



Initiative for Responsible
Mining Assurance

EXCERPT FROM THE **IRMA Standard**

for

Responsible Exploration, Extraction,
and Processing of Minerals

→ **2nd DRAFT** ←

for public consultation

**CHAPTER 1.5 – Conflict-Affected and High-Risk Area Due
Diligence**

IRMA Standard v2.0 DRAFT 2

July 2025

English Version

Disclaimer and Context on this Draft

The 2nd DRAFT Version of the IRMA Standard for Responsible Exploration, Extraction, and Processing of Minerals V2.0 (hereafter referred to as the “2nd DRAFT”) is being released for public consultation, inviting the world to join once again in a conversation around expectations that drive value for greater environmental and social responsibility in mining and mineral processing.

The 2nd DRAFT does not represent content that has yet been formally endorsed by IRMA’s equally-governed multi-stakeholder Board of Directors. IRMA’s Board leaders seek the wisdom and guidance of all readers to inform this through an inclusive revision process one more time, to improve the Standard.

This draft document builds on the 1st DRAFT Version published in October 2023, and invites a global conversation to improve and update the 2018 IRMA Standard for Responsible Mining V1.0. This 2nd DRAFT is intended to provide as final of a look-and-feel as possible, although input from this consultation will result in final edits, and consolidation to reduce overall number of requirements (more on this on page 6), for a version that will be presented to IRMA’s equally-governed multi-stakeholder Board of Directors for adoption and implementation.

This 2nd DRAFT has been prepared and updated by the IRMA Secretariat based on:

- learnings from the implementation of the current IRMA Standard (V1.0)
- experience from the [first mines independently audited](#) (as of July 2025, 24 sites have completed audits or are in the process of being audited)
- evolving expectations for best practices in mining to reduce harm
- comments and recommendations received from stakeholders and Indigenous rights-holders
- the input of subject-specific Expert Working Groups convened by IRMA between 2022 and 2024
- all comments and contributions received during the public-comment period of the 1st DRAFT version (October 2023-March 2024)

Please note that 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 exploration, extraction, and processing of minerals happens.

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.

This current 2nd DRAFT is based on content already in practice in the IRMA Standard for Responsible Mining V1.0 (2018) for mines in production, and its accompanying normative Guidance document and Supplementary Guidance, combined with the content drafted in the IRMA Standard for Responsible Mineral Development and Exploration (‘IRMA-Ready’ Standard – Draft v1.0 December 2021) and in the IRMA Standard for Responsible Minerals Processing (Draft v1.0 June 2021), and offers an updated version of the 1st DRAFT Version of the IRMA Standard V2.0 that received over 2,500 unique points of comments between 2023 and 2024.

Please note: The IRMA Standard V2.0 is new in its approach in that it now covers more phases of the mining and mineral supply chain, from exploration and development, through mining, closure, and mineral processing. IRMA also, separately, oversees a [Chain of Custody Standard](#) for tracking materials through the supply chain from mine-to-market end use products.

Disclaimer on Language and Corrections

For this public consultation, only an English version is available. A Glossary of Terms used in this Standard is provided at the end of the full version of the document (see below). 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.

This document provides only one chapter excerpt from the IRMA Standard v2.0 DRAFT 2.

The full version contains 27 Chapters, [click here](#) to view it.

Objectives of this 2nd public consultation

Following the release of a 1st DRAFT of the IRMA Standard V2.0 in October 2023 for a 90-day public consultation, the IRMA Secretariat received more than 2,500 points of comments from 82 organizations, then organized additional engagement with stakeholders and Indigenous rights-holders, and solicited complementary guidance from multiple topic-specific Expert Working Groups.

We [anticipated](#) release of this 2nd DRAFT for a second round of public consultation as early as Q3 2024, then subsequently [announced](#) that more time was needed to support engagement of diverse stakeholders; the revised release date was July 2025. We provided more detailed explanation for the extended process [here](#) and [here](#).

IRMA Mining Standard: a journey



The release of this 2nd DRAFT marks a significant milestone on the road to the revision of the IRMA Standard: this public consultation will be the last of this revision cycle on V2.0.

Informed by the outcomes of this public consultation, along with guidance from Expert Advisors and IRMA Working Groups (see more below), and additional engagement with Indigenous rights-holders and stakeholders as requested, the IRMA Secretariat will prepare a final version. This final version will be discussed by the IRMA Board and refined to reach consensus for adoption by all six governing houses of IRMA: Affected Communities including Indigenous Rightsholders; Environmental and Social NGOs; Organized Labor; Finance and Investment Professionals; Mining Companies; Purchasers of Mined Materials.

In IRMA's strategic decision-making, Board members work to achieve consensus. IRMA believes a majority vote is not a model of equal governance. Instead, any motion that results in both of the two representatives from the same governing house voting "no" must go back to the full group for further discussion. In other words, a proposed course of action cannot proceed if both representatives from one of our six governing houses are opposed. Board members will keep talking until a resolution that works for all groups is found. It is a model that has worked for IRMA for nearly two decades and is fundamental to IRMA's credibility, accountability and service to all six houses of governance.

What is IRMA seeking guidance on?

Comments, feedback, and suggestions are welcome on any aspect of this 2nd DRAFT version (including intent and text of the requirements, endnotes, annexes, format and structure, design, readability, etc.).

