IRMA

Initiative for Responsible Mining Assurance

IRMA STANDARD V2.0

2nd DRAFT VERSION

Summary of the feedback received on the consultation questions during the first public consultation (2023-2024) and decisions made by IRMA

July 2025

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Chapter 1.1
Legal Compliance and Contractor Oversight

RESPONSE TO CONSULTATION QUESTIONS OUTLINED IN FIRST DRAFT

Question #	Question	Feedback and Proposed Decision
1.1-01	**Background**: We have received suggestions from stakeholders that IRMA include requirements that help incentivize the use and/or strengthening of local or in-country technical capacity. The hiring of people with local, regional and/or traditional knowledge not only benefits host countries, but can also help entities build trust with stakeholders. We are aware, however, that in some regions there may not always be a sufficient cadre of local consultants or contractors with the expertise and experience needed to carry out the often complex and highly technical work involved in large scale mining and/or mineral processing operations. In thinking about balancing these realities, we were considering a requirement such as: "Efforts are made to hire appropriately qualified contractors and consultants that are based in the host country. If there are no in-country professionals with the necessary competency or experience, the ENTITY investigates opportunities to support capacity building for local professionals." Capacity building could involve mentoring programs, such as hiring local professionals who don't have the necessary years of experience as part of a crew, where they could gain experience that could eventually put them in a position to take on contracts in the future, etc. **Question**: Would you support this type of requirement? Are there other elements IRMA should consider related to this topic? Do you have suggestions of other ways (or better ways) that entities might support the building of local or in-country technical capacity?	**Feedback received**: Though this suggestion (adding a requirement to incentivize and build in-country contractors' capability) received general support, without any clear divide between stakeholder categories, some commentors recommended to move this topic under Principle 2–Planning for Positive Legacies. IRMA agrees that it is indeed more appropriate and logical to do so, rather than under Principle 1. Business Integrity. Moreover, some commentors pointed out the vague and broad nature of the proposed wording, and asked for greater auditability. **Proposed Decision**: Design and integrate a new requirement or include in an existing requirement. See integration in requirement 2.4.3.6.a under Principle 2.

Chapter 1.2
Community and Stakeholder Engagement

RESPONSE TO CONSULTATION QUESTIONS OUTLINED IN FIRST DRAFT

No consultation question for this chapter

Chapter 1.3
Human Rights Due Diligence

RESPONSE TO CONSULTATION QUESTIONS OUTLINED IN FIRST DRAFT

Question #	Question	Feedback and Proposed Decision
1.3-01	The original requirement 1.3.2.1 was a critical requirement. See the Note on Critical Requirements, above, for context on critical requirements. Because it contained expectations to identify, assess and update human rights assessments, it is not clear which of the 5ollowingg requirements should be the replacement critical requirement. There are three options under consideration as a replacement critical requirement: 1) The integrity/robustness of the assessment process (1.3.2.1; now 1.3.3.3 and 1.3.3.4), 2) the content of the assessment (1.3.2.2; now 1.3.3.1 and 1.3.3.2), or 3) the updating of the assessment (1.3.2.4; now 1.3.6.1.d). **Question**: Do you have an opinion on which of those three requirements should be the critical requirement? Any rationale to support your choice would be appreciated.	**Feedback received**: 16 responses received (6 from mining/processing companies, 4 from consultancy, 3 from NGOs, 2 from finance/investors, 1 from government agency). A majority (9, mix of stakeholder groups) recommended the integrity/robustness to be the critical part. 3 respondents (finance, mining company, consultancy) recommended to mark critical both the integrity and the content, while 3 others (2 mining, 1 consultancy) recommended to mark critical only the content of the assessment. **Proposed Decision**: IRMA proposes to designate critical the requirement that address the integrity/robustness of the Human Rights Risk and Impact assessment process, i.e. now 1.3.3.1.

Chapter 1.4
Upstream and Downstream Sustainability Due Diligence

RESPONSE TO CONSULTATION QUESTIONS OUTLINED IN FIRST DRAFT

Not applicable: this Chapter is new.

Chapter 1.5
Conflict-Affected and High-Risk Area Due Diligence

Response to consultation questions outlined in first draft

Question #	Question	Feedback received and proposed decision
3.4-01	**[External Certification against OECD-aligned systems]** **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. 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.	**Feedback received**: 5 responses received (3 from mining, 1 from finance,1 from international organizations). 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". 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. **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. 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.
3.4-02	**[Ensuring that all sites carry out some due diligence to document the circumstances of extraction and/or supply of minerals]** **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	**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.

	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. **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.	Only 1 respondent (mining) suggested to rely on fixed definitions of what a CAHRA country or site is. **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. 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: 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. 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 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.
3.4-03	**[Responding to red flags identified in supply chain]** **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.	**Feedback received:** 6 responses received (2 mining, 1 NGO, 2 finance, 1 international organizations). 2 finance and 1 mining supported full alignment with the OECD Due Diligence Guidance for Minerals. 1 mining had no opinion. 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. **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. 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 alignement 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).

Chapter 1.6
Grievance Mechanism, Whistleblowers, and Access to Remedy

RESPONSE TO CONSULTATION QUESTIONS OUTLINED IN FIRST DRAFT

Question #	Question	Feedback and Decision
1.4-01	**(1.4.1.1)** Background: Requirement 1.4.1.1 was a critical requirement in the 2018 Mining Standard and is currently a critical requirement (for more on critical requirements see the note that accompanies 'Critical Requirements In This Chapter,' above). One of the issues that has arisen is that there may be a mechanism in place that allows grievances to be filed and addressed, but the mechanism may not be considered as entirely effective by some stakeholders. **Question**: Should the critical element simply be that there is a mechanism that allows stakeholders to raise and seek remedy for their grievances, or should we add additional expectations to this critical requirement that speak to the quality and/or effectiveness of the mechanism? For example, we could add the content of (non-critical) requirement 1.4.2.1 to this (critical) requirement.	**Feedback received**: Feedback on this consultation question overwhelmingly supported moving 'quality' related sub-requirements from former 1.4.2.1 and 1.4.3.1 to the critical requirement (now 1.6.1.1). **Decision**: We propose that the critical requirement be a combination of two previous requirements related to "existence" and "quality/maturity" of the grievance mechanism (See requirement 1.6.1.1).
1.4-02	**(1.4.1.1)** Background: Chapter 1.4 - 'Complaints and Grievance Mechanism and Access to Remedy' includes a range of requirements surrounding the existence of an accessible and effective operational-level grievance mechanism. It is not possible to score well on Chapter 1.4 if the mechanism does not have certain quality-related characteristics. Other chapters (i.e., human rights, gender, resettlement, security, ASM) also have requirements relating to the existence of a grievance mechanism; however, the requirements in each of those chapters ask only that a mechanism is in place that allows grievances to be filed and addressed, but they do not speak to the overall quality of that mechanism. This is an approach proposed by IRMA to avoid too much repetition across chapters. However, this creates a situation in which an ENTITY could theoretically score 'fully meets' on the grievance-related requirement in an individual chapter (which in most cases only asks that stakeholders have "access to" a grievance mechanism), even if the grievance mechanism as a whole is not an effective one (as reflected in the overall score for Chapter 1.4). Question: Should an ENTITY's score on grievance-related **requirements** within individual non-grievance-specific	**Feedback received**: Feedback largely supported putting a 'cap' on the ENTITY's score on grievance-related mechanisms in other chapters based on its performance on Chapter 1.6 (former 1.4). **Decision**: Based on input, we are proposing to adjust the IRMA Assessment Scoring system such that an ENTITY's potential score on the grievance-related requirement in an individual chapter (which simply requires the existence of a grievance mechanism capable of receiving grievances relating to the particular issue, or in Chapter 2.2 that mechanism/s are specifically designed with, and for, Indigenous Peoples) is limited by their score on Chapter 1.6 (former 1.4) on Grievances (which addresses not just the existence but also the quality of a grievance mechanism). This means that, although an ENTITY may have otherwise received 'fully meets' on a grievance mechanism requirement in an issue-specific chapter, if the ENTITY does not

	chapters be restrained or linked to the overall score that the ENTITY gets on the grievance chapter (Chapter 1.4) as a whole? For example, if a site scores 80% on Chapter 1.4, the most the site could receive for a grievance requirement in the other chapters would be a 'substantially meets,' but if a site scores 100% on Chapter 1.4 then, assuming the mechanism can handle grievances specific to the other chapters, they could possibly get a 'fully meets' rating on those grievance requirements.	receive a full score on Chapter 1.6 as a whole, then their score on the issue-specific grievance requirement cannot be higher than 'partially meets'. If the ENTITY has developed separate issue-specific grievance mechanism/s, it will be assessed separately against all relevant requirements of Chapter 1.6.
1.4-03	**(1.4.2.1)** **Question**: Stakeholder feedback suggested that an independent third-party should be involved in the assessment of more grievances to ensure that resolutions are unbiased, impartial, and fair to all parties involved. Is this considered best practice and, if so, is it applicable to only the most serious grievances or to all grievances?	**Feedback received**: Feedback was very split on this question - some said that third-party review was not necessary because there are enough checks and balances already built into IRMA on this topic, including stakeholder review of grievance processes; others said that regular review as part of the regular grievance resolution process would delay timely response to grievances; others said that review of the process could be done externally every 2-3 years; others still said that only human rights grievances or grievances where there is a potential conflict of interest with ENTITY personnel responsible for reviewing the grievance should be reviewed. **Decision**: We are proposing a new sub-requirement for 1.6.1.1 (former 1.4.2.1) that requires the ENTITY to explain the process for handling grievances that involve allegations of impacts on human rights, including the potential for adjudication by an independent, third-party mediator or mechanism. This is in accordance with IRMA Chapter 1.3 (requirements 1.3.4.3 and 1.3.4.5). See 1.6.1.1.d.

