



The session will start soon

## **IRMA Standard Revision Process**

Stakeholder Feedback Webinar

### Chapter 2.4 – LAND ACQUISITION, DISPLACEMENT, AND RESETTLEMENT

## Agenda

1. House rules
2. Ways to contribute today
3. IRMA revision process
4. Overview of the proposed changes
5. Q&A and live chat contribution

# 1. House rules

- This event is hosted by **IRMA, the Initiative for Responsible Mining Assurance.**
- This event is being recorded and the recording will be made publicly available on the IRMA website.
- Participants may not post any unlawful, offensive, threatening, libelous, defamatory, obscene or otherwise objectionable content.
- Participants may not post, or send, or link to hateful, degrading, criminal or sensitive imagery or content, or to any content or material that violates laws, violates third party's privacy rights, advocates intolerance or hate against other people on the basis of actual or perceived ethnicity, national origin, caste, sexual orientation, gender, gender identity, religious affiliation, age, disability, or disease.
- Participants may not post or send or link to Spam content or mass unsolicited or aggressive activity that attempts to drive traffic or attention to unrelated accounts, products, services, or initiatives.

## 2. Ways to contribute today

- This event represents one of the many opportunities and channels available to contribute to the IRMA Standard Revision Process (incl. a dedicated online platform: [www.responsiblemining.net/comments2](http://www.responsiblemining.net/comments2))

### Chat function

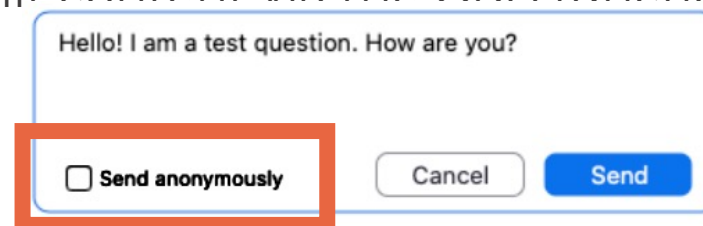
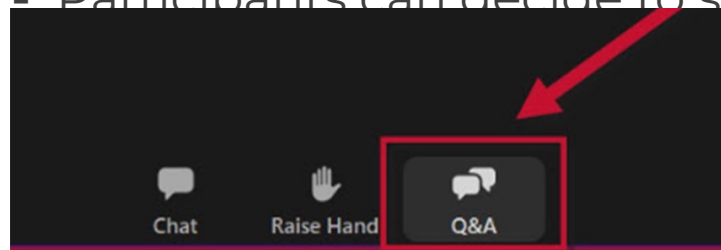
- Participants can also use the Chat function of zoom to share content with the whole audience
- Please note that the chat cannot be used in an anonymous way

## 2. Ways to contribute today

- This event represents one of the many opportunities and channels available to contribute to the IRMA Standard Revision Process (incl. a dedicated online platform: [www.responsiblemining.net/comments2](http://www.responsiblemining.net/comments2))

### Q&A function

- Participants can use the Q&A function of zoom to submit any comment, suggestion, feedback, question, concern, recommendation to IRMA.
- Participants can decide to submit content via the Q&A function in an **anonymous** way

A screenshot of the Zoom Q&A submission form. It features a text input field containing the text 'Hello! I am a test question. How are you?'. Below the text field, there is a checkbox labeled 'Send anonymously'. The checkbox and its label are enclosed in a red rectangular box. To the right of the checkbox are two buttons: 'Cancel' and 'Send'.

## 2. Ways to contribute today

- This event represents one of the many opportunities and channels available to contribute to the IRMA Standard Revision Process (incl. a dedicated online platform: [www.responsiblemining.net/comments2](http://www.responsiblemining.net/comments2))

**=> All content shared with us today will be saved and considered by IRMA as part of the Standard revision process**

# 3. IRMA revision process

A comprehensive revision of our standards allows us to:



Ensure our system remains accountable to all sectors and is aligned with our mission and vision



**Remain up-to-date:** Reflect the latest scientific understanding in our standard; learning from other standards, policies, laws



**Add clarity:** Make the standard clearer, more accessible for all stakeholders; learning from first audits



**Add consistency:** Better align the structure and flow of chapters that are similar; embedding good management systems practice and models



**Fill gaps:** Address the most significant environmental and social issues



## Holistic and integrated approach

IRMA is evolving to address key phases of the mineral supply chain.