IRMA is particularly interested in hearing the views of rights-holders and stakeholders on **the provisions in the Standard that are substantially new compared to the IRMA Standard for Responsible Mining V1.0**. These provisions (requirements or at a sub-requirement level) are highlighted in yellow throughout this Draft, to ensure they are easily identifiable.

We ask readers to assist us in weighing these potential new provisions, and also hold awareness that, prior to adoption of the final version, many of these will be consolidated and reduced in overall number.

Although these new requirements have each been drafted in response to lessons learned, the current state of best practices, emerging expectations, and/or in response to requests and suggestions made during the previous public consultation, collectively they represent substantive increased expectations for both implementing entities and audit firms. The IRMA Board of Directors seeks to ensure that the IRMA Standard, while recognized the world's most rigorous and comprehensive mining standard, continue to welcome and support uptake of newcomer companies engaging from the mineral supply chain around the world.

Thus, in this consultation, we seek guidance from all on **the new provisions that seem most urgent** to be integrated in the final version of the Standard V2.0, so that the revised Standard's expectations are paced at a realistic level to support engagement of mineral operations of a range of sizes, materials and global contexts.

It is important to note that all new requirements and sub-requirements, including those not retained in the final V2.0, will serve as the basis for the ongoing review process once the V2.0 is approved and released by our Board, and will provide fodder for future revisions, when it is decided that a V2.1 or V3.0 is needed.



Chapter 1.5

Conflict-Affected and High-Risk Area Due Diligence

SECOND DRAFT (JULY 2025): SUMMARY OF CHANGES

- Moved the Chapter under Principle 1 to better reflect the close relationship with Human Rights Due Diligence and Corporate Sustainability Due Diligence.
- Removed all requirements seeking external certification against the OECD Guidance for Responsible Supply Chains of Minerals as those are only designed for mineral processing operations sourcing input minerals. This aspect is now fully, and more robustly, addressed under Chapter 1.4, see in particular Section 1.4.4–Mineral Supply Chain Controls and Transparency.
- This Chapter used to be modelled after the OECD Guidance which, as mentioned above, was not fit for the broader scope and outcomes sought. This chapter has been substantially revisited to align with key steps and recommendations of the 2022 UNDP's Guide on Heightened Human Rights Due Diligence for business in conflict-affected contexts.
- Noting that the need for an Exit Strategy, covered in the UNDP Guide and reflected in this new version of the chapter, is in line with the recent IFC's Approach to Responsible Exit note, published in October 2024.

Response to consultation questions outlined in first draft

Question #	Question	Feedback received and proposed decision
3.4-01	<p>[External Certification against OECD-aligned systems]</p> <p>Question: Do you agree with IRMA recognizing the results of audits conducted for other certification systems (even if the auditing procedures do not fully align with IRMA's assurance procedures) [against the OECD-aligned systems]? If not, please explain your rationale.</p> <p>Do you agree with recognizing audits from other systems conducted within the past two years, or would you suggest a longer or shorter time period in order to recognize past audits? If you prefer a different period, please explain your rationale.</p>	<p>Feedback received: 5 responses received (3 from mining, 1 from finance, 1 from international organizations).</p> <p>2 mining respondents suggest accepting external certification against "OECD-aligned" systems (2 mining had no opinion). 1 Finance respondent also supports this idea, though extending the validity period to three years, and also suggests that IRMA itself could become recognized as "OECD-aligned".</p> <p>Conversely, international organizations pointed out the weaknesses in the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk and, although external certification could be used as a basis, IRMA should require more and highlight the differences.</p> <p>Proposed decision: This Chapter used to be modelled after the OECD Guidance for Responsible Supply Chains of Minerals which is only designed for mineral processing operations sourcing input minerals. This was not fit for the broader scope and outcomes sought for this Chapter. This Chapter has therefore been substantially revisited to align with key steps and recommendations of the 2022 UNDP's Guide on Heightened Human Rights Due Diligence for business in conflict-affected contexts.</p>