Chapter 1.7
Anti-Corruption and Financial Transparency

Response to consultation questions outlined in first draft

Question #	Question	Feedback received and proposed decision
1.5-01	**(Chapter background)** **Question:** Should IRMA require that standalone mineral processing facilities engaged with IRMA publicly report the revenues and payments paid to government?	**Feedback received**: 7 responses received (3 from mining, 3 from NGO, 1 from finance). All respondents supported the extension of reporting to mineral processing operations. Some respondents flagged the situation of an ENTITY being audited for both a mine site and a co-located on-site processing facility: they all agreed that when payments are made as a single ENTITY (as a single 'economic project') there is no need to break the figures down (as this would create unnecessary reporting burden, and risks confusion), but that such figures should be broken down when payments are made separately (the same way a stand-alone mineral processing ENTITY would do) **Proposed decision**: IRMA proposes to follow the recommendation of respondents by extending the reporting requirement to mineral processing operations, but making breakdown optional for any co-located on-site processing operations (see endnote for requirement 1.7.7.1).
1.5-02	**(1.5.1.2)** **Question:** Requirement 1.5.1.2.c.v has been adapted for mineral processing sites; however, it is not clear if taxes on feed materials are paid by mineral processing sites or by the mines. Do you have any input on whether or not such taxes are paid?	**Feedback received**: 3 responses received (3 from mining). Not much information was shared, respondents all pointed that such taxes could vary. **Proposed decision**: IRMA proposes to keep the sub-requirement (now included in 1.7.7.1.c), making sure that this gets reported only if relevant to the ENTITY being audited. IRMA also proposes to complement the Guidance as feedback gets collected from the implementation of this version of the Standard.
1.5-03	**(1.5.1.3)** **Question:** Should IRMA require that financial statements be audited by credible third-party experts (e.g., certified public accountants) to provide added assurance that they ENTITY is adhering to international accounting standards?	**Feedback received**: 3 responses received (2 from mining companies, 1 from finance). Respondents unanimously supported this requirement. One respondent noted that while third-party audit of annual financial statements was a common practice for listed companies, requiring this for quarterly interim statements could be expensive and not achievable time-wise.

		Proposed decision: IRMA proposes to require credible third-party audits of **annual** financial statements (see requirement 1.7.7.3).
1.5-04	**(1.5.1.5)** **Question:** Do you have any suggestions on the criteria for who should be considered a beneficial owner, such as ownership thresholds (e.g., those who hold more than 10% of shares) or a certain % of voting rights, or those who have other means of exercising control over the ENTITY such as appointing or firing members of governing bodies, etc.	**Feedback received**: 4 responses received (2 from mining, 1 from finance, 1 from NGO). 1 respondent pointed out the importance to make publicly accessible information about State-owned and State-controlled beneficial owners, regardless of a minimum ownership threshold. Another mentioned the 10% threshold required by EITI, while suggesting that IRMA could adopt a more progressive approach with a 5% or 3% threshold. The latter response also included recommendations re. the need to identify politically exposed persons, and to aggregate shares (or their equivalent) across holdings by family or close associates of a beneficial owner into one holding, "as dispersing formal ownership across a range of trusted contacts is one way in which beneficial owners try to avoid such disclosures." **Proposed decision**: IRMA proposes to use the 10% threshold adopted by EITI, and to require the identification of politically exposed persons (see requirement 1.7.9.1). Regarding the adoption of a lower ownership thresholds (including a 0% threshold for State ownership), IRMA proposes to create an optional IRMA+ requirement (see requirement 1.7.9.2).

Chapter 2.1
Socio-Environmental Baseline and Ongoing Impact Assessment

RESPONSE TO CONSULTATION QUESTIONS OUTLINED IN FIRST DRAFT

Question #	Question	Feedback and Proposed Decision
2.1-01	(**Scope of application**) **Question**: Do you agree with the proposed approach for operations? Or do you think all operations should be assessed against the entirety of this chapter and transparently release their scores? The challenge with auditing all operations against the ESIA requirements (2.1.2 – 2.1.8) is that these requirements apply to actions that have taken place in the past. Therefore, if no ESIA was conducted (e.g., in jurisdictions that do not have ESIA requirements), or if the ESIA process followed regulatory requirements that were not a robust as the IRMA chapter, the site will not score well or ever be able to fully meet the chapter's expectations. This chapter is different than other IRMA chapters where scores can increase over time as additional actions to improve or correct deficiencies are taken by an ENTITY	**Feedback received**: 4 responses received (2 mining, 1 finance, 1 consultancy). Responses were split: the mining sector supporting the idea of only applying this Chapter to new projects and major modifications to existing operations only; comment from the finance sector flagged the importance of identifying areas in a past ESIA that were missing compared to current best practice, in order to inform due diligence and decision-making; comment from consultants proposed to set a cut-off date, similar to the Resettlement Chapter. **Proposed Decision**: We are proposing that mining and mineral processing operations that have not had major modification after June 2018 (the date that version 1.0 of the IRMA Standard went into effect) will not be required to be audited against Sections 2.1.3 to 2.1.8 of this Chapter. But these existing operations will all be audited against Sections 2.1.9 to 2.1.12. In particular, Section 2.1.11 requires an ongoing socio-environmental impact assessment process, including for sites where an initial impact assessment was not undertaken, or was undertaken but not aligned with Sections 2.1.3 to 2.1.8, to help gradually address those past deficiencies. Various existing industrial operations have indeed undertaken socio-environmental impact assessments in alignment with the IFC PSs, at a later stage, to update their identification and assessment of impacts and risks, in order to supplement previous "weak" or incomplete EIAs that were undertaken to obtain in-country legal approval. There is therefore definitely a precedent for how historical gaps in impact assessments processes can be addressed, as best practice. This is now included in the previously proposed Section on Ongoing Environmental and Social Due Diligence (now called 'Ongoing Impact Assessment and Continuous Improvement'). We propose to add an 'eye icon" to this Section 2.1.11, to make sure we monitor more closely the implementation and relevance of those requirements, as

		the Standard 2.0 gets adopted by Entities, and review the decision if necessary. See all details in the scope of application section below.
2.1-02	(**2.1.1.3**) **Question**: How should IRMA balance the benefits of developing the capacity of local professionals (which may take much longer than the screening process for exploration projects) with the need to ensure the plan developed can effectively mitigate adverse environmental and social impacts? Should this be done by creating a new requirement related to local sourcing and capacity building in the context of the provision of goods and services by local (in-country) professionals and companies?	**Feedback received**: 6 responses received (1 consultant, 1 finance, 4 mining). There are conflicting opinions on the proposal. But it is generally viewed as a desirable to hire locally, as long as it does not affect the quality of the work being done. A number of commenters suggest that it not be a requirement, but that it be encouraged. **Proposed Decision**: We acknowledge that adding sub-requirements asking to "demonstrate that efforts are made to hire local competent professionals" will be hard to audit and score consistently. We propose to create one new requirement dedicated to maximizing opportunities for the hire of local professionals under Chapter 2.4 (see 2.4.3.6).
2.1-03	(**2.1.3.1 and Annex 2.1-B**) **Background**: We are proposing that all projects demonstrate that they have considered a comprehensive list of potential impacts during their scoping process. We posted a consultation question in the IRMA-Ready draft standard, and received support for the suggestion that we include such a list of issues that, at minimum, should always be considered during scoping. As a result, we developed a draft list of scoping questions based on the range of potential impacts included within the IRMA Standard (Annex 2.1-B). Every issue will not be relevant at every site, but the intention is that all should be considered during the scoping process, because if the questions are not asked, then it is possible that some potential impacts will be overlooked. **Question**: Do you agree with the minimum list of issues that should be scoped for mineral development projects in Annex 2.1-B? If not, are there particular issues/scoping questions that should be added or removed? Please provide a rationale for your suggestions.	**Feedback received**: 7 responses received (1 Indigenous organization, 3 mining, 1 Ngo, 1 finance, 1 consultant). Overall support to the inclusion of this Annex. Some questions were posed regarding the compatibility/contradiction with existing regulated list of issues in certain jurisdictions, as well as regarding the inclusion of affected Indigenous rights-holders in the scoping process. **Proposed Decision**: We propose to keep the Annex. It is important to note that Annex 2.1-B contains a minimum list of issues. It is not meant to replace but rather supplement any pre-existing local requirements. We will further clarify this in guidance.
2.1-04	(**2.1.3.3**) **Question**: Do you agree that the mitigation strategies investigated as part of the ESIA should include: 1) nature-based solutions; 2) circularity; 3) climate change/climate adaption? Why or why not? Do you have suggestions for other ways or places in the	**Feedback received**: 6 responses received (4 mining, 1 NGO, 1 finance). NGO and finance respondents were supportive of this approach, while all mining respondents were not. The latter pointed out difficulty in auditing and scoring consistently, the need for credible data to be collected first (i.e. after the