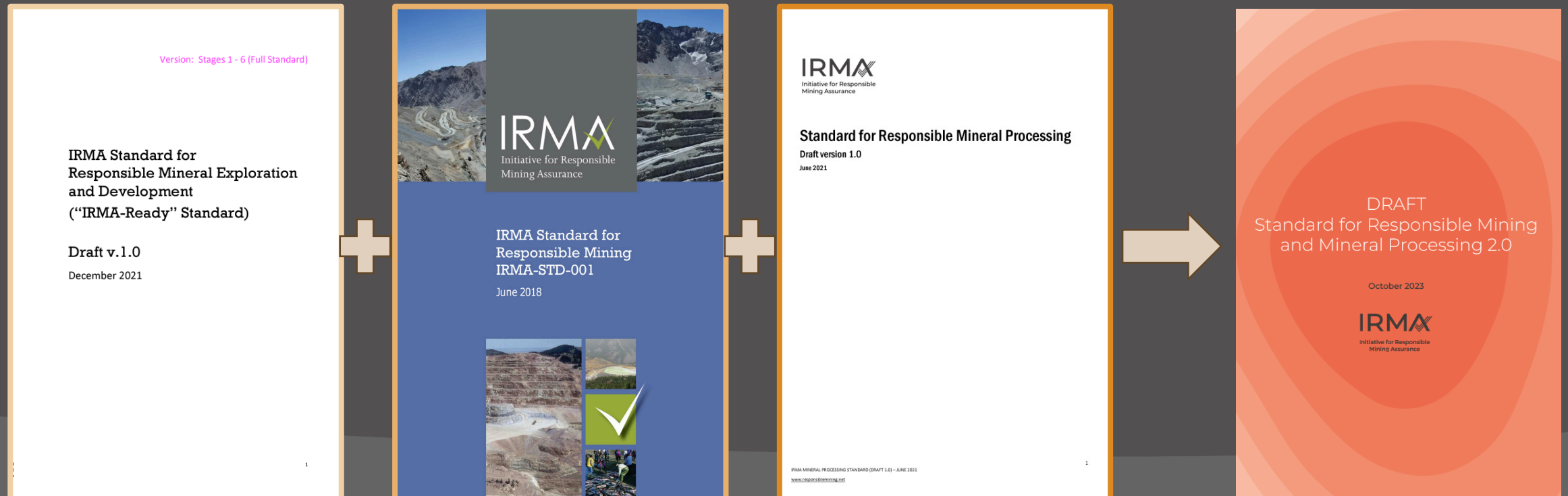
### ■ Mining



## Holistic and integrated approach

IRMA is evolving to address key phases of the mineral supply chain.

- Exploration & Development
- Mining
- Mineral processing



# What is in the new consultation draft?

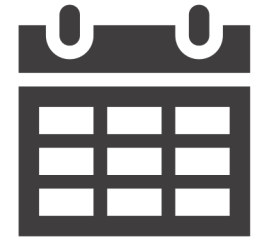
- **Transmittal Letter:** **Not Board approved**; invitation for comments on all content; reflection of IRMA principles (best practice, sound science, efficiency, equal stakeholder value, etc.), the context for proposed changes and questions
- **Drafters' Notes:** Indicate divergence with the 2018 Mining Standard, why the change is being proposed.
  - **NOTES** at the beginning of each chapter (summary of changes proposed)
  - **NOTES** under requirements that are proposed to change and why (e.g., previous requirement wording was unclear, or we had a gap with other standards, international norms, regulatory bodies. Indicates **NEW** or **REVISED** or unchanged.)
  - **CONSULTATION QUESTIONS** lay out the challenging issues that have been raised and ask for feedback to help resolve them
- An **Excel version**, as some prefer to read and comment back in Excel. It contained consultation questions and NOTES.