		<p>The responsible sourcing of input minerals for mineral processing operations (either at stand-alone or on-site co-located processing operations) is now fully covered in Chapter 1.4 on Upstream and Downstream Sustainability Due Diligence, see Section 1.4.4 (Mineral Supply Chain Controls and Transparency). Section 1.4.4 is intended to be aligned with the OECD Guidance for Responsible Supply Chains of Minerals, and if approved by the IRMA Board for inclusion in the final IRMA Standard V2.0, IRMA could explore options to seek formal recognition of such alignment with the OECD Guidance.</p>
3.4-02	<p>[Ensuring that all sites carry out some due diligence to document the circumstances of extraction and/or supply of minerals]</p> <p>Background: The 2018 Mining Standard (requirement 3.4.1.1) included an CAHRA screening step, similar to requirement 3.4.3.1.a, below. The difference is that the 2018 IRMA requirement allowed sites that were clearly not associated with a CAHRA (i.e., did not mine in a CAHRA, did not transport minerals through or to CAHRA, or did not source from other mines in CAHRA), to mark this chapter as not relevant. There was also an expectation that at every audit the sites would need to again demonstrate that the chapter was 'not relevant' (since political and operational contexts can change over time). However, the revised requirements have been written in a manner that expects that all sites carry out some due diligence, i.e., have a policy, document the circumstances of mineral extraction and/or mineral suppliers, etc.</p> <p>Question: Do you agree with this new approach? Or do you believe that if mining and/or mineral processing operations are clearly not associated with CAHRAs that the chapter should not be applicable to them? A rationale supporting your opinion would be appreciated.</p>	<p>Feedback received: 7 responses received (4 mining, 2 finance, 1 international organizations). The vast majority of respondents supported this approach. One mining respondent recommended to clarify even further that all sites should carry out some due diligence, regardless of the jurisdiction being perceived as a CAHRA, but in proportion to their assessment of the potential risks and impacts should be a minimum requirement. Only 1 respondent (mining) suggested to rely on fixed definitions of what a CAHRA country or site is.</p> <p>Proposed decision: This Chapter used to be modelled after the OECD Guidance for Responsible Supply Chains of Minerals which is only designed for mineral processing operations sourcing input minerals. This was not fit for the broader scope and outcomes sought for this Chapter. This Chapter has therefore been substantially revisited to align with key steps and recommendations of the 2022 UNDP's Guide on Heightened Human Rights Due Diligence for business in conflict-affected contexts.</p> <p>However, to ensure consistent and robust review of the applicability of this Chapter, to ensure the specific risks associated with conflicts and high-risk areas are understood and addressed, and in accordance with the feedback received, we have ensured that all sites are required to carry out due diligence to identify whether any of the ENTITY's activities may be the cause of, or contributing to, or may take place in an area with confirmed or suspected presence of:</p> <ol style="list-style-type: none"> 1. Armed conflict, widespread violence, widespread human rights abuses or other risks of harm to people; 2. Political instability or repression, institutional weakness, insecurity, collapse of civil infrastructure, or widespread violations of national or international law. <p>This is addressed in Chapter 1.3 for what pertains to the Entity's own activities (see requirement 1.3.3.4), and in Chapter 1.4 for the activities of business relationships (see</p>



		<p>requirement 1.4.5.1). The fact that such identification is “outside” this Chapter ensures that evidence will have to be provided by all sites regardless of their “perceived” applicability of this Chapter (now 1.5) to their operation.</p>
3.4-03	<p>[Responding to red flags identified in supply chain]</p> <p>Question: Do you believe that IRMA must be fully OECD-aligned, or would you support IRMA integrating the OECD Due Diligence Guidance 5-Step framework but be more nuanced regarding the actions to be taken when Annex II risks are encountered? For example, IRMA could do away with 3.4.4.3.a, and require that all entities following the risk mitigation in 3.4.4.3.b. Please feel free to suggest additional or different options.</p>	<p>Feedback received: 6 responses received (2 mining, 1 NGO, 2 finance, 1 international organizations).</p> <p>2 finance and 1 mining supported full alignment with the OECD Due Diligence Guidance for Minerals. 1 mining had no opinion.</p> <p>Conversely, respondents from NGO and international organizations supported a more nuanced approach, especially around exiting strategies and stakeholder engagement. They mention the August 2023 report by UN OHCHR “Business And Human Rights in Challenging Contexts: Considerations for Remaining and Exiting” and the “spirit of due diligence” used in various OECD publications and statements.</p> <p>Proposed decision: This Chapter used to be modelled after the OECD Guidance for Responsible Supply Chains of Minerals which is only designed for mineral processing operations sourcing input minerals. This was not fit for the broader scope and outcomes sought for this Chapter. This Chapter has therefore been substantially revisited to align with key steps and recommendations of the 2022 UNDP’s Guide on Heightened Human Rights Due Diligence for business in conflict-affected contexts.</p> <p>The responsible sourcing of input minerals for mineral processing operations (either at stand-alone or on-site co-located processing operations) is now fully covered in Chapter 1.4 on Upstream and Downstream Sustainability Due Diligence, see Section 1.4.4 (Mineral Supply Chain Controls and Transparency). Section 1.4.4 is intended to be aligned with the OECD Guidance for Responsible Supply Chains of Minerals. This addresses both the need for a strong alignment with the OECD Guidance when it comes to responsible sourcing of input minerals, and the need for a more nuance approach when projects and operations are causing, contributing to, or taking place in areas affected by: conflicts and/or high risks as defined by the OECD. (See also responses to previous Consultations Questions 3.4-01 and 3.4-02).</p>

BACKGROUND

Mineral exploration, mining and mineral processing may take place in areas where there are existing or potential conflicts or socio-political high risks or instability that can adversely affect the project and local stakeholders. In some cases, conflict may be external to a company's operation, and in other cases conflict may be caused, exacerbated, or supported by a company's activities or presence in an area.

"Companies and their investors are paying increased attention to the challenges and opportunities of doing business in conflict-affected and high-risk areas. These areas differ significantly from more stable operating environments and require companies and investors to take into consideration additional factors."¹

Developing suitable responses when operating in or sourcing minerals from conflict-affected and high-risk areas (CAHRAs) is challenging, but guidance exists to assist companies in identifying, assessing, and mitigating risks and impacts associated with operating in those areas. While being the most-widely accepted framework to date, the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas was only designed to apply "to all companies in the mineral supply chain that supply or use minerals sourced from conflict-affected or high-risk areas".² This critical aspect of responsible mineral processing operations is fully addressed in Chapter 1.4 of this Standard.