	IRMA Standard that we might incorporate these concepts?	operations start), and the highly context-specific nature of these strategies. **Proposed Decision**: While we propose to keep references to and considerations for climate change in this Chapter (and develop them further in Chapter 4.6 Climate Action), the concept of circularity has been refocused on circular materials management, and waste reduction in Chapter 4.1 (Waste and Materials Management). Nature-based solutions are now addressed in Chapter 4.4 (Biodiversity, Ecosystem Services, and Protected and Conserved Areas)
2.1-05	(**Section 2.1.5**) **Question**: What might be some ways to reduce stakeholder concerns about the subjectivity of impact/risk assessment processes? Is it enough to be transparent about how the ratings are assigned? Should stakeholders be invited to play a larger role in determining the methodology used and assigning ratings?	**Feedback received**: 11 responses received (1 Indigenous organization, 2 NGO, 1 Consultant, 5 mining, 1 finance, 1 audit firm). Responses provided a range of suggestions, including participation of affected rights-holders and stakeholders in the processes, or peer-review of key documents by scientists and external experts. The vast majority of respondents agree that transparency is essential, and that participation is important too. **Note**: We acknowledge that this question gave the wrong impression that impacts and risks are inter-changeable terms for the same thing, which they are not. We realized we needed to be clear in our explanations as to what the differences are between impacts and risks, as many stakeholders and even many environmental practitioners do not necessarily know the difference between them, despite it being substantial. **Proposed Decision**: We have clarified and strengthened requirements related to transparent information-sharing and collaborative and inclusive participation of affected rights-holders and stakeholders, in Sections 2.1.8 and 2.1.12. We will also develop detailed guidance on risk assessments, as this discipline is often poorly understood particular as to the difference compared to impacts, the approach/methods to assess risks and develop appropriate mitigation measures.
2.1-06	(**Section 2.1.9**) **Question**: Do you agree with the proposal to remove ESMS as a requirement in the IRMA Standard? If not, what are the specific benefits that you believe result from having ESMS in place?	**Feedback received**: 9 responses received (1 Indigenous organization, 1 consultant, 1 audit firm, 4 mining, 1 NGO, 1 finance). There was general consensus that a stand-alone requirement for an Environmental and Social Management System (ESMS) was redundant with the IRMA Standard as a whole (i.e. all specific social and environmental chapters). But there were conflicting opinions re. ESMS in general, some mining respondents flagging that this could be too onerous and difficult for smaller companies to have, while the consultant and audit firm pointed out the IFC Performance Standard 1 (seen by many as a minimum level of international best

		practice) which demands ESMS is a vital element to the effective implementation of management measures and critical controls. **Proposed Decision**: We are not proposing any substantial change to requirements proposed in the first draft. The 27 chapters of the IRMA Standard do require management of issues and impacts in the manner intended by an ESMS, and so a 'generic' Section on ESMS was not deemed necessary or meaningful. However, as per the first draft, we propose to require confirmation by auditors that all of the significant adverse environmental and social risks/impacts identified through an ESIA process have actually been incorporated into a management plan (either a standalone plan or, more likely, into the management plans found in individual IRMA Chapters), so that stakeholders can be reassured that the outcomes of the ESIA process are actually guiding the management of social and environmental risks as intended. See requirement 2.1.7.1.

Chapter 2.2
Indigenous Peoples and Free, Prior, and Informed Consent (FPIC)

RESPONSE TO CONSULTATION QUESTIONS OUTLINED IN FIRST DRAFT

Question #	Question	Feedback Received and Proposed Decision
2.2-01	**(Representativeness of Indigenous decision-making structures) Question (first part)**: How might IRMA revise its standard to address the situations where 1) there is more than one decision-making structure that is considered legitimate by members of an affected population of Indigenous Peoples?	**Feedback received**: IRMA received comments from 16 organizations on this consultation question (5 mining, 4 NGOs, 3 Indigenous organizations, 1 Finance, 1 Law firm, 2 Consultancy firms). No consensus emerged for a practical way forward. Some commenters flagged the need to obtain consent from of all the structures considered legitimate by members / sections of the Indigenous population. Others suggested requirement to engage with all and disclose the criteria used to determine levels of legitimacy; or to facilitate dialogue; or to require an outside, independent party (not the company or its consultants) to be the one to do the fieldwork to determine which structures are legitimate. One organization suggested to defer to the country of operation's recognized structures or subsets, but this not aligned with international norms and best practice. **Proposed Decision**: No substantial change to requirements. The requirement to engage with affected Indigenous Peoples and to follow their preferred processes and protocols has been strengthened, and relevant cross-references have been harmonized throughout the chapter. IRMA proposes to also develop additional Guidance, and have it reviewed by experts.
2.2-01	**(Representativeness of Indigenous decision-making structures) Question (second part):** How might IRMA revise its standard to address the situations where 2) where there is only one structure, but it is not considered legitimate by all members of the affected population of Indigenous Peoples?	**Feedback received**: IRMA received comments from 16 organizations on this consultation question (5 mining, 4 NGOs, 3 Indigenous organizations, 1 Finance, 1 Law firm, 2 Consultancy firms). No consensus emerged for a practical way forward. Some commenters flagged the need to understand context, and to respect affected Indigenous Peoples' right to choose their own representatives, noting that this would require adequate time. Some commenters recommended to require specific additional consultation with affected Indigenous Peoples; others to facilitate the establishment of an independent, inclusive, community-led decision-making structure recognition process; or to have a third-party carry out analysis to determine if additional engagements are necessary. One organization suggested to consider the one structure to be representative, but precedents indicate that this option should not be favored. **Proposed Decision**: No substantial change to requirements. The requirement to engage with affected Indigenous Peoples and to follow their preferred processes and protocols has been

		strengthened, and relevant cross-references have been harmonized throughout the chapter. IRMA proposes to also develop additional Guidance, and have it reviewed by experts.
2.2-02	**(Expanding requirement for FPIC beyond Indigenous Peoples)** **Question**: Do you think IRMA should expand the requirement for FPIC, or some subset of FPIC principles, beyond Indigenous Peoples? Put differently, do you think IRMA should require that entities obtain the FPIC of non-Indigenous Peoples prior to initiating a project? What is the basis for this opinion? And if you think that FPIC or a subset of FPIC requirements should apply beyond Indigenous Peoples, to whom should they apply and why (e.g., those with customary land rights, vulnerable land-connected peoples, historically underserved traditional local communities), and what sorts of requirements would you propose be included?	**Feedback received:** 22 responses received (6 from the mining sector, 5 from the NGO sector, 4 from Indigenous Rights organizations, 7 from other stakeholder groups). **Results**: 8 supportive, with conditions (e.g., different chapter, different nomenclature, some criteria needed). 10 not supportive to apply broadly (although some thought could expand definition of Indigenous, or that FPIC needed in certain contexts). 4 did not state a preference. Commenters provided many examples that enumerate where expert bodies have defined cases where this right is already conveyed under certain circumstances to various collectives (in most cases, very specific to a region or area), through their processes (legal, UN-level bodies); including ILO 169 and IAHCR jurisprudence regarding when certain ethnic groups may be considered Indigenous Peoples, as well as when Afro-descendent and other customary land rights-holders might be considered Indigenous Peoples. **Proposed Decision**: No substantial change to requirements. The already wide and inclusive definition of Indigenous Peoples adopted by the IRMA Standard has been expanded to include the 2018 World Bank Guidance for the Borrower on the application of the Environmental and Social Standards ESS7 (see Glossary for full updated definition). Legal compliance with the country of operation's laws and regulations is still addressed in Chapter 1.1. IRMA proposes to also develop additional Guidance, and have it reviewed by experts.