## Consultation draft informed by:

- Experiences from initial IRMA audits
- Review of other standards
- Increased public awareness and evolving expectations of best practice
- Review of emerging issues garnering international discussions
- Comments on DRAFT IRMA-Ready and Mineral Processing
- Ongoing input from stakeholders on particular content
- Expert working group discussions

Public Consultation period is open

**From Oct 26 – Jan 26: 90 days**

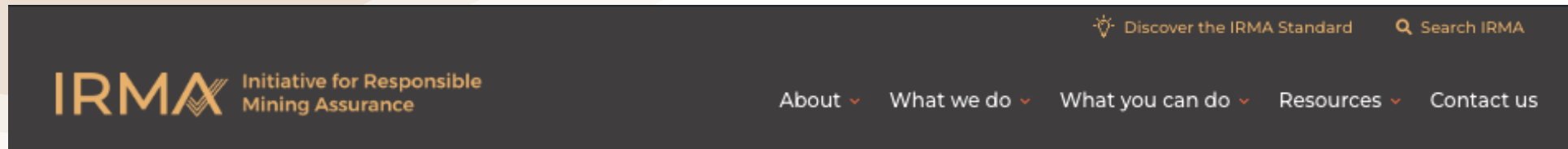


End date:  
**January 26, 2024**

- Consultation period is 90 days
- There are many ways to participate!
- All comments will be considered equally and objectively
- They will be included in a public summary of all comments received
- **Comments may be treated confidentially if desired**

# Online platform

<https://www.responsiblemining.net/comments2>



## Standard 2.0 online comments

Welcome to the online commenting form for the DRAFT Standard for Responsible Mining and Mineral Processing 2.0. Commenting on the draft is open until 25 January 2024.

To start commenting enter the required fields on the *Get Started* tab and click *Proceed*. For assistance with this form visit the *Support* tab. Visit the [main Standard 2.0 page](#) to learn more about the Standard and other ways to comment.

Get Started

Support

Chapter 1.1  
Legal Compliance

### Get Started

Name (REQUIRED)

First

Last

# Other channels

- Via email

[comments@responsiblemining.net](mailto:comments@responsiblemining.net)

- Via WhatsApp

To comment via text or voice, use the IRMA WhatsApp number:  
+1.301.202.1445

- Via postal mail to

IRMA Std Comments

113 Cherry St, #74985

Seattle, Washington, 98104

USA

# 4. Proposed changes



## Objectives/Intent of this chapter

To understand past and potential land acquisition and displacement, avoid displacement and resettlement if that is the most protective option for people, and, when avoidance is not the best option, equitably compensate affected people and improve the livelihoods and standards of living of displaced people.

## Scope of application

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

— not all requirements will be relevant in all cases —

# ABOUT HISTORICAL LAND ACQUISITION AND RESETTLEMENT PROCESSES

Resettlements that occurred in the past create a particularly challenging scenario from an auditing and certification process. Many land acquisition processes occurred **before the concept of 'best practice'** as it exists today had emerged; **unfair** to hold entities that undertook land acquisition 50 years ago to the same standards as those undertaking it today. Also **logistical difficulties** determining impacts in the past; **inability to go back in time** to rectify or remediate for shortcomings vis-à-vis today's standards.

In recognition of 2006 (IFC first published Performance Standards) as a watershed moment for international guidance on resettlement best practice, the previous version of the IRMA standard did not include requirements for entities that acquired land, displaced people, or conducted a resettlement prior to 2006 (only required human rights due diligence and remediation per Chapter 1.3).

## Shortcomings of this approach

### Arbitrary 2006 date

International norms surrounding good practice in resettlement existed as early as 1980, with the release of the World Bank's Operational Manual Statement (1980) and the World Bank's Operational Directive 4.30 on involuntary resettlement (1990).