This Chapter focuses on all other scenarios where an exploration, mining, or mineral processing company and/or its business relationships, *besides the supply of input mineral for processors*, may be the cause of, or may take place in an area with confirmed or suspected presence of, armed conflict, widespread violence or other risks of harm to people, political instability or repression, institutional weakness, insecurity, collapse of civil infrastructure, widespread violence, widespread human rights abuses, or widespread violations of national or international law. For the full range of forms that such conflicts or high risks can take, an extended definition is available in the Glossary.

While it is impossible to provide definitive answers to respond to the multiple challenges of operating responsibly in these different situations, the UNDP in collaboration with the UN Working Group on Business and Human Rights published a Guide³ in 2022 to provide "parameters to design, update and implement heightened corporate human rights due diligence in contexts affected by armed conflicts and other situations of widespread violence." This Guide is based on the UN Guiding Principles on Business and Human Rights.

This Chapter follows the sequence of this Guide, and articulate its recommendations into measurable and assessable requirements, to ensure companies play a constructive role in sustaining peace, for the preservation of all human rights in conflict-affected and high-risk areas.

It is important to note that companies present in such areas can face high security and safety risks, and therefore should always seek to make the safety of local populations and workers their priority. As with all Chapters of this Standard, where an ENTITY would not implement and conform with one or more requirements due to security or legal issues, or case of force majeure, it can always provide supporting evidence; and the scoping could be adjusted so as not to penalize it unfairly.



KEY REFERENCES

This chapter strongly builds on, or aligns with, the following international or multilateral frameworks, conventions, and guidance:

- The International Bill of Human Rights (including the 1966 International Covenant on Civil and Political Rights (ICESCR) and International Covenant on Economic, Social and Cultural Rights (ICCPR))
- United Nations Guiding Principles for Business and Human Rights
- OECD Due Diligence Guidance for Responsible Business Conduct, 2018 Edition
- OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas, Third Edition
- UNDP Guide on Heightened Human Rights Due Diligence for business in conflict-affected contexts, 2022
- IFC Performance Standard 4: Community Health, Safety, and Security, 2012
- IFC's Approach to Responsible Exit, 2024

OBJECTIVES OF THIS CHAPTER

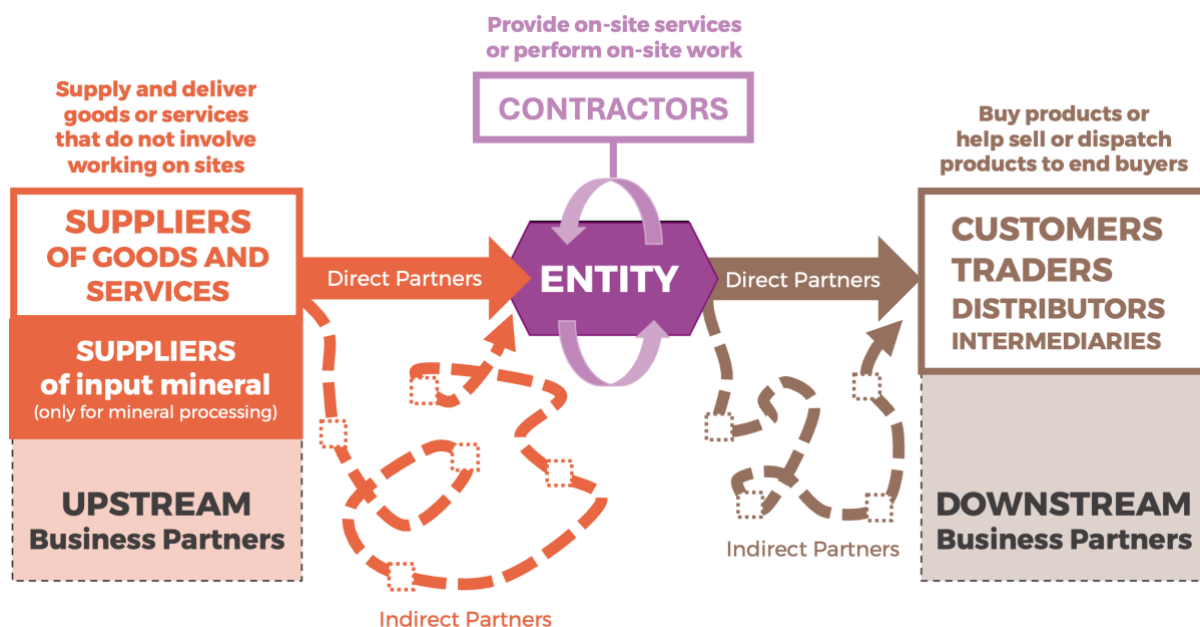
To ensure that a heightened human rights due diligence is implemented in order to avoid contributing to conflict when operating in, transporting materials through, or sourcing minerals or metals from, conflict-affected or high-risk areas.