2.2-03	**(Identification of Indigenous Peoples' "rights and interests")** **Question**: Are you aware of any sources that provide a definition or at least an explanation of what might constitute the *interests* of Indigenous Peoples? Is this something that IRMA should be concerned about? Or are the interests of Indigenous Peoples simply something that will be expressed during discussions with the ENTITY, and therefore not something that needs to be defined by IRMA?	**Feedback received**: There was no definition of "interests of Indigenous Peoples" identified by commenters, and the overwhelming opinion was that IRMA does not need to create a definition. However, there was also a desire expressed by some industry representatives for IRMA to provide some guidance on the topic, as the term is very broad and vague. The most common advice provided by commenters is that entities should see guidance from the potentially affected or affected Indigenous Peoples by asking them to elaborate on their interests related to a proposed (or ongoing) development. **Proposed Decision**: No change made. Throughout this Chapter, but also Chapter 2.2 on Human Rights Due Diligence, collaborative assessment of risk and impacts is paramount; meaning that companies are required to give Indigenous Peoples the central role of identifying how an ENTITY's operations and activities could negatively and/or positively impact their rights and interests. A process and reality that will be different in each context. IRMA proposes to develop additional Guidance, and have it reviewed by experts.
2.2-04	**(Remedy process and agreement for past impacts of activities implemented without FPIC)** **Question**: Until the IRMA Board approves changes to the standard (based on input gathered through global stakeholder consultations) IRMA is not making changes to critical requirements (for more on critical requirements see the note that accompanies 'Critical Requirements In This Chapter,' below). However, we would be interested in knowing if you believe this new requirement (formerly 2.2.4.1; now 2.2.5.1 in this new draft) should be critical. Why or why not?	**Feedback received**: 8 responses received, representing a mix of stakeholders (NGOs, practitioners, mining entities). **Results**: the majority (6) suggested that this be a critical requirement. However, no mining entities supported this position. **Proposed Decision**: Version 2.0 of the IRMA Standard is attempting to more fully integrate the notion of remedy, where impacts have occurred and have not been remediated. The best tool that we have for trying to move the needle on this issue is to make it a requirement for entities to make a good faith effort to understand the past and ongoing impacts and work with Indigenous Peoples to agree on appropriate remedies. The responses to various consultation questions suggest that most IRMA stakeholders agree that it is critical for entities that operate existing mines to make an effort to provide remedy for impacts from activities that are still ongoing but started without the Free, Prior, and Informed Consent of affected Indigenous Peoples, even if they did not cause them (e.g., they were caused by an exploration company, or previous owner). We believe that this aspect of the proposed new requirements in Section 2.2.5 (the effort to engage on remedy) is, in itself, a step forward compared to other standards, and will contribute to formalize and normalize the evolution of best practice in this field. We acknowledge that collaborating with Indigenous Peoples to address and remedy harm that was due to past impacts/activities undertaken without the FPIC of affected (or then-affected) Indigenous Peoples that are not occurring

		anymore (but harm that was never adequately remediated)- is not yet a widespread practice and still emerging. We want to encourage more companies to remediate such past impacts, and to do so in collaboration with Indigenous Peoples. This is why we have proposed an optional IRMA+ requirement that addresses these situations (2.2.5.5). However, from the responses it was also clear that this approach created concern that participation in a process and mutual agreement on remedy for past impacts would somehow be seen as conferring FPIC for existing operations. Thus, we have added a requirement that reaching a remedy agreement NOT be communicated publicly as meaning FPIC has been achieved [See 2.2.5.3.c] Based on various comments, and a review of the entire chapter flow, we are proposing: 1) To not make this requirement critical; and 2) To make some structural changes. In particular, we are proposing to clearly separate the Remedy Agreement process from the FPIC process by creating two separate Sections: - 2.2.5. Remedy for Impacts from Activities Implemented without FPIC before June 2018 - 2.2.6. Respecting the Right to FPIC for New Activities This resulted in repeating the content of two requirements under both Sections 2.2.5 and 2.2.6 (e.g., previously, the provision of experts for remedy process, and provision of experts for FPIC were in one requirement). However, this does not change the workload or general intent of the Chapter, and the expectations are more clear and easier to audit if they are included in both places.
2.2-05	**(Remedy process and agreement for past impacts of activities implemented without FPIC)** **Question**: There may be situations in which Indigenous Peoples do not wish to enter into or continue an agreement-making process. If this is the case, should the ENTITY just score 'does not meet' (i.e., zero) on this requirement (2.2.4.1)? Or could they get 'partially meets' or 'substantially meets' if they've made a good-faith effort even if no process is initiated due to Indigenous Peoples' decision not to participate or if Indigenous Peoples decide to terminate discussions?	**Feedback received**: 16 response received, representing a mix of stakeholders (NGOs, practitioners, mining entities). **Results**: Numerous respondents agreed that entities that tried to engage in good faith should receive some credit, but were mixed on how that might translate to a score. Several respondents were more focused on the outcome, and said that if remedy was not provided then it did not matter how hard the ENTITY tried, the requirement is not being met. And some argued that if Indigenous Peoples choose to not engage in a remedy process this means an operation does not have FPIC and should be shut down. **Proposed Decision**: See response to 2.2-04 above. There have been structural changes but no specific requirement added for this situation.

Chapter 2.3
Gender Equity, and Sexual and Gender-Based Violence

RESPONSE TO CONSULTATION QUESTIONS OUTLINED IN FIRST DRAFT

Question #	Question	Feedback and Proposed Decision
1.X-01	(**Definitions: Gender, Gender Diverse, Gender Equality, Gender Mainstreaming, Gender Protections, Intersectional, Vulnerable Groups**) **Question**: Below are proposed definitions of key terms in this chapter. Do you have any comments or suggestions on these definitions and/or suggestions for references to other definitions we should review and/or incorporate?	**Feedback received**: 8 responses received (4 mining, 2 NGO, 1 government, 1 audit firm). Many amendments and changes proposed. **Proposed Decision**: Definitions have been revised and updated based on stakeholder input. Major changes include: - Proposing to refer to "women, girls, and LGBTIQA+ persons" instead of "gender-diverse individuals" (which can be perceived as limited to trans-gender persons). - Proposing to add the following terms to the glossary: 'Gender Equity', 'Gender Identity', and 'Intersectional'. - Proposing to remove examples from definitions, as some of this material overlaps with content in the Background to the Chapter (and that is a more appropriate location for it). Additional context can be provided in Guidance.
1.X-02	(**Definitions: Vulnerable Groups**) **Question**: References to women and gender-diverse individuals as potentially "vulnerable" or as "vulnerable groups" may sound disempowering and/or otherwise not aligned with the objectives of this chapter to advance gender equality. Are there other widely recognized terms or phrases we could use that recognize the potential susceptibility of women and gender-diverse individuals to adverse impacts such as health impacts or lack of economic opportunities due to social biases or cultural norms?	**Feedback received**: 13 responses received (6 mining, 3 NGO, 2 Finance, 1 consultant, 1 audit firm). Many versions and alternatives proposed. Respondents overall in favor of not referring to women and girls as "vulnerable". **Proposed Decision**: We propose to drop the term "vulnerable" altogether and use instead "underserved" (as in "potentially underserved and/or marginalized people"). This proposition is informed by responses to this terminology question across multiple chapters.
1.X-03	(**1.X.2.2, factors to be incorporated in gender impact and opportunities assessments**) **Question**: Do you have any comments on the set of minimum factors listed above and/or can you provide examples of common factors used in gender assessments (with reference to original source)?	**Feedback received**: 9 responses received (4 mining, 3 NGO, 1 finance, 1 consultant). Comments are generally supportive of the factors proposed. A few respondents highlight again the challenges faced by companies in jurisdictions that criminalize some or all LGBTIAQ+ persons. Some mining respondents flagged the complexity of such impact assessment.

		Proposed Decision: We propose to expand the list based on stakeholder comments. This list will appear in as Table 2.3-A, and will form the basis of the risks and impacts that need to be considered during scoping (Section 2.3.3).
1.X-04	(**1.X.2.2, factors to be incorporated in gender impact and opportunities assessments**) **Question**: In some circumstances a person may prefer not to disclose their gender, e.g., when filing a grievance—including a grievance related to gender. Allowing a worker or community member to choose not to disclose this information can have the positive impact of protecting a stakeholder or stakeholder group in some cases and may also make assessing and addressing impacts and opportunities by gender more challenging. Should we include a requirement that allows a preference not to disclose one's gender? Why or why not? In what contexts might a preference not to disclose one's gender be necessary? In what contexts might this not be appropriate?	**Feedback received**: 11 responses received (7 mining, 3 NGO, 1 consultant). The vast majority of respondents support the option to not disclose gender. Some respondents point out the differences between grievance and hiring processes for example. **Proposed Decision**: IRMA to state in the guidance that the option for workers or community members to not disclose gender is to be clearly articulated by the Entity, even though this may impede the ENTITY's ability to fully assess and properly remediate some grievances and claims. More details on how the grievance mechanism/s should be designed and implemented to respect fundamental rights and safety are provided in Chapter 1.6. IRMA to also state in guidance that information collection should adhere to applicable country of operation's laws, per Chapter 1.1.
1.X-05	(**1.X.2.2, factors to be incorporated in gender impact and opportunities assessments**) **Question**: We note that in some circumstances a person may prefer not to disclose sexual orientation, marital status, or other factors. Should we include a requirement to allow a preference not to disclose particular intersectional factor(s)? If so, what factors and why? In what contexts might a preference not to disclose the factor(s) you've identified be necessary? Are there any contexts in which a preference not to disclose the factor(s) may not be appropriate?	**Feedback received**: 10 responses received (7 mining, 2 NGO, 1 consultant). All the respondents support the option to not disclose certain personal information. **Proposed Decision**: IRMA to state in the guidance that the option for workers or community members to not disclose certain personal information is to be clearly articulated by the Entity, even though this may impede the ENTITY's ability to fully assess intersectional discrimination and subsequent risks and opportunities. IRMA to also state in guidance that information collection should adhere to applicable country of operation's laws, per Chapter 1.1.
1.X-06	(**1.X.2.2, factors to be incorporated in gender impact and opportunities assessments**) **Question**: This chapter aims to take an intersectional approach, promoting assessment of impacts by gender and understanding and addressing related factors of discrimination such as ethnicity, socioeconomic status, disability, age, geographic location, gender identity, sexual orientation, religion, or marital status, for	**Feedback received**: 10 responses received (5 mining, 3 NGO, 1 government, 1 consultant). Multiple factors suggested across sectors. **Proposed Decision**: We propose to expand the list based on stakeholder comments. This list will appear in as Table 2.3-B, and will be used in the

	example. Are there specific factors you recommend for intersectional assessments?	scoping of potential risks and impacts (Section 2.2.3) and intersectional assessment (Section 2.2.4).
1.X-07	(**1.X.5, Reporting**) **Question**: Is the requirement to report 'annually' appropriate here? Do you recommend any other specific timeframe (e.g., bi- annually) and/or circumstance (e.g., major modifications to the mining or mineral processing operation, significant changes in technology, etc.) that should prompt a public report?	**Feedback received**: 12 responses received (7 mining, 3 NGO, 1 finance, 1 consultant). 7 respondents (across sectors) are supportive of annual public information-sharing. 2 mining suggest only once every two years, 1 NGO and 1 mining suggest twice a year (though the mining respondent flags important budget considerations). 1 mining suggests to report information only when there is significant change. 1 mining did not have an opinion at this stage. **Proposed Decision**: We propose to keep annual public information-sharing.

