implementation of mitigation actions, and if necessary, outlining additional actions and updating the management plan to accord with desired or expected outcomes.

NOTE FOR 3.7.3.3: NEW.

CONSULTATION QUESTIONS 3.7-3:

Background: This is a new requirement. Most IRMA chapters that include management plans include a step to evaluate the effectiveness of the actions that are implemented, and if necessary, take further action. We are proposing to add this requirement because to create greater consistency throughout the standard.

Most IRMA chapters also have requirements related to monitoring, which typically include expectations that indicators be developed, and sampling or inspections occur to determine if mitigation measures are being effectively implemented. IFC Performance Standard 8 does not include monitoring of mitigation measures implemented for the protection of cultural heritage.

Question: Do you agree that it is reasonable for mitigation actions to be evaluated for effectiveness? If you agree that the lack of monitoring-related requirements is a gap that should be filled in the IRMA Standard, can you suggest examples of best practices in the monitoring or surveillance of cultural heritage mitigation activities?

3.7.3.4. When Indigenous Peoples' cultural heritage exists in a project's/operation's area of influence:

- a. Proposed mining-related activities that may impact Indigenous Peoples' critical cultural heritage proceed only with the free, prior and informed consent of the affected Indigenous Peoples;
- b. Mitigation strategies for past impacts and new impacts on Indigenous Peoples' cultural heritage are agreed by Indigenous Peoples prior to their implementation;
- c. The commercial use of Indigenous Peoples' cultural heritage only takes place:
 - i. After the Indigenous Peoples have been informed of their rights under host country law, the scope and nature of proposed commercial development, and the potential consequences of such development; and
 - ii. With the free, prior and informed consent of the Indigenous Peoples.

NOTE FOR 3.7.3.4: NEW. Although a new requirement, none of the content is new. All of the provisions include content related to the free, prior and informed consent and agreements with Indigenous Peoples from requirements that have been moved to [Annex 3.7-A](#).

3.7.3.5. Procedures are in place and implemented for:

- a. Managing chance finds, including, at minimum, a requirement that employees and contractors do not further disturb any chance find until an evaluation by competent professionals is made and mitigation actions consistent with [Annex 3.7-A](#) and [Annex 3.7-B](#) of this chapter are developed, as relevant;
- b. Managing potential impacts to cultural heritage from visitors to the project/operations site;
- c. Allowing continued access to cultural sites, subject to:
 - i. Consultations with relevant Indigenous Peoples and affected communities; and
 - ii. Any overriding health, safety, and security considerations; and
- d. The sharing of information related to Indigenous Peoples' cultural heritage, subject to agreement with affected Indigenous Peoples.

NOTE FOR 3.7.3.5: This was requirement 3.7.7.2 in the 2018 Mining Standard. Only minor changes have been proposed to increase clarity of expectations and more consistent auditor scoring.

3.7.3.6. Relevant employees and contractors receive training on cultural heritage site recognition and care, and the entity's plans and procedures related to cultural heritage management.

NOTE FOR 3.7.3.6: This was 3.7.7.3 in the 2018 Mining Standard. Removed reference to training on cultural awareness because that is now being addressed in Chapter 1.2-Stakeholder Engagement, so that any of the entity's staff that interact with Indigenous Peoples, or peoples from a different cultural background, be trained in cultural awareness and sensitivity.

3.7.4. Disclosure

3.7.4.1. Cultural heritage assessments, management plans and procedures are publicly available or a publicly available access to information (or equivalent) policy that commits the entity to providing stakeholders with this information upon request is in place, and shared with stakeholders.⁹

⁹ As per Chapter 1.2, requirement 1.2.4.3, an access to information policy is proposed to be required in the revised IRMA Standard. It is expected that this policy could include the relevant provisions related to stakeholder access to entity-generated information and data on reclamation and closure.

NOTE FOR 3.7.4.1: REVISED. This was 3.7.1.3 in the 2018 version of the Mining Standard. It required that information be provided to stakeholders upon request. As with other chapters, we have added that information can also proactively be made public.

Note that we now refer to an access to information policy (or equivalent). That change is related to a proposed requirement in Chapter 1.2 (see explanation in [Note for requirement 1.2.4.3](#)).

NOTES

This chapter uses, as its basis, the IFC Performance Standard 8, Cultural Heritage.¹⁰

While this chapter applies to both Indigenous and non-Indigenous cultural heritage, it does not specify requirements applicable to Indigenous and Community Conserved Areas (ICCAs) designated as such by Indigenous Peoples or local communities. These are areas governed and/or managed by the people or community in a manner that conserves nature and/or cultural values.¹¹ Such areas may be considered by Indigenous Peoples as a part of their cultural heritage and, as such, could be raised during the cultural heritage scoping process and addressed in Chapter 3.7, and/or addressed during the free, prior and informed consent process in Chapter 2.2—Free, Prior and Informed Consent.