SCOPE OF APPLICATION

This chapter is applicable to all exploration, mining and mineral processing projects and operations. However, **when the ongoing human rights due diligence processes conducted in Chapter 1.3** (with regard to the ENTITY's own operations and activities) **and in Chapter 1.4** (with regard to the operations of the ENTITY's business relationships) **demonstrate that none of the ENTITY's own operations/activities and none of its business relationships may be the cause of, or may take place in a, Conflict-Affected or High-Risk Area** (for the range of form that such conflicts or high risks can take, see full definition in the Glossary), **this Chapter 1.5 will not be applicable.**

For mineral processing operations, additional requirements for suppliers of their input mineral are included in Chapter 1.4 on Upstream and Downstream Sustainability Due Diligence (through a series of external conformance audit requirements, aligned on the OECD Guidance, see Chapter 1.4 for more details). Note that mineral processing operations are still required to be audited against this Chapter 1.5 when the ongoing human rights due diligence processes conducted in Chapter 1.3 and 1.4 demonstrate that the ENTITY's own operations/activities and/or its other business relationships may be the cause of, or may take place in a Conflict-Affected or High-Risk Area. Figure 3 clarifies the terminology used to differentiate the ENTITY and its on-site Contractors from upstream and downstream business partners (including upstream suppliers of input mineral for mineral processing operations).

FIGURE 1.5 Scope and Terminology related to on-site Contractors, Upstream and Downstream Business Partners (direct and indirect)





For each requirement, the following colors are displayed in the margin to indicate the phases for which it is required:

E1	Exploration – Stage 1
E2	Exploration – Stage 2
E3	Exploration – Stage 3
D	Project Development and Permitting
M	Operating Mine
P	Operating Mineral Processor

CRITICAL REQUIREMENTS IN THIS CHAPTER

Throughout the Standard, critical requirements are identified using a red frame. There is one (1) **critical requirement** in this Chapter.

OPTIONAL IRMA+ REQUIREMENTS IN THIS CHAPTER

Throughout the Standard, optional IRMA+ requirements are identified using a dotted blue frame. There is one (1) **optional IRMA+ requirement** in this Chapter.

In this second draft, IRMA introduces a new category of requirements: IRMA+. These requirements are aspirational and forward-looking. They reflect emerging expectations and recommendations from stakeholders, but currently go above and beyond existing and established best practice. IRMA+ requirements are entirely optional, and they will not affect the scores and achievement levels obtained by the entities choosing to be assessed against them.



ISSUES UNDER CLOSE WATCH (EYE ICON)

Entire Chapter 1.5 – Conflict-Affected and High-Risk Area Due Diligence:

This Chapter was included in the 2018 IRMA Standard for Responsible Mining V1.0 but has never been audited and assessed. IRMA has acknowledged that the approach taken in the V1.0 was only based on the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas, which is limited to the issue of input mineral supply for mineral processing operations, and thus not adequate (the OECD Guidance was only designed to apply “to all companies in the mineral supply chain that supply or use minerals sourced from conflict-affected or high-risk areas”).

Although this reworked Chapter draws on international best practice and guidance, including the Guide published in 2022 by UNDP and the UN Working Group on Business and Human Rights “Heightened Human Rights Due Diligence for Business in Conflict-Affected Contexts”, it can represent a substantial scope expansion for implementing sites. This Chapter will also present specific challenge for auditors, which IRMA is willing to acknowledge and monitor closely.

The requirements are signaled with an ‘eye icon’ to ensure that IRMA closely monitor their relevance, and their implementation as the Standard V2.0 is applied. This is also intended to ensure IRMA will review associated challenges and needed decision more quickly if necessary. Note that these requirements are not ‘optional’ (unlike IRMA+).



IRMA Requirements



1.5.1 Heightened Risk and Impact Assessment

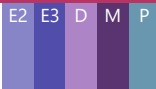
- 1.5.1.1** If and whenever the risk and impact assessment processes required in Section 1.3.3 and/or Section 1.4.4 identify any of the ENTITY's activities and/or any of the ENTITY's business relationships to be the cause of, or to take place in an area with confirmed or suspected presence of, any form of conflicts or high risks⁴ (hereafter referred to as "conflict"), a heightened human rights risk and impact assessment process is conducted to better understand the conflict. This process:
- Is conducted by competent professionals, using a credible methodology;
 - Identifies and analyzes, to the greatest extent possible, the past and present context, including political, economic, social and environmental institutions and structures, shaping the conflict, as well as the current dynamics and trends of the conflict;
 - Identifies and analyzes, to the greatest extent possible, the main actors influencing the conflict, as well as their interests, strategies, motivations, capacity, and leadership structures;
 - Identifies and analyzes, to the greatest extent possible, the structural⁵ and proximate⁶ causes of the conflict⁷;
 - Determines how the ENTITY's activities and/or those of its business partners might affect the positions of power or relationships between different conflict actors;
 - Determines how the ENTITY's activities and/or those of its business partners might affect relevant groups' access to natural resources;
 - Determines whether there are any of the identified conflict actors' among the ENTITY's direct or indirect business relationships;
 - Determines the ENTITY's activities and/or those of its business partners might affect the conflict causes and/or dynamics and trends identified as per b. to d.;
 - Identifies whether there is an actual or potential adverse impact on human rights or the conflict connected to the ENTITY's activities and/or those of its business partners, either through actions or omissions, and if so, whether these activities (including actions or omissions) increase the risk of that impact and/or are in, and of, sufficient to result in that impact;
 - Evaluates the severity of each identified impact, and evaluates the likelihood for and potential severity of each identified risk; and
 - Includes recommended measures that can be taken by the ENTITY to prevent all the identified risks and impacts and, where prevention is not possible or not immediately possible, to mitigate and to remediate them.⁸

- 1.5.1.2** This heightened human rights risk and impact assessment:

- Is informed by relevant internal and/or external human rights and conflict expertise, incorporate analysis of credible independent reports and sources of information, and includes an explanation of the assessment methodology;
- Includes an analysis of the potential differential risks to, and impacts on, rights-holders of different genders, ages, and ethnicities; and
- Includes an analysis of the potential differential risks to, and impacts on, Rights Defenders, and any people likely to be disproportionately affected by the conflict, including potentially underserved and/or marginalized people.