Chapter 2.4
Obtaining Community Support and Delivering Benefits

RESPONSE TO CONSULTATION QUESTIONS OUTLINED IN FIRST DRAFT

Question #	Question	Feedback Received and Proposed Decision
2.3-01	**Background:** 'Broad community support' neither requires nor implies 100% agreement in the community. Therefore, even if a democratic vote is taken or an agreement signed there will almost always be some community members who are supportive of a project or operation, and some who are opposed (see a similar discussion related to free, prior and informed consent (FPIC) in CONSULTATION QUESTION 2.2-01 in Chapter 2.2). Furthermore, even if agreements have been signed or there was at some point in time a community vote, etc., sentiments can change over time: opposition may emerge or increase if entities are not responsive to community concerns and/or do not manage social or environmental impacts well; or support may increase if efforts are made to create positive opportunities or benefits such as jobs or training programs. As a result, at one point in time there may be significant enough community-based opposition to say that a site has not obtained or maintained broad community support, and a few years later this situation could reverse. Ultimately, at every audit the auditors will need to determine about whether a project /operation has broad community support based on the weight of evidence that they have reviewed. Typically, auditors: • Carry out interviews with affected community members, local and regional non-governmental organizations, and local authorities to understand any processes, events, or outcomes that might indicate presence/absence or change in level of broad community support; and • Review current social and traditional media to ascertain community opinions and responses to the ENTITY/project. IRMA will continue to train auditors so that the narratives that accompany this requirement in the public audit report reflect the weight of evidence (i.e., any positive support and any opposition that may exist) that led to their conclusions. We will also	**Feedback received**: Public feedback expressed concern with the idea of being able to consistently and objectively determine indicators to "assess" whether BCS had been 'obtained' or 'maintained', although feedback indicated that indicators to gauge level of support were possible, as distinct from attempting to establish a definitive indication of when and how support is widespread and consistent enough to constitute "broad" community support as a static concept. Feedback also suggested, as a result of the difficulties outlined above, that auditors should use their best judgment when accessing and be trained to appropriately weigh evidence. **Proposed Decision:** Based on stakeholder feedback received, IRMA proposes to move away from the concept of obtaining and maintaining "Broad Community Support" (BCS) to instead create an entirely new set of requirements that can be consistently and objectively audited, and also hopefully lead to positive changes on the ground. Our proposed approach is based on the premise that all sites demonstrate that they understand the level and reasons for support (and opposition) in affected communities, and that they use this information to make efforts to continuously improve relationships so that support is strengthened over time. These are reflected in the new proposed Section 2.4.2. We will no longer use the term "broad community support" in Chapter 2.4. Our decision is based on the concerns expressed with being able to objectively define and measure what constitutes BCS. Though directly taken from the language of the IFC Performance Standard, we have had to acknowledge the methodological impossibility (or inadequate pretention) of claiming that a site 'obtained broad community support'. As

	develop additional guidance and training for auditors on how to assess/factor in the presence of some opposition (i.e., how much weight to give to a handful of negative articles, a few oppositional tweets, a group of unhappy community members, etc.). **Question:** Are there specific metrics that can consistently and objectively reflect whether or not broad community support is being maintained? Or is it enough that auditors weigh the evidence and are transparent about their findings?	expressed in an Advisory Note[i] published in 2010 by the Office of the Compliance Advisor/Ombudsman (CAO) for the International Finance Corporation (IFC) Multilateral Investment Guarantee Agency (MIGA) Members of the World Bank Group: "*IFC's implementation of its Broad Community Support commitment has been highly restrictive and not transparent. As a result, IFC has missed the opportunity to play a leadership role in helping to advance the implementation of local approval processes. IFC's application of the Broad Community Support commitment has changed over time, yet these changes have not been clearly communicated.*" Determination of Broad Community Support in the most up-to-date version of the IFC Environmental & Social Review Procedures Manual (2016) remains a very opaque and subjective procedure. And IRMA has not been able to come up with agreed, clear metrics, and a weighting system, that would enable auditors to consistently make a determination of the achievement or non-achievement of broad community support.

[i] Review of IFC' s Policy and Performance Standards on Social and Environmental Sustainability and Policy on Disclosure of Information. https://www.cao-ombudsman.org/sites/default/files/2021-06/CAOAdvisoryNoteforIFCPolicyReview_May2010.pdf

Chapter 2.5
Land Acquisition, Displacement, and Resettlement

RESPONSE TO CONSULTATION QUESTIONS OUTLINED IN FIRST DRAFT

Question #	Question	Feedback Received and Proposed Decision
2.4-01	**(Grievances related to displacement and resettlement)** **(Note**: question repeated from Chapter 1.4 – 'Complaints and Grievance Mechanism and Access to Remedy') Question: Should an ENTITY's score on grievance-related requirements within individual non-grievance-specific chapters be restrained or linked to the overall score that the ENTITY gets on the grievance chapter (Chapter 1.4) as a whole?	See Chapter 1.6 (former 1.4) for feedback received, proposed decision, and relevant changes to chapter guidance.
2.4A-01	**(Inclusion of climate resiliency and climate adaptation during resettlement planning)** IRMA has identified climate resiliency and adaptation as a necessary consideration in the ESIA process. Should IRMA also require that climate resiliency and climate adaptation be considered during resettlement planning (e.g., in terms of social capital development, social learning and effective community organization and leadership; livelihoods restoration strategies which respond to changing climatic conditions; climate-resilient housing, settlements layout and infrastructure; or other key areas of climate-related impact as it relates to resettlement)? Examples of current, emerging, or predicted concerns are welcome for context.	**Feedback received:** Public feedback overwhelmingly supported inclusion of this topic in Chapter 2.5A. **Proposed Decision**: Add sub-requirement 2.5A.4.1.f requiring entities to consider climate adaptation needs when designing livelihood restoration measures.
2.4A-02	**(Displacement of households with no legal or formal claim to lands)** **Background**: IFC guidance states that entities are not obligated to provide replacement land or compensation for land to affected people with no formal or customary claim to the lands on which they live /engage in productive activities. However, PS5 does state that affected people, "should be offered resettlement assistance sufficient to restore their standards of living at a suitable alternative site." If not through offering replacement land or compensation for land, how should entities restore standards of living of affected people who do not own land and, without compensation, may not be able to purchase land to reestablish their affected structures/livelihoods? **Question**: What guidance should IRMA give to entities concerning obligations towards physically displaced households in particular, where those households do not own lands on which to reestablish	**Feedback received** –(including an additional survey distributed to leading global resettlement experts): suggested that the decision to provide replacement lands to physically displaced people with no claim to land is a very context-dependent decision, and therefore should not be mandated by IRMA in all contexts (this approach is also taken by the IFC). There is a need to balance ensuring that underserved and/or marginalized people are not made more vulnerable as a result of displacement, with concerns about legitimizing land grabbing and speculation that itself can have negative impacts on communities impacted by a project. Where the opportunistic occupation of lands with the intent of obtaining benefits from a project occurs on public lands, legitimizing these land claims can set a dangerous precedent and in many jurisdictions is incompatible with local legislation. Where speculation occurs through