### No Due Diligence requirement

Potential that projects initiated prior to 2006 could obtain high achievement levels in an IRMA audit despite having knowingly or unknowingly committed human rights abuses and other impacts in contradiction with the spirit of IRMA.

### Auditability limits

Undue pressure on auditors to verify if resettlement chapter was 'not relevant' or if human rights abuses occurred, because it meant they had to independently identify and interview displaced populations and conduct independent research into land acquisition processes with little information to guide them.

## Overview of Proposed changes



Add consistency

+ Add clarity



IRMA is proposing that **all entities conduct land acquisition due diligence** to demonstrate chapter relevance and absence of human rights abuses. Not feasible for auditors to independently investigate claims; rather, entities must provide them with supporting evidence to evaluate *(stronger than a narrative description/rationale)*.

## Overview of Proposed changes

# 2

Fill gaps  
+ Add clarity



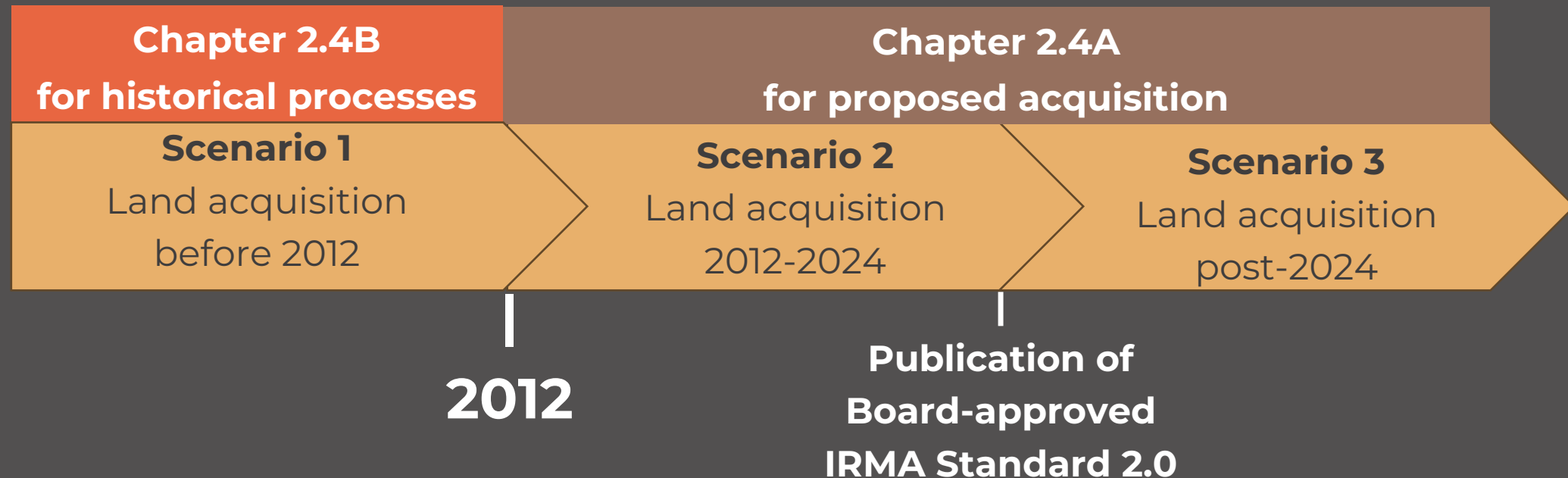
We are proposing to create a **separate set of requirements (2.4B)** that will apply to circumstances where resettlements happened in the past.

Distinct from requirements in 2.4A that apply to land acquisition that happened in the recent past (post-2012) and/or future (post-2024) land acquisition.

## NEW APPROACH

to better address historical resettlements (occurred before 2012)

**All sites undertaking an IRMA assessment must conduct the Land Acquisition Due Diligence (requirement 2.4.1.1)**



## Overview of Proposed changes

3

Add clarity

+ Remain up-to-date



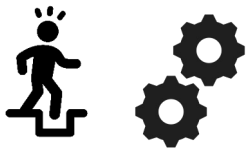
We proposed to add a requirement relating to **voluntary** displacement (2.4.7.9).