1.5.2 Heightened Prevention, Mitigation, and Remediation Plan

**1.5.2.1 Critical Requirement**

Building on 1.5.1 and other relevant sources of information:

- a. A heightened human rights prevention, mitigation, and remediation plan (or equivalent) is developed by competent professionals to prevent, mitigate, and remediate all the identified conflict-related risks and impacts on human rights or on the conflict;
- b. The plan is developed and implemented in accordance with Section 1.3.4 to address its own operations, and in accordance with Section 1.4.5 to address the operations of its relevant business partners⁹; and
- c. The plan includes conflict-specific qualitative and quantitative performance indicators (including gender-disaggregated indicators and other categories of disaggregated indicators where appropriate)¹⁰, linked to adequate baseline data (collected as per 1.5.1), to enable monitoring and evaluation of the effectiveness of measures over time.

**1.5.2.2 Affected rights-holders and stakeholders, including Rights Defenders and civil society**

organizations, have access to a grievance mechanism to raise, and seek resolution or remedy for, complaints and grievances specifically related to the conflict, as follows:

- a. A grievance mechanism through which affected rights-holders and stakeholders, including Rights Defenders and civil society organizations, can raise, and seek resolution or remedy for, complaints and grievances specifically related to the conflict, is in place;
- b. This grievance mechanism is rights-compatible¹¹;
- c. Affected rights-holders and stakeholders have been informed about the existence and functioning of this grievance mechanism, as well as of other relevant mechanisms¹²;
- d. If the operational-level grievance mechanism developed as per Chapter 1.6 (Complaints and Grievance Mechanism and Access to Remedy) is used as the mechanism to receive complaints and grievance specifically related to the conflict, the Entity fully meets all requirements in Chapter 1.6; and
- e. If a separate mechanism is created to handle only complaints and grievances related the conflict, it is established and managed in a manner that fully meets all requirements in Chapter 1.6.



1.5.3 Exit strategy

- 1.5.3.1** The ENTITY has a system in place to ensure that, as a last resort, when all the measures required in Sections 1.5.2, and developed and implemented in accordance with Sections 1.3.4 and/or 1.4.5, have failed to prevent or adequately mitigate any potential or actual adverse conflict-related risks and impacts on human rights or on the conflict, the ENTITY:
- Building on 1.5.1 and other relevant sources of information, the ENTITY assesses whether exiting¹³ could exacerbate tensions within a conflict-affected setting and whether the adverse impacts of the decision to exit or suspend the operations outweigh the benefits;
 - The ENTITY adopts and implements an enhanced prevention action plan (or equivalent) for the specific conflict-related adverse impact without undue delay, by using or increasing the ENTITY's leverage through the **temporary suspension** of business relationships with respect to the activities concerned, provided that there is a reasonable expectation that those efforts will succeed¹⁴; and
 - If there is no reasonable expectation that those efforts would succeed, or if the implementation of the enhanced prevention action plan has failed to prevent or mitigate the adverse impact, the ENTITY (as relevant) does **relocate**, or does **suspend**, or does **terminate**, its activities, and/or suspends or terminates the business relationship with respect to the activities concerned.
- 1.5.3.2** The ENTITY has a system in place to ensure that, where it decides to **relocate or suspend** or **terminate** its activities, and/or to suspend or to terminate a business relationship as per 1.5.3.1:
- The ENTITY takes steps to prevent, mitigate or bring to an end the impacts of the suspension or termination, including through the implementation of all relevant closure and post-closure measures required in Chapter 2.7 (where the ENTITY relocates or suspends or terminates its activities);
 - The ENTITY provides reasonable notice to all the relevant stakeholders and the business partner/s concerned; and
 - The ENTITY keeps that decision under review.
- 1.5.3.3** The ENTITY has a system in place to ensure that, where it decides **not to** relocate or suspend or terminate its activities; and/or not to suspend or terminate the business relationship as per 1.5.3.1:
- The ENTITY monitors the potential adverse impact;
 - The ENTITY periodically assesses its decision; and
 - The ENTITY periodically assesses whether further appropriate measures are available.



1.5.4 Meaningful Engagement with Stakeholders

- 1.5.4.1** In accordance with Chapter 1.2, the ENTITY has a system in place to ensure that relevant affected rights-holders and stakeholders¹⁵ are consulted:
- When gathering the necessary information on actual or potential adverse impacts, in order to identify, assess and prioritize adverse impacts as per Section 1.5.1;
 - When developing the heightened human rights prevention, mitigation, and remediation plan as per Section 1.5.2;
 - When monitoring and evaluating the implementation and effectiveness of the heightened human rights prevention, mitigation, and remediation plan per Section 1.5.6;
 - In consulting stakeholders, the ENTITY identifies and addresses barriers to engagement, in line with Section 1.2.5;
 - Participants are not the subject of retaliation or retribution, including by maintaining confidentiality or anonymity, and for participants who are workers or workers' representatives engagement occurs without prejudice to applicable employment and social rights as well as to any applicable collective agreements; and
 - Where it is not reasonably possible to carry out effective engagement with local stakeholders, the ENTITY consults additionally with representative individuals or organizations of the diaspora, and with experts, who can provide credible insights into the conflict and any actual or potential conflict-related human rights impacts;