NOTE: A consultation question regarding ICCAs has been added to Chapter 4.6—Biodiversity, Ecosystem Services and Protected Areas. See [CONSULTATION QUESTION 4.6-1](#).

CROSS REFERENCES TO OTHER CHAPTERS

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

GLOSSARY OF TERMS USED IN THIS CHAPTER

PROPOSED NEW DEFINITIONS

Cultural Heritage

Refers to (i) tangible moveable or immovable objects, property, sites, structures, or groups of structures, having archaeological (prehistoric), paleontological, historical, cultural, artistic, and religious values; (ii) unique natural features or tangible objects that embody cultural values, such as sacred groves, rocks, lakes, and waterfalls; and (iii) certain instances of intangible forms of culture that are proposed to be used for commercial purposes, such as cultural knowledge, innovations, and practices of communities embodying traditional lifestyles.

Source: Adapted from IFC Performance Standard 8.

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.

Mineral Processing

¹⁰ IFC. 2012. Performance Standard 8 Cultural Heritage. Guidance Note 8. Available at: <https://www.ifc.org/en/insights-reports/2012/ifc-performance-standards>

¹¹ ICCA Consortium website: “Three defining characteristics for ICCAs.” <https://www.iccaconsortium.org/index.php/discover/>

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.

Non-Replicable Cultural Heritage

Cultural heritage that (i) is unique or relatively unique for the period it represents, or (ii) unique or relatively unique in linking several periods in the same site.

Source: IFC. 2012. *Performance Standard 8*. Guidance Note.

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.

Scoping

The process of determining potential issues and impacts and producing information necessary to inform decision-making regarding whether additional evaluation and actions are necessary.

Site

An area that is owned, leased, or otherwise controlled by the entity and where mining-related activities are proposed or are taking place.

EXISTING DEFINITIONS

Affected Community

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

REVISED. Changed wording from project to project/operation.

Area of Influence

The area likely to be affected by the project/operation and facilities, including associated facilities, that are directly owned, operated or managed by the entity, as well the area affected by any unplanned but reasonably foreseeable developments induced by a project/operation and cumulative impacts from the project/operation.

REVISED. Streamlined - removed examples.

Baseline

A description of existing conditions to provide a starting point (e.g., pre-project condition) against which comparisons can be made (e.g., post-impact condition), allowing the change to be quantified.

Biosphere Reserves

Biosphere reserves are areas comprising terrestrial, marine and coastal ecosystems. Each reserve promotes solutions reconciling the conservation of biodiversity with its sustainable use. Biosphere reserves are ‘Science for Sustainability support sites’ – special places for testing interdisciplinary approaches to understanding and managing changes and interactions between social and ecological systems, including conflict prevention and management of biodiversity. Biosphere reserves are nominated by national governments and remain under the sovereign jurisdiction of the states where they are located. Their status is internationally recognized.

Chance Find (Procedure)

A chance find procedure is a project-specific procedure that outlines the actions to be taken if previously unknown cultural heritage is encountered.

REVISED. Changed term from ‘Chance Find’ to ‘Chance Find (Procedure)’.

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.

Consultation

An exchange of information between an entity 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 entity should take into account the concerns and views expressed by stakeholders in the final decision.

Contractor

An individual, company, or other legal entity that carries out duties related to a project/operation that are subject to a contractual agreement that defines, for example, work, duties or services, pay, hours or timing, duration of agreement, and that remains independent for employment, tax, and other regulatory purposes. It also includes contracted workers hired through third party contractors (e.g., brokers, agents, or intermediaries) who are performing mining-related activities at the project/operation site or associated facilities at any point during the project/operational life cycle (including prior to or during construction phase). See also ‘Mining-Related Activities.’

REVISED. Added contracted worker as a type of contractor. Changed wording from mining project to project/operation.

Critical Cultural Heritage

Consists of: (i) the internationally recognized heritage of communities who use, or have used within living memory the cultural heritage for long-standing cultural purposes, (ii) legally protected cultural heritage areas, including those proposed by host governments for such designation; or (iii) natural areas with cultural and/or spiritual value such as sacred groves, sacred bodies of water and waterways, sacred trees, and sacred rocks.