	their residential structures? How should IRMA guide auditors to interpret "options for adequate housing with security of tenure" and the overall obligation to restore previous standards of living?	purchases of privately-owned lands in a project area at low costs with the anticipation of selling them to a project for a profit, vulnerable households that perhaps do not have the knowledge or capacity to enforce their rights and ensure a fair sale price are most likely to fall victim to this behavior. That being said, there are other contexts in which the occupation of lands is not opportunistic, i.e. individuals have been living on (or making productive use of) public lands for an extended period of time in jurisdictions that do not recognize this as constituting a customary land claim (which in many other jurisdictions would constitute a customary land claim). **Proposed Decision**: We are retaining the requirement that entities, at a minimum, undertake measures to ensure that physically displaced households with no legal or formal claim to lands are provided with options for housing with security of tenure appropriate to the context (2.5A.5.3), keeping in mind that all proposed measures will be decided on in communication with the affected people themselves. This could include enabling them to establish a rental situation, offering loans to enable them to purchase lands at a discounted rate, etcetera. Note: this will be reflected in guidance, there is no corresponding change in the chapter text.
2.4A-03	**(Displacement of tenants)** **Background**: In the case of tenants, IFC does not specify a particular outcome. IFC guidance states that, "In some cases, tenants may qualify for replacement housing and in other cases they will be resettled in similar housing under similar or improved tenure arrangements."[ii] Without some boundaries it is difficult for companies and auditors to know if the requirement for providing "adequate housing with security of tenure" is fully being met. **Question**: What should 'security of tenure' look like in practice for households renting residential structures that are affected by the project? Should IRMA specify a best practice outcome? If so, what would that look like, e.g., similar housing with a 12-month lease (if there was no previous lease), or something else?	**Feedback received:** Feedback was limited on this question - some suggested IRMA should defer to country of operation's laws, others suggested that 12 months is an appropriate timeframe. **Proposed Decision**: As with Consultation Question 2.4A-02, above, we are retaining the requirement that entities, at a minimum, undertake measures to ensure that physically displaced households with no legal or formal claim to lands, such as households that are renting residences, are provided with options for housing with security of tenure appropriate to the context (2.5A.5.3), keeping in mind that all proposed measures will be decided on in communication with the affected people themselves. This could include providing them with at least a 12-month lease in a similar residential structure (similar to the requirements for commercial renters in

[ii] International Finance Corporation (IFC). 2012. Guidance Notes 5. Land Acquisition and Involuntary Resettlement. p. 6.

		2.5A.6.1.b) or other reasonable solution agreed to by the affected person/household, unless a lease of this duration is prohibited by country of operation's laws. **Note**: this will be reflected in guidance, there is no corresponding change in the chapter text.
2.4A-04	**(Transitional temporary physical resettlement)** **Background**: Per IRMA guidance for requirement 2.4.7.6 (which was 2.4.6.6 in the 2018 Mining Standard[iii]) the IFC PS5 requires entities to pay compensation and provide affected people with replacement lands/structures prior to displacement, while recognizing that circumstances can arise in which it is not feasible to do so. However, there is little international guidance detailing how these 'transitional' temporary resettlements should occur. Requirement 2.4.7.7 is designed to fill this gap and ensure that the treatment of displaced people subject to transitional temporary physical resettlement is done in a manner that is consistent with the spirit of this chapter in terms of reducing vulnerability and ensuring that stakeholders are not made worse off as a result of displacement. **Question**: 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	**Feedback received:** Public feedback was strongly supportive of addressing this issue for any resettlement occurring post 2012. Some even suggested strengthening it. **Proposed Decision**: The new draft adjusts the requirement (now 2.5A.7.4) to require entities to not only "make efforts" to avoid transitional temporary physical resettlement, but also to demonstrate how / why it was not avoidable. Also, the requirement now includes that affected households are offered the option for independent legal or professional advice (see 2.5A.7.4.c) before formally agreeing/not agreeing to the proposed temporary resettlement terms.
2.4A-05	**(Applicability of requirements related to voluntary displacement)** **Background**: The current proposal for requirement 2.4.7.9 is that entities undertaking their land acquisition between 2012 and the release of the updated IRMA Standard can choose to be exempted from this requirement, based on the logic that regulation of voluntary land transactions goes beyond the IFC PS and therefore cannot be said to have been normative (and therefore expected of entities) beginning in 2012. However, one might also argue that the requirements indicated for voluntary transactions (fair market price, decisions made free of coercion, etc.) constitute norms of fair market value transactions that were normative long before 2012. **Question**: Do you agree with the proposed approach of allowing entities whose land acquisition occurred between 2012 and the release of IRMA Version 2.0 (2024) to choose to be audited (or not) against this requirement (2.4.7.9 - obligation to assess and ensure quality of "voluntary" [willing buyer-seller]	**Feedback received:** Public feedback supported the idea that global norms pertaining to fair market value transaction norms and good faith negotiations and voluntary transactions (as represented by the sub-requirements of current 2.5A.7.5) were widely accepted international best practice even before 2012. Therefore, this requirement should be retroactively applied to resettlements occurring after 2012. Some requested a remediation requirement, i.e. that if 'voluntary transactions' did not, for example, pay full market value, that the ENTITY should remediate this. **Proposed Decision**: The requirements will apply to all entities post-2012, and sub-requirement on remediation has been added (2.5A.7.5.e).

[iii] IRMA Standard for Responsible Mining 1.0, Guidance Document (v.1.2). See note for requirement 2.4.6.6. Available at: https://responsiblemining.net/resources/#full-documentation-and-guidance

	transactions) as it was arguably not considered international best practice. Or do you believe that despite not falling under the gamut of the IFC standards (the motivation for the current 'exemption' clause indicated above), 2.4.7.9 reflects extant normative expectations since 2012 concerning the characteristics and outcomes of good faith free-market negotiations, and that it should therefore 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, as they are from others that arguably go beyond IFC norms?	
2.4A-06	**(Voluntary displacement)** **Background**: The previous consultation question suggests that the conditions under which voluntary (willing buyer-seller) land transactions occur in the context of land acquisition for mining-related activities often do not meet the requirements for truly voluntary (informed, equitable, non-coerced) land transactions. **Question**: 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 and require that all land acquisition be treated as "involuntary," regardless of whether it is what the IFC deems to be involuntary (i.e., the ENTITY has recourse to expropriation) or voluntary (willing buyer-seller)? This would mean that entities acquiring lands after the release of this version of the IRMA Standard would therefore be required to meet the full set of requirements in this Chapter 2.4A, including not only the outcome components (full replacement value, livelihood restoration, etc.) but also the process requirements such as creation of a transparent common compensation framework, community engagement, creation of a RAP/LRP, etc.	**Feedback received:** Public feedback was split on this topic, with some stating that all land transactions should be treated as 'involuntary' and others stating that minimum requirements for 'involuntary' are sufficient. **Proposed Decision**: As a compromise, and in recognition that it is perhaps not yet international best practice for entities engaging in voluntary transactions to engage in the full range of activities outlined in Chapter 2.5A, we will elaborate in guidance that treating all land acquisition as involuntary is advisable from a risk reputation perspective. The new draft includes a remediation sub-requirement (2.5A.7.5.e) to ensure that, where "voluntary" transactions have fallen short of the provisions of 2.5A.7.5 (mostly in terms of payment of fair market value), that the ENTITY remediates this. There is also new proposed language in 2.5.1.1 clarifying that must explicitly consider all informal landowners or others affected by displacement as 'involuntary' as they will not have any legal basis on which to seek compensation from entities for impacts (see endnote for 2.5.1.1.a). This was previously insinuation in the introductory material for the chapter, but it is now an explicit requirement. Finally, the IRMA Standard already asks entities to explicitly consider impacts on all stakeholders affected by land acquisition - whether voluntary or involuntary - in human rights impacts assessments, and will make cross-linkages between Chapter 1.3 on human rights due diligence and Chapter 2.5 more apparent.

2.4A-07	**(Private Sector Responsibilities Under Government-Managed Resettlement)** **Background**: As per IRMA Chapter 1.1, entities are not expected to violate host country law in order to meet IRMA requirements. Therefore, under both the 2018 and this proposed version of the IRMA Standard entities will only be expected to fulfill IRMA requirements to the extent that is possible within the law in situations where host country law largely controls the resettlement process. If the law is silent on aspects addressed in the IRMA chapter, then entities will be expected to advocate for their inclusion in government resettlement projects or plans, or the ENTITY should include those provisions in their own supplemental resettlement plan. This is aligned with the IFC PS, which state that, "While government agencies are often mandated to lead resettlement efforts, experience indicates that there are generally opportunities for clients to either influence or supplement the planning, implementation and monitoring of government-led resettlement..."[iv] However, the auditing of this requirement as written is challenging because, if an ENTITY applies for IRMA assessment and their land acquisition was (or will be) government-led, then the Standard as currently written asks them to attempt - to the extent possible - to meet all of the requirements in this entire chapter but only evaluates them against 2.4.9.1. This puts the full weight of the chapter onto a single requirement and does not allow the audit report to easily capture nuances such as which of the various components of this chapter the ENTITY did or did not meet and/or where the ENTITY failed to meet a component due to negligence/omission versus where they made a good faith effort to do so but were constrained by government regulations. Working group members also expressed concerns that hinging an ENTITY's performance on this 'best effort' requirement in the case of a government-led resettlement might allow entities to shift blame onto governments for poorly executed resettlements and claim 'government restrictions' prevented them from fair compensation and due process. Even where the ENTITY does indeed make acceptable efforts to supplement or substitute government actions, in instances where government regulations are particularly restrictive, IRMA could end up certifying a land acquisition/resettlement process that is, in fact, deeply problematic.	**Feedback received:** Public feedback - including an additional survey distributed to leading global resettlement experts - suggested that it is quite rare that governments legally prohibit entities from influencing resettlement and livelihood restoration processes. However, others mentioned again the concerns indicated in the premise / background to the consultation question, that entities might use 'government-led' as an excuse to shirk obligations. **Proposed Decision**: In the case of government-led resettlements, entities are to be audited against the requirements of Chapter 2.5 that apply to their particular situation (i.e., historical, recent, new / planned); however, where entities can provide robust evidence that efforts made to influence the government in various issue areas failed, the auditors will take this into consideration in their evaluation. To address a valid concern expressed about wanting to avoid a situation in which entities are consistently investing in places where they know the government will not allow or enable them to meet IRMA requirements, yet are being awarded IRMA achievement levels based on 'robust efforts', IRMA will require that, in such cases, auditors write an opening narrative or disclaimer providing objective context for the entities' achievement on this chapter in order to draw attention to the reality of the achievement level and the risks associated. **Note**: the 2018 Standard section relating to private ENTITY responsibilities for government-led resettlements (2.4.8) essentially placed the ENTITY's entire chapter score on this single requirement, which asked for the ENTITY to develop a supplementary plan to address gaps between IRMA requirements and the government-led resettlement. We have gotten rid of this requirement, and rather specified in the 'scope of application' section in the chapter introduction the approach proposed above (i.e. that entities must endeavor to meet the requirements of the chapter as applicable to their situation, and will be evaluated on the robustness of their efforts to do so in areas where their ability to achieve a particular