- 1.5.4.2** If the conflict involves armed groups, the ENTITY develops and adopts a clear strategy to frame its engagement with armed groups. This strategy:
- Builds on 1.5.1, and considers the formal classification of armed groups, particularly when they are designated as terrorist organizations;
 - Considers tools developed by relevant initiatives dealing with security and human rights issues, such as the Voluntary Principles on Security and Human Rights, to avoid abuses; and
 - Includes rules, procedures, and controls to maintain the ENTITY's impartiality, including through demonstrating independence from all government-led or non-state armed group-led efforts and avoiding any activity or public statement that may be construed as supporting or as excusing their abuses.



1.5.5 Grievances Related to Abuses by the Army or Armed Groups

- 1.5.5.1** When grievances or complaints filed through its relevant grievance mechanism/s (see 1.5.2.2, and Sections 1.4.9, 1.5.3, and 1.6.1) or through its relevant whistleblowing mechanism/s (see Section 1.6.2) may refer to abuses by the army or armed groups against people in the community, employees or contractors, the ENTITY:
- Makes the facts known to competent authorities, to avoid any accusation of complicity by omission;
 - Communicate to victims or their families the relevant International Committee of the Red Cross contact information for reporting their case;¹⁶ and
 - Does so in a manner that guarantees the protection of the victims' and relevant stakeholders' safety and data privacy.



1.5.6 Monitoring and Evaluation

- 1.5.6.1** To monitor and evaluate the implementation and effectiveness of its heightened human rights prevention, mitigation, and remediation plan, at least twice a year, the ENTITY:
- Tracks and documents its performance, over successive time periods, against the indicators defined in 1.5.2.1;
 - Tracks and documents how the measures developed and implemented as per 1.5.2 and 1.5.3 are adequately and effectively preventing, and where prevention is not possible or not immediately possible, mitigating all identified conflict-related risks and impacts on human rights or on the conflict; and
 - Tracks and documents how the measures developed and implemented as per 1.5.4 are adequately and effectively enabling meaningful engagement with relevant affected rights-holders and stakeholders and, if applicable, constructive and safe engagement with armed groups.

- 1.5.6.2** The monitoring and evaluation process:
- Encourages and facilitates, to the greatest extent possible, joint tracking or joint fact-finding with affected rights-holders and stakeholders, in a manner that is inclusive of different genders, ages, and any potentially underserved and/or marginalized people;
 - Includes continuous feedback from internal and external sources, including from joint tracking and joint fact-finding with affected rights-holders and stakeholders, to the greatest extent possible; and
 - Includes safeguards to protect the security and privacy of collected personal data or characteristics of affected rights-holders and stakeholders.¹⁷



1.5.7 Continuous Improvement

- 1.5.7.1** At least twice a year, but without undue delay after a significant change occurs and whenever there are reasonable grounds to believe that new risks of the occurrence of conflict-related impacts may arise, the ENTITY:
- Reviews the monitoring and evaluation results, informed by internal and external feedback, as per Section 1.5.6;
 - Reviews any conflict-related-grievances and the functioning of its relevant grievance mechanism/s required in 1.5.2.1. (see also Section 1.5.3);
 - Reviews the ENTITY's effectiveness in preventing, and where prevention is not possible or not immediately possible, mitigating and remediating all identified conflict-related risks and impacts on human rights or on the conflict, informed by the monitoring and evaluation required in 1.5.6.1 and 1.5.6.2;
 - Develops and implements time-bound corrective measures to update, if necessary¹⁸, its heightened human rights risk and impact assessment in accordance with Section 1.5.1;
 - Develops and implements time-bound corrective measures to update, if necessary¹⁹, its heightened human rights prevention, mitigation, and remediation plan in accordance with Section 1.5.2, and its systems and strategies for meaningful engagement with stakeholders in accordance with Section 1.5.4; and
 - Develops and implements time-bound corrective measures to update, if necessary²⁰, its monitoring and evaluation processes in accordance with Section 1.5.6.



1.5.8 Information-Sharing and Public Reporting

- 1.5.8.1** At least twice a year, or more frequently if required by affected rights-holders and stakeholders, and with due regard for their safety, data privacy, and for security concerns, the ENTITY:
- Proactively shares with affected rights-holders and stakeholders updated information about how the ENTITY is addressing identified conflict-related human rights risks that are relevant to them. The communication can be limited to each relevant group and takes account of literacy, language and cultural communication barriers²¹;
 - Proactively shares with relevant external parties²² updated information about how the ENTITY is addressing a specific conflict-related human rights risk or risks in general²³; and
 - To the greatest extent possible, and only if public disclosure of such information does not pose risks to affected rights-holders and stakeholders or personnel²⁴, it makes publicly accessible an updated version, and maintains publicly accessible all previous versions of, a summary of the measures developed and implemented as per 1.5.2 and 1.5.3 and the extent to which they effectively prevented actual conflict-related human rights impacts, and where prevention was not possible or immediately possible, provided timely and adequate remediation to affected rights-holders.