Free, Prior and Informed Consent (FPIC)

Consent based on: engagement that is free from external manipulation, coercion and intimidation; notification, sufficiently in advance of commencement of any activities, that consent will be sought; full disclosure of information regarding all aspects of a proposed project or activity in a manner that is accessible and understandable to the people whose consent is being sought; acknowledgment that the people whose consent is being sought can approve or reject a project or activity, and that the entities seeking consent will abide by the decision.

Host Country Law

May also be referred to as national law, if such a phrase is used in reference to the laws of the country in which a project or operation is located. Host country law includes all applicable requirements, including but not limited to laws, rules regulations, and permit requirements, from any governmental or regulatory entity, including but not limited to applicable requirements at the federal/national, state, provincial, county or town/municipal levels, or their equivalents in the country where the project/operation is located. The primacy of host country laws, such as federal versus provincial, is determined by the laws of the host country.

REVISED. Changed wording from mining project to project or operation.

Indigenous Peoples

An official definition of 'Indigenous' has not been adopted by the UN system due to the diversity of the world's Indigenous Peoples. Instead, a modern and inclusive understanding of 'Indigenous' includes peoples who: identify themselves and are recognized and accepted by their community as Indigenous; demonstrate historical continuity with pre-colonial and/or pre-settler societies; have strong links to territories and surrounding natural resources; have distinct social, economic ,or political systems; maintain distinct languages, cultures, and beliefs; form non-dominant groups of society; and resolve to maintain and reproduce their ancestral environments and systems as distinctive peoples and communities. In some regions, there may be a preference to use other terms such as tribes, first peoples/nations, aboriginals, Adivasi, and Janajati. All such terms fall within this modern understanding of 'Indigenous'.

REVISED. Removed the term “ethnic groups” as this is broadly applicable to other populations that are not considered Indigenous Peoples and could make it challenging to audit.

Intangible Cultural Heritage

Knowledge, innovations and/or practices, including oral expressions of folklore, performing arts, rituals, and festivals that are inherited from past generations, maintained in the present, and bestowed for the benefit of future generations.

Mining-Related Activities

Any activities carried out during any phase of the mineral development life cycle for the purpose of locating, extracting and/or producing mineral or metal products. Includes physical activities (e.g., land disturbance and clearing, road building, sampling, drilling, airborne surveys, field studies, construction, ore removal, brine extraction, beneficiation, mineral or brine processing, transport of materials and wastes, waste management, monitoring, reclamation, etc.) and non-physical activities (e.g., project or operational planning, permitting, stakeholder engagement, etc.).

REVISED. Added reference to mineral development life cycle, project/operation, brine.

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 their extent, with any residual impact then requiring remediation.

Protected Area/Protected Area Management Categories (IUCN)

A clearly defined geographical space, recognized, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values.

The definition is expanded by six “protected area management categories” (one with a sub-division), summarized below.

Ia *Strict nature reserve*: Strictly protected for biodiversity and also possibly geological/ geomorphological features, where human visitation, use and impacts are controlled and limited to ensure protection of the conservation values.

Ib *Wilderness area*: Usually large unmodified or slightly modified areas, retaining their natural character and influence, without permanent or significant human habitation, protected and managed to preserve their natural condition.

II *National park*: Large natural or near-natural areas protecting large-scale ecological processes with characteristic species and ecosystems, which also have environmentally and culturally compatible spiritual, scientific, educational, recreational and visitor opportunities.

III *Natural monument or feature*: Areas set aside to protect a specific natural monument, which can be a landform, sea mount, marine cavern, geological feature such as a cave, or a living feature such as an ancient grove.

IV *Habitat/species management area*: Areas to protect particular species or habitats, where management reflects this priority. Many will need regular, active interventions to meet the needs of particular species or habitats, but this is not a requirement of the category.

V *Protected landscape or seascape*: Where the interaction of people and nature over time has produced a distinct character with significant ecological, biological, cultural and scenic value: and where safeguarding the integrity of this interaction is vital to protecting and sustaining the area and its associated nature conservation and other values.

VI *Protected areas with sustainable use of natural resources*: Areas which conserve ecosystems, together with associated cultural values and traditional natural resource management systems. Generally large, mainly in a natural condition, with a proportion under sustainable natural resource management and where low-level non-industrial natural resource use compatible with nature conservation is seen as one of the main aims.

Replicable Cultural Heritage

Tangible forms of cultural heritage that can themselves be moved to another location or that can be replaced by a similar structure or natural features to which the cultural values can be transferred by appropriate measures. Archeological or historical sites may be considered replicable where the particular eras and cultural values they represent are well represented by other sites and/or structures.

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.

Tangible Cultural Heritage

A unique and often non-renewable resource that possesses cultural, scientific, spiritual, or religious value, and are considered worthy of preservation for the future. Includes moveable or immovable objects, sites, structures, groups of structures, natural features, or landscapes that have archaeological, paleontological, historical, architectural, religious, aesthetic, or other cultural value.