[iv] International Finance Corporation (IFC). 2012. Guidance Notes 5. Land Acquisition and Involuntary Resettlement. GN74. Available at: https://www.ifc.org/en/insights-reports/2012/ifc-performance-standards

	Question: Is it common that host country laws explicitly prohibit private entities from supplementing/supporting land acquisition processes (i.e., engagement, notification timelines, etc.) and outcomes (i.e., compensation and other support) provided for by government bodies? If so, should entities be simply evaluated against the extent of their demonstrable efforts to influence government (the 2018 and proposed approach)? If not, should entities be audited against the full set of requirements of this chapter, regardless of whether it is an ENTITY-led or government-led land acquisition/resettlement?	outcome was either legally prohibited within the country of operation context, or explicitly objected to by the country of operation government).
2.4B-01	**(Assessing affected people and impacts of historical displacement/resettlement)** **Background**: Depending on the nature of a project's land acquisition process or the amount of time since it occurred, there may be instances where entities are unable to find information on the extent/nature of a historical land acquisition/displacement process. In these cases, IRMA proposed that the requirement be assessed based on the robustness of the methodology utilized by the ENTITY to determine sufficiency in terms of investigating the impacts of a historical displacement. The purpose of doing so is to avoid an open-ended obligation on entities to investigate historical displacement. **Question**: Keeping in mind the intent to balance robustness of the due diligence process with the constraints faced by entities whose efforts are unlikely to bear fruit (due to previous project owners, amount of time passed since displacement occurred, etc.), what criteria should be considered when evaluating the 'robustness' of the investigation? 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?	**Feedback received:** Public feedback supported the idea of using robustness of efforts to identify historical impacts as a way of both limiting perverse incentives for entities do not do a thorough due diligence and ensuring such efforts do not become a limitless pursuit and that entities can achieve this requirement even if, ultimately, the result is that they are unable to identify historical resettlement impacts. Feedback on what criteria should be used specifically to gauge this was somewhat limited. **Proposed Decision:** IRMA to develop guidance pertaining to robust due diligence for historical land acquisition. This guidance will speak to attempts to obtain documentation or other formal evidence such as imaging, as well as engagement with authorities and communities to triangulate findings (or lack thereof).

Chapter 2.6
Emergency Preparedness, Response, and Recovery

RESPONSE TO CONSULTATION QUESTIONS OUTLINED IN FIRST DRAFT

Question #	Question	Feedback Received and Proposed Decision
2.5-01	**(2.5.7 - Public Liability Accident Insurance)** **Question:** Should IRMA add requirements that the liability insurance needs to be in an amount sufficient to cover the costs related to the worst-case scenario for the failure of an operation's critical facilities (i.e., sufficient compensate affected peoples and communities, and restore livelihoods/economies and the environment)?	**Feedback Received**: 8 responses received (4 mining, 1 NGO, 1 finance, 1 consultant, 1 audit firm). 4 respondents (3 mining, 1 audit firm) are not in favor, 3 respondents (1 mining, 1 finance, 1 consultant) are questioning the feasibility, and 1 respondent (NGO) supports the principle but suggests a more realistic alternative (to require a minimum liability coverage, e.g. USD$1 billion, unless evidence can be provided of a lesser site-specific worst-case liability limit). **Proposed Decision:** No change at this time. IRMA will consider the option of adding an optional requirement for a liability coverage for the worst-case failure scenario in a future update of the Standard, to allow for willing leading companies to be assessed against this.
2.5-02	**(2.5.7 - Public Liability Accident Insurance)** **Question:** It has been suggested to IRMA that there might be other financial instruments that could be put in place others that would enable a company to cover the costs related to a major catastrophic incident. Do you know of any other financial instruments that have been used to cover the cost of major accidents/incidents? (Can you provide actual examples of alternative instruments being used?) Conversely, would you have any objections to expanding this requirement to include other financial instruments? If so, why?	**Feedback Received**: 4 responses received (2 mining, 1 Ngo, 1 consultant). No suggestions generated on other existing financial instruments. Alternatives suggested would take further research, and beyond-IRMA cross-stakeholder conversation and action to develop new ones and implement them (this could include an industry-led fund). **Proposed Decision:** Propose to add an "eye icon" to this requirement, to keep it under close watch, as the 2018 requirement has largely been poorly understood and audited to date.

Chapter 2.7
Concurrent Reclamation, Closure, and Post-Closure

RESPONSE TO CONSULTATION QUESTIONS OUTLINED IN FIRST DRAFT

Question #	Question	Feedback and Proposed Decision
2.6-01	**(2.6.1.2)** **Question:** Do you agree with the addition of this requirement? Are there other activities you would suggest be included in the list of concurrent reclamation activities that can be commenced/undertaken during the operations phase?	**Feedback received**: 5 responses received (3 mining, 1 NGO, 1 finance). All respondents support this requirement for activities to be implemented concurrently to operations, throughout the life of the project/operation. Several of them points out the context specificities which may impede the concurrent reclamation. **Proposed Decision**: Retain the requirement, now made more consistent (see 2.7.1.2), and keep the option for an ENTITY to provide a rationale "when some activities cannot practically be implemented in such a concurrent manner."
2.6-02	**(2.6.1.7)** **Question:** Do you agree that stakeholders should be provided with the opportunity to provide input on reclamation, and reclamation and closure plans, throughout the operation's life cycle? If so, does it make sense to tie this opportunity to when the plans are updated?	**Feedback received**: 8 responses received (4 mining, 4 NGO). All respondents but one support this proposition. One respondent (mining) agrees that stakeholders should be informed, but not given a space for comments. One respondent (mining) mentions that stakeholder engagement on reclamation and closure could be integrated into the overall stakeholder engagement plan. One respondent (NGO) mentions the need for all version of plans and estimated costs to be made publicly accessible. One respondent (mining) flags that minor updates are made on a regular basis, and that stakeholder input should be sought only when significant changes are made. **Proposed Decision**: Retain the requirement to offer space to communities and relevant stakeholders to provide input, not only on the initial versions but whenever significant updates are made. See Section 2.7.4.
2.6-03	**(2.6.3.1)** **Question:** Should IRMA leave the requirement 2.6.4.3 from the 2018 Standard unchanged (i.e., "Self-bonding or corporate guarantees shall not be used")? In that case, if self-bonding is used, the most the ENTITY can score on this requirement would be "partially meets" (and that would only happen if the site fully meets sub-requirement b). Or are there other ways to sufficiently highlight the financial risk of not	**Feedback received**: 4 responses received (3 mining, 1 NGO). The NGO respondent supports leaving the requirement from the 2018 Standard unchanged. Two mining respondents support the approach of a partial score cap. One mining respondent points outs the lack of state-hosted and state-overseen financial assurance instruments in some countries such as Zimbabwe and Brazil (although IRMA understands that Brazil has been setting up a new mining fund for reclamation and closure, in response to the recent tailings dams

	having government-supported financial assurance in place?	catastrophes); making this hard if not impossible to achieve in such countries. **Proposed Decision**: Experience from the first years of independent audits against the IRMA Standard have identified the issue where there is no strong state-hosted and state-overseen financial assurance instruments (i.e. in the form of cash deposits or trust funds) in place for reclamation, closure, and post-closure. IRMA proposes to clarify this situation by separating the two situations, and providing pathways for each scenario (see 2.7.4.1). In practice, this means that when such instrument is available in a country of operation, the ENTITY must adopt and implement it; and when such instrument is not available, the ENTITY must still provide a form of financial assurance, which in this case may be based on a "weaker" mechanism like self-bonding or corporate guarantee. In this case, IRMA adds a sub-requirement to ensure the ENTITY "makes publicly accessible detailed information on the likelihood that funds would be available to the competent authority to cover the cost of reclamation, closure and/or post-closure: 1) at the end of the operation's life; 2) if operations are suspended or unexpectedly ceased; and 3) if the ENTITY were to go bankrupt prior to the planned closure date." Responses received to this question, as well as to 2.6-04, 2.6-05, and 2.6-06 are informing this decision.
2.6-04	**(2.6.3.1)** **Question:** Should IRMA add that that self-bonds or corporate guarantees are not used "unless there is no other option available," and create some requirements that evaluate the credibility of any self-bond or corporate guarantee, so that stakeholders are provided with some information on the likelihood that funds would be available to cover the cost of reclamation and closure either at the end of the operation's life or if the ENTITY were to go bankrupt prior to the planned closure date. There are existing approaches such as 'balance sheet tests,' which require periodic verification of compliance with financial health criteria.	**Feedback received**: 6 responses received (3 mining, 3 NGO). Responses are split on this question. 2 NGO and 1 mining respondents are against this proposition. The other respondents (2 mining, 1 NGO) support it. **Proposed Decision**: See decision on 2.6-03 above.
2.6-05	**(2.6.3.1)** **Question:** Are there realistic options for "Independently guaranteed, reliable, and readily liquid" that do not specifically require a government body to oversee financial	**Feedback received**: 5 responses received (3 mining, 2 NGO). No practical example was provided. Several respondents mentions that companies could collaborate (including through industry associations) to develop an independent surety mechanism.