## Overview of Proposed changes



Fill gaps

+ Remain up-to-date



Proposed requirement to consider gender equity in compensation and livelihood efforts.

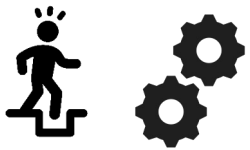


## Overview of Proposed changes

5

Fill gaps

+ Remain up-to-date



Avoidance of temporary transitional displacement now covered in a new requirement.

## Applicability to all phases: Full document available on IRMA website, under Resources

Criteria #	Criteria name	Req #	Critical	Exploration - Stage 1	Exploration - Stage 2	Exploration - Stage 3	Project Development	Project Permitting	Operating Mine or Mineral Process
2.4A.1	Land Acquisition Due Diligence	2.4A.1.1		Yes	Yes	Yes	Yes	Yes	Yes
2.4A.2	Risk/Impact Assessment	2.4A.2.1		Yes	Yes	Yes	Yes	Yes	Yes
2.4A.2	Risk/Impact Assessment	2.4A.2.2			Yes	Yes	Yes	Yes	Yes
2.4A.3	Community Engagement	2.4A.3.1			Yes	Yes	Yes	Yes	Yes
2.4A.3	Community Engagement	2.4A.3.2			Yes	Yes	Yes	Yes	Yes
2.4A.3	Community Engagement	2.4A.3.3			Yes	Yes	Yes	Yes	Yes
2.4A.4	Resettlement and Livelihood Restoration Planning and Preparation	2.4A.4.1			Yes	Yes	Yes	Yes	Yes
2.4A.4	Resettlement and Livelihood Restoration Planning and Preparation	2.4A.4.2			Yes	Yes	Yes	Yes	Yes
2.4A.4	Resettlement and Livelihood Restoration Planning and Preparation	2.4A.4.3			Yes	Yes	Yes	Yes	Yes
2.4A.4	Resettlement and Livelihood Restoration Planning and Preparation	2.4A.4.4			Yes	Yes	Yes	Yes	Yes
2.4A.4	Resettlement and Livelihood Restoration Planning and Preparation	2.4A.4.5			Yes	Yes	Yes	Yes	Yes
2.4A.5	Specific Measures Related to Physical Displacement	2.4A.5.1			Yes	Yes	Yes	Yes	Yes
2.4A.5	Specific Measures Related to Physical Displacement	2.4A.5.2			Yes	Yes	Yes	Yes	Yes
2.4A.5	Specific Measures Related to Physical Displacement	2.4A.5.3			Yes	Yes	Yes	Yes	Yes
2.4A.6	Specific Measures Related to Economic Displacement	2.4A.6.1			Yes	Yes	Yes	Yes	Yes
2.4A.6	Specific Measures Related to Economic Displacement	2.4A.6.2			Yes	Yes	Yes	Yes	Yes
2.4A.6	Specific Measures Related to Economic Displacement	2.4A.6.3			Yes	Yes	Yes	Yes	Yes
2.4A.7	Resettlement and Livelihood Restoration Agreements and Implementation	2.4A.7.1			Yes	Yes	Yes	Yes	Yes
2.4A.7	Resettlement and Livelihood Restoration Agreements and Implementation	2.4A.7.2			Yes	Yes	Yes	Yes	Yes
2.4A.7	Resettlement and Livelihood Restoration Agreements and Implementation	2.4A.7.3			Yes	Yes	Yes	Yes	Yes
2.4A.7	Resettlement and Livelihood Restoration Agreements and Implementation	2.4A.7.4			Yes	Yes	Yes	Yes	Yes
2.4A.7	Resettlement and Livelihood Restoration Agreements and Implementation	2.4A.7.5			Yes	Yes	Yes	Yes	Yes
2.4A.7	Resettlement and Livelihood Restoration Agreements and Implementation	2.4A.7.6			Yes	Yes	Yes	Yes	Yes
2.4A.7	Resettlement and Livelihood Restoration Agreements and Implementation	2.4A.7.7			Yes	Yes	Yes	Yes	Yes
2.4A.7	Resettlement and Livelihood Restoration Agreements and Implementation	2.4A.7.8			Yes	Yes	Yes	Yes	Yes
2.4A.7	Resettlement and Livelihood Restoration Agreements and Implementation	2.4A.7.9			Yes	Yes	Yes	Yes	Yes
2.4A.8	Resettlement and Livelihood Restoration Monitoring and Evaluation	2.4A.8.1	Critical		Yes	Yes	Yes	Yes	Yes
2.4A.8	Resettlement and Livelihood Restoration Monitoring and Evaluation	2.4A.8.2			Yes	Yes	Yes	Yes	Yes
2.4A.8	Resettlement and Livelihood Restoration Monitoring and Evaluation	2.4A.8.3			Yes	Yes	Yes	Yes	Yes
2.4A.8	Resettlement and Livelihood Restoration Monitoring and Evaluation	2.4A.8.4			Yes	Yes	Yes	Yes	Yes
2.4A.8	Resettlement and Livelihood Restoration Monitoring and Evaluation	2.4A.8.5			Yes	Yes	Yes	Yes	Yes
2.4A.9	Private Sector Responsibilities Under Government-Managed Resettlement	2.4A.9.1			Yes	Yes	Yes	Yes	Yes