1.5.9 Capacity-Building

- 1.5.9.1 IRMA+** To ensure that all relevant staff develop, or reinforce, their heightened human rights due diligence competencies, the ENTITY develops and implements a capacity-building plan (or equivalent), that includes:
- Training programs on heightened human rights due diligence practice;
 - Institutionalized learning processes that facilitate and encourage reflection on practice; and
 - Creation of safe spaces to talk about what might be going wrong, including conflict issues, lines of division and how a person's work may impact on a context and vice versa, which are extremely sensitive issues, particularly in very fragile and divided contexts.

CROSS REFERENCES TO OTHER CHAPTERS

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

CHAPTER ENDNOTES

¹ UN Global Compact and PRI. 2010. Guidance on Responsible Business in Conflict-Affected and High-Risk Areas: A Resource for Companies and Investors. https://www.unglobalcompact.org/docs/issues_doc/Peace_and_Business/Guidance_RB.pdf

² Organisation for Economic Cooperation and Development (OECD). 2016. OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas. (3rd Ed.) <https://mneguidelines.oecd.org/mining.htm>

³ United Nations Development Programme (2022). Heightened Human Rights Due Diligence for business in conflict-affected contexts; A Guide.

⁴ See Glossary, and requirements 1.3.3.4 and 1.4.4.3, for the full range of forms these may take.

⁵ E.g. unequal land distribution, political exclusion, poor governance, impunity, lack of state authority.

⁶ E.g. Arms proliferation, illicit criminal networks, emergence of non-state armed actors, overspill of conflict from a neighboring country, natural resource discoveries.

⁷ Including the root causes of tensions and drivers of conflict that can contribute to escalating violence.

⁸ Where it is necessary to prioritize actions to address actual and potential adverse human rights impacts, the ENTITY should first seek to prevent and mitigate those that are most severe or where delayed response would make them irremediable. (UN Guiding Principles)

⁹ These two chapters are fully aligned with the UN Guiding Principles, ensuring that if the ENTITY causes, or may cause, an adverse human rights impact, it is expected to take appropriate measures to cease or, prevent, and remedy the impact. If the ENTITY is contributing, or may contribute, to an adverse impact, it should take appropriate measures to cease, prevent, and remedy its contribution, while also exercising its leverage to mitigate any remaining impact to the greatest extent possible. Finally, if the ENTITY is directly linked to the negative impact, it should exercise its leverage to mitigate any remaining impact to the greatest extent possible.

¹⁰ Other disaggregation may be by age, vulnerability status, proximity to the operation, etc.

¹¹ 'Rights-compatible' means ensuring that outcomes and remedies accord with internationally-recognized human rights.

¹² There may be other mechanisms that are not operated by the ENTITY through which stakeholders or rights-holders can seek recourse (e.g., administrative, judicial and non-judicial remedies), and these options should be mentioned to stakeholders who file grievances with the company.

¹³ In this context, 'exiting' refers to permanently terminating its activities and/or relevant business relationships in, or linked to, a conflict-affected context.

¹⁴ The action plan includes a specific and appropriate timeline for the adoption and implementation of all actions therein, during which the ENTITY may also seek alternative business partners. (UNDP Guide)

¹⁵ Engagement at the local level might not be possible or optimal for a variety of reasons, including fear of retribution or safety. Business should nonetheless strive to get a local perspective, including by engaging the diaspora. (UNDP Guide)

¹⁶ Fundación Ideas para la Paz, Guide on Grievance and Complaints Mechanisms: Respectful of Human Rights and International Humanitarian Law, (Bogotá, Colombia, 2017), p. 18. Available at www.ideaspaz.org/media/website/FIP_GC_Grievance&Complaints_web_C-0519.pdf. ; cited in UNDP Guide.

¹⁷ Especially of rights-holders at heightened risk of vulnerability and marginalization, including children, or any other sensitive data.

¹⁸ This will be informed by the monitoring and evaluation process required in the previous Section, and on the review process required in a. to c.

¹⁹ This will be informed by the monitoring and evaluation process required in the previous Section, and on the review process required in a. to c.

²⁰ This will be informed by the monitoring and evaluation process required in the previous Section, and on the review process required in a. to c.

²¹ For instance whether verbal communications are considered more respectful than written communications. Meetings with the group or its legitimate representatives may be the most appropriate and successful. (UNDP Guide)

²² Including but not limited to civil society organizations, business partners, shareholders.

²³ It might be appropriate to provide documents and presentations at an annual general meeting, web updates, messages to electronic mailing lists of those who self-identify as interested parties or similar means of communication. (UNDP Guide)

²⁴ This may be because they would reveal, by implication, the idEntity either of a complainant or of individuals responsible for actions that are judged harmful, making them the potential targets of retaliation. Publicizing information about discussions with government officials or representatives of the armed forces that are aimed at halting or preventing harmful action against individuals might jeopardize that process. Similarly, business must be aware that communication could be – in a particular conflict-affected context – counter-productive, even when providing factual information. Therefore, the way and content of what business communicate must be sensitive to the particular context, including when the communication is with stakeholders outside of the conflict or crisis region. In both cases, however, neither the protection of affected stakeholders nor the required conflict-sensitivity of communication should be seen as a blanket assumption and become an easy justification to avoid sharing information that can legitimately be made public. (UNDP Guide)

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