Tentative List for World Heritage Site Inscription

The list of sites that relevant State Parties are formally considering for nomination as a World Heritage Site in the next five to ten years.

World Heritage Site

A site/property inscribed on the World Heritage List, which has outstanding universal value and meets the conditions of authenticity and integrity. The World Heritage property includes within its borders all of the attributes that are recognized as being of outstanding universal value.

ANNEXES AND TABLES

ANNEX 3.7-A: BEST PRACTICE MITIGATION MEASURES BASED ON THE NATURE OF THE CULTURAL HERITAGE (*Normative*)

TYPE OF CULTURAL HERITAGE	BEST PRACTICE MITIGATION MEASURES
<p>Replicable Cultural Heritage that is not considered Critical Cultural Heritage</p> <p>Replicable cultural heritage is defined as tangible forms of cultural heritage that can themselves be moved to another location or that can be replaced by a similar structure or natural features to which the cultural values can be transferred by appropriate measures. Archeological or historical sites may be considered replicable where the particular eras and cultural values they represent are well represented by other sites and/or structures.</p>	<p>NOTE: These mitigation measures were in 3.7.3.1 and 3.7.3.2 in the 2018 Mining Standard.</p> <ol style="list-style-type: none"> 1. The mitigation hierarchy is applied as follows: <ol style="list-style-type: none"> i. Mitigation measures, as a priority, favor avoidance. ii. Where avoidance is not feasible, adverse impacts are minimized and in situ restoration measures that ensure maintenance of the value and functionality of the cultural heritage, including maintaining or restoring any ecosystem processes needed to support it, are implemented; iii. Where restoration in situ is not possible, the functionality of the cultural heritage, and any ecosystem processes needed to support it, is restored in a different location; iv. Where restoring the functionality of the cultural heritage in a different location is demonstrably not feasible, a justification for that determination is provided based on a competent expert’s review of the circumstances.¹² Only then may historical and archeological artifacts and structures be permanently removed. v. If removal occurs, and affected communities have been using the tangible cultural heritage for long-standing cultural purposes, they are compensated for loss of that tangible cultural heritage. Compensation is only paid to affected communities that have been using tangible cultural heritage for long standing cultural purposes. It is not given for removal of archeological material from cultural horizons that pre-date the current affected communities or for other cultural heritage that has not been used within the living memory of the community. Compensation is also not given for loss of intangible cultural heritage. 2. All mitigation work involving replicable cultural heritage is carried out by competent professionals. 3. All mitigation work is conducted using the best available techniques 4. All mitigation, documentation and field-based studies use internationally recognized practices for the protection of cultural heritage.

¹² Added from IFC. 2012. Performance Standard 8 Cultural Heritage. Guidance Note 8. p. 6. <https://www.ifc.org/content/dam/ifc/doc/2010/2012-ifc-performance-standards-guidance-note-en.pdf>