	management and reclamation execution? What are those options and how have then been implemented to date in practical terms? Are there examples of success? challenges?	**Proposed Decision**: See decision on 2.6-03 above.
2.6-06	**(2.6.3.2)** **Question:** Should IRMA consider provision of guarantees by corporates of sufficient creditworthiness that have secured an independently assessed "investment grade" credit rating by one of the recognized credit ratings agencies? What are the benefits and shortcomings of this approach?	**Feedback received**: 8 responses received (3 mining, 3 NGO, 1 consultancy, 1 audit firm). 2 NGO respondents are against this proposition, while the third NGO respondent questions the benefits and shortcomings of it. 2 mining respondents flag the risks and weaknesses associated with this approach, while the third one fully supports the proposition. The two other respondents (consultancy and audit firm) add contextual information regarding financial assurance instruments held by banks that may face higher credit risk than multinational parent owning company for example. **Proposed Decision**: See decision on 2.6-03 above.
2.6-07	**(2.6.4.1)** **Question:** Sub-requirements 2.6.4.1.d and 2.6.4.1.e allow for the withholding of confidential information (similar to 2.6.4.5 in the 2018 Mining Standard). We are wondering, however, if such a caveat is necessary. Do you believe that there is any information relating to financial assurance that should be considered confidential business information? If so, we would appreciate examples, so that we can consider adding them in our guidance.	**Feedback received**: 4 responses received (4 mining, 1 NGO). 1 NGO and 1 mining respondent are in favor of removing such caveat. The other respondents (3 mining) are in favor of keeping such caveat, in accordance with the approach taken throughout the Standard, i.e. supporting evidence must be provided to the auditors and a rationale made public. **Proposed Decision**: Retain the caveat, which is consistent with the approach taken throughout the Standard. The caveat is moved to the endnotes, with additional clarification.

Chapter 3.1
Fair Labor and Terms of Work

RESPONSE TO CONSULTATION QUESTIONS OUTLINED IN FIRST DRAFT

Question #	Question	Feedback and Proposed Decision
3.1-01	**(Background – employees and contractors)** Background: Throughout Chapter 3.1, reference is made to 'workers' as a general category, with equivalent obligations relating to contractors being derived implicitly in Chapter 1.1 (requirement 1.1.3.1), which obligates Entities to ensure that contractors meet IRMA requirements that are relevant to them. In some of the requirements below, we specifically mention contractors. Where contractors are mentioned, it is the ENTITY's responsibility to carry out an action (e.g., ensuring that contractors are informed of the ENTITY's policy, or undertaking and assessment of risks related to contractors, etc.). Where contractors are not explicitly mentioned, then as per Chapter 1.1 it would be expected that contractors themselves have systems in place to meet the IRMA requirements. For example, a contractor that has its own direct employees who are working at a mine/mineral processing site (or a broker that hires out contracted workers to the ENTITY) would be expected to be paying fair wages and benefits. The ENTITY's responsibility in such cases would be carrying out some monitoring to make sure that is happening. Question: Are there any requirements in this chapter that are not currently the ENTITY's responsibility that you believe should be (for example, should the ENTITY have a grievance mechanism for contractors, or should it be the responsibility of the contractor to provide such a mechanism for its subcontractors/employees who are working at the project/operation)? Conversely, are there any requirements in Chapter 3.1 that you believe should not be applied to or expected of contractors?	Feedback generally asked for more clarity and consistency in the use of these terms throughout the standard and indicated that there were some requirements that it was not feasible to enforce / monitor amongst both contractors and suppliers. **Proposed Decision**: To improve auditability, more specificity concerning employees, contracted workers, contractors and suppliers has been added to Chapter 3.1. IRMA has proposed adjusting the definition of workers, suppliers, and contractors per ILO guidance. See Figure 3.1, as well as the revised definition of "workers" in the IRMA Glossary. We have also added specific sub-requirements in cases where the ENTITY is expected to, in alignment with Chapter 1.1, carry out a specific action to ensure supplier and / or contractor compliance with a particular IRMA requirement. These include: 3.1.2.2.c, 3.1.3.2.c, 3.1.3.2.c, 3.1.4.2.c, 3.1.5.2.c, 3.1.6.1.d, 3.1.6.4, 3.1.7.1.h, 3.1.7.2.a, 3.1.7.4, 3.1.8.2, 3.1.9.5, 3.1.10.1.c, 3.1.10.5, 3.1.10.7 (optional), 3.1.11.1.e, 3.1.11.2.f, 3.1.11.3 (suppliers, optional).
3.1-02	**(3.1.2.1 – gender-based discrimination)** Other standards have included requirements aimed at preventing gender-based discrimination, such as not requiring women to undergo pregnancy or virginity tests as a condition of employment.[v] IRMA currently proposes to include this as guidance notes for 3.1.2.1	Commenters expressed general support for the proposed changes, with some additional examples of discriminatory practices to mention in guidance. **Proposed Decision**: No change to normative requirements, but examples suggested by

[v] E.g., Responsible Business Alliance. 2021. Environmental, Social and Governance (ESG) Standard for Mineral Supply Chains. Requirement VI-3. https://www.responsiblemineralsinitiative.org/media/docs/standards/RMI_RMAP%20ESG%20Standard%20for%20Mineral%20Supply%20Chains_June32021_FINAL.pdf

	above, i.e., as something that auditors should investigate as something that may be indicative of discriminatory practices. Are there other similar discriminatory recruitment/hiring practices you have experienced or seen that we should be including in this guidance?	reviewers will be considered when developing guidance.
3.1-03	**(3.1.5.1 – grievance management)** Working group feedback suggested that an independent third-party should be involved in the assessment of more grievances to ensure that resolutions are unbiased, impartial, and fair to all parties involved. Is this considered best practice and, if so: 1. Under what conditions should this be required (i.e., is it applicable to only the most serious grievances or to all grievances)? 2. At what point in the grievance process should an independent third-party be brought in? 3. Who should make the determination of an independent third-party should become involved?	Feedback was very split on this question - some said that third party review was not necessary because there are enough checks and balances already built into IRMA on this topic, including stakeholder review of grievance processes; others said that regular review as part of the regular grievance resolution process would delay timely response to grievances; others said that review of the process could be done externally every 2-3 years; others still said that only human rights grievances or grievances where there is a potential conflict of interest with ENTITY personnel responsible for reviewing the grievance should be reviewed. **Proposed Decision**: We are proposing a new sub-requirement for 3.1.9.1.c that requires the ENTITY to explain the process for handling grievances that involve allegations of impacts on human rights, including the potential for adjudication by an independent, third-party mediator or mechanism. This is in accordance with IRMA Chapter 1.3 (requirements 1.3.4.3.a and 1.3.4.7) and Chapter 1.6 (requirement 1.6.1.1.c).
3.1-04	**(3.1.7.1 – child labor)** ILO 138 allows for 'light work' for children 2 years beneath the legal working age in the country (14 or 15, depending on the country) so 12- to 13-year-olds in some, and 13- to 14-year-olds in others. Other standards take differing positions on this. For example, the RBI/RMI standard prohibits labor under the age of 15 "unless the exceptions recognized by the ILO apply".[vi] However, the Towards Sustainable Mining (TSM) 'Preventing Child and Forced Labour Protocol' states that while there are exceptions contained in ILO 138 that allow for workers under the age of 15 in some circumstances, such exceptions are not applicable to mining.[vii] Can you think of any situations in which	Some feedback supported light work but only under very strict conditions (upon prompting by the consultation question). Other feedback felt it was not necessary to permit work for children under 15. No feedback explicitly asked for this to be included. **Proposed Decision**: No changes proposed, i.e. permit non-hazardous work between 15 and 18 years, no work for anyone under the age of 15.

[vi] Responsible Business Association. 2021. Environmental, Social & Governance (ESG) Standard for Mineral Supply Chains. Requirement VII.3. https://www.responsiblemineralsinitiative.org/media/docs/standards/RMI_RMAP%20ESG%20Standard%20for%20Mineral%20Supply%20Chains_June32021_FINAL.pdf

[