Applicability to all phases: Full document available on IRMA website, under **Resources**

Criteria #	Criteria name	Req #	Critical	Exploration - Stage 1	Exploration - Stage 2	Exploration - Stage 3	Project Development	Project Permitting	Operating Mine or Mineral Process
2.4B.1	Land Acquisition Due Diligence	2.4B.1.1		Yes	Yes	Yes	Yes	Yes	Yes
2.4B.2	Impact Assessment	2.4B.2.1		Yes	Yes	Yes	Yes	Yes	Yes
2.4B.2	Impact Assessment	2.4B.2.2		Yes	Yes	Yes	Yes	Yes	Yes
2.4B.2	Impact Assessment	2.4B.2.3			Yes	Yes	Yes	Yes	Yes
2.4B.3	Community Engagement	2.4B.3.1			Yes	Yes	Yes	Yes	Yes
2.4B.3	Community Engagement	2.4B.3.2			Yes	Yes	Yes	Yes	Yes
2.4B.3	Community Engagement	2.4B.3.3			Yes	Yes	Yes	Yes	Yes
2.4B.4	Displacement Remediation Planning and Preperation	2.4B.4.1			Yes	Yes	Yes	Yes	Yes
2.4B.4	Displacement Remediation Planning and Preperation	2.4B.4.2			Yes	Yes	Yes	Yes	Yes
2.4B.4	Displacement Remediation Planning and Preperation	2.4B.4.3			Yes	Yes	Yes	Yes	Yes
2.4B.4	Displacement Remediation Planning and Preperation	2.4B.4.4			Yes	Yes	Yes	Yes	Yes
2.4B.4	Displacement Remediation Planning and Preperation	2.4B.4.5			Yes	Yes	Yes	Yes	Yes
2.4B.7	Displacement Remediation Plan Agreements and Implementation	2.4B.7.1			Yes	Yes	Yes	Yes	Yes
2.4B.7	Displacement Remediation Plan Agreements and Implementation	2.4B.7.2			Yes	Yes	Yes	Yes	Yes
2.4B.7	Displacement Remediation Plan Agreements and Implementation	2.4B.7.3			Yes	Yes	Yes	Yes	Yes
2.4B.8	Displacement Remediation Monitoring and Evaluation	2.4B.8.1	Critical		Yes	Yes	Yes	Yes	Yes
2.4B.8	Displacement Remediation Monitoring and Evaluation	2.4B.8.2			Yes	Yes	Yes	Yes	Yes
2.4B.8	Displacement Remediation Monitoring and Evaluation	2.4B.8.3			Yes	Yes	Yes	Yes	Yes
2.4B.8	Displacement Remediation Monitoring and Evaluation	2.4B.8.4			Yes	Yes	Yes	Yes	Yes
2.4B.8	Displacement Remediation Monitoring and Evaluation	2.4B.8.5			Yes	Yes	Yes	Yes	Yes
2.4B.9	Private Sector Responsibilities Under Government-Managed Resettlement	2.4B.9.1			Yes	Yes	Yes	Yes	Yes