<p>Non-replicable Cultural Heritage</p> <p><u>Non-replicable cultural heritage</u> is cultural heritage that (i) is unique or relatively unique for the period it represents, or (ii) unique or relatively unique in linking several periods in the same site.</p>	<p>NOTE: These mitigation measures were in 3.7.4.1 and 3.7.4.2 in the 2018 Mining Standard.</p> <ol style="list-style-type: none"> 1. No tangible nonreplicable cultural heritage is removed unless all of the following conditions are met: <ol style="list-style-type: none"> i. There are no technically or financially feasible alternatives to removal; ii. The overall benefits of the project conclusively outweigh the anticipated cultural heritage loss from removal; iii. Any removal of cultural heritage uses best available techniques that are peer reviewed by external experts before being implemented.¹³ 2. All mitigation work involving non-replicable cultural heritage is carried out by competent professionals. 3. All mitigation, documentation and field-based studies use internationally recognized practices for the protection of cultural heritage.
<p>Critical Cultural Heritage</p> <p><u>Critical cultural heritage</u> consists of: (i) the internationally recognized heritage of communities who use, or have used within living memory the cultural heritage for long-standing cultural purposes, (ii) legally protected cultural heritage areas, including those proposed by host governments for such designation; or (iii) natural areas with cultural and/or spiritual value such as sacred groves, sacred bodies of water and waterways, sacred trees, and sacred rocks.</p>	<p>NOTE: These mitigation measures were in 3.7.5.1 in the 2018 Mining Standard.</p> <ol style="list-style-type: none"> 1. Critical cultural heritage is not removed, significantly altered or damaged except in exceptional circumstances when impacts on critical cultural heritage are unavoidable and all of the following conditions are met: <ol style="list-style-type: none"> i. The assessment and mitigation measures to protect cultural heritage are carried out by competent professionals, and external experts are also retained to assist in the assessment and selection of protection of internationally recognized practices to protect of cultural heritage;¹⁴ and ii. Collaboration occurs with affected communities to negotiate measures to protect critical cultural heritage and provide equitable outcomes for affected communities, and document the mutually accepted negotiation process and outcomes. 2. Where impacts may occur to the critical cultural heritage of Indigenous Peoples the critical cultural heritage is not removed, significantly altered or damaged without their free, prior and informed consent (See IRMA Chapter 2.2).
<p>Commercial Use of Intangible Cultural Heritage</p> <p><u>Intangible cultural heritage</u> includes knowledge, innovations and/or practices, including oral expressions of folklore, performing arts, rituals, festivals, that are inherited from past generations, maintained in the present and bestowed for the benefit of future generations.</p>	<p>NOTE: These mitigation measures were in 3.7.3.1 in the 2018 Mining Standard.</p> <ol style="list-style-type: none"> 1. When an entity proposes to use the intangible cultural heritage, including knowledge, innovations or practices of local communities for commercial purposes, the entity informs these communities of their rights under national and international law, of the scope and nature of the proposed commercial development, and of the potential consequences of such development. 2. The entity does not proceed with such commercialization unless it: <ol style="list-style-type: none"> i. Collaborates with affected communities using a good faith negotiation process that results in a documented outcome; and ii. Provides for fair and equitable sharing of benefits from commercialization of such knowledge, innovation, or practice, consistent with local customs and traditions. iii. When an entity proposes to use Indigenous Peoples’ cultural heritage for commercial uses, negotiation shall take place through the free, prior and informed consent process outlined in IRMA Chapter 2.2, unless otherwise agreed by the Indigenous Peoples.

¹³ Added from IFC PS8, Guidance Note 22.

¹⁴ For example, the best available technique proposed by competent professionals hired by the entity could undergo a peer review by international external experts, or technical experts selected by stakeholders, to ensure that no better, feasible techniques are available.

ANNEX 3.B-B: BEST PRACTICE MITIGATION MEASURES IF CULTURAL HERITAGE IS IN A PROTECTED AREA (*Normative*)

LOCATION OF CULTURAL HERITAGE	BEST PRACTICE MITIGATION MEASURES
<p>Cultural heritage is in:</p> <ul style="list-style-type: none"> • <u>World Heritage Sites</u>, and areas on a state Party's official <u>Tentative List for World Heritage Site Inscription</u>; • International Union for Conservation of Nature (IUCN) <u>protected area management categories</u> I-III; and • Core areas of UNESCO <u>biosphere reserves</u>. 	<p>NOTE: The mitigation measures in 1 were in 3.7.5.3 in the 2018 Mining Standard. The measures in 2 were in 3.7.5.4.</p> <ol style="list-style-type: none"> 1. If these protected areas were designated to protect cultural heritage, then no proposed mining-related activities may adversely affect the cultural heritage values being protected 2. Where operations existed in the location prior to the designation to protect cultural heritage: <ol style="list-style-type: none"> i. Develop a management plan and implement mitigation measures agreed by relevant management authorities (i.e., agencies or bodies responsible for protected area governance and management) to ensure that activities during the remaining life cycle do not permanently and materially damage the integrity of the cultural values for which the area was designated or recognized; and ii. Collaborate with relevant management authorities to integrate the operation's management strategies into the protected area's management plan.
<p>Cultural heritage is in:</p> <p>A legally <u>protected area</u> designated to protect cultural heritage (including areas proposed by host governments for such designation, or a legally defined protected area buffer zone)</p>	<p>NOTE: These mitigation measures in 1 were in 3.7.5.1 in the 2018 Mining Standard.</p> <ol style="list-style-type: none"> 1. All mining-related activities comply with the protected area's management plan. 2. If proposed activities are legally permitted, collaborate with protected area management authorities (i.e., agencies or bodies responsible for protected area governance and management) and rights holders, and consult with other key stakeholders, on the proposed mining-related activities, and on proposed mitigation measures and additional programs to promote and/or enhance the conservation aims and cultural heritage values in the area. 3. Collaborate with management authorities to integrate the agreed mitigation measures into the protected area's management plan. 4. Implement mitigation measures agreed by management authorities and rights holders. 5. Implement additional programs, as appropriate and agreed by management authorities and <u>rights holders</u>, to promote and enhance the conservation aims and cultural heritage values of the protected area.