# 2018/2023 comparative analysis

## TOTAL NUMBER OF REQUIREMENTS

2018 standard: 28 requirements

2023 draft standard:

1) 2.4A (post-2024) 32 requirements

2) 2.4A (2012-2024) 30 requirements + 2 optional

3) 2.4B (pre-2012) 21 requirements

## Key consultation questions

- **We are proposing a new approach:** wider scope; but clarity between historic and proposed land acquisition and resettlement processes

What do you think? Feedback, opinion, comments, reflections on this are warmly welcome

## Key consultation questions

**2.4A.7.7 proposes to require avoidance of temporary transitional resettlement and requires specific sets of measures and mechanisms to be implemented if temporary resettlement unavoidable.**

Do you agree that this is an issue that needs to be addressed? And if so, do you have any feedback on the requirement as proposed?

## Key consultation questions

### **VOLUNTARY RESETTLEMENT**

2.4A.7.9 proposes that all entities identify/map land occupants affected by ‘voluntary’ land transactions, that consultation and decision-making processes are free and informed, and transactions documented, and compensation is fair.

## Key consultation questions

### **VOLUNTARY RESETTLEMENT:**

Currently entities with land acquisition between 2012 and 2024 are exempt from 2.4.7.9 (voluntary resettlement) as it was arguably not considered best practice previously (i.e. it is not codified in the IFC standards). Do you think that 2.4.7.9 should be applied retroactively to all voluntary land acquisition processes occurring between 2012 and the release of the updated IRMA Standard? Put differently, do you agree that entities should not be exempt from this requirement in the updated IRMA Standard (2.4A – modified) as they are from other similar requirements that ‘go beyond’ IFC?



## Key consultation questions

### **VOLUNTARY RESETTLEMENT:**

If that is the case, should IRMA go further than the proposed 2.4.7.9 for entities undertaking land acquisition after the release of the updated IRMA Standard (Scenario 3) and require that all land acquisition be treated as “involuntary,” regardless of whether it is “involuntary” by IFC definitions (i.e., the entity has recourse to expropriation) or “voluntary” (willing buyer-seller) moving forward?

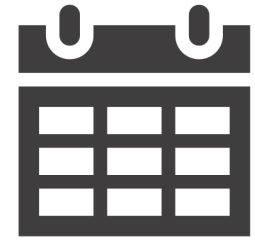
## Key consultation questions

### **2.4B: ASSESSING IMPACTS OF HISTORICAL PROCESSES**

It may be very difficult for some entities to conduct due diligence, if a lot of time has passed since land acquisition, or if they were not the owners at the time, etc.; nevertheless, due diligence has to be robust (as there are perverse incentives for entities to claim 'they tried and found nothing') – so what criteria should be considered when evaluating the 'robustness' of due diligence? Some suggestions are: What sources did the entity use to attempt to determine historical events? Were interviews conducted? Were local authorities involved? Were notices posted in relevant communities soliciting information, if relevant? Are there recordkeeping timeframes by law that limit access before a certain period?

Public Consultation period is open

From Oct 26 – Jan 26: **90 days**



End date:  
**January 26, 2024**

## Online platform

<https://www.responsiblemining.net/comments2>

## Other channels

- Via email

[comments@responsiblemining.net](mailto:comments@responsiblemining.net)

- Via WhatsApp

To comment via text or voice, use the IRMA WhatsApp number: +1.301.202.1445

- Via postal mail to: IRMA Std Comments; 113 Cherry St, #74985; Seattle, Washington, 98104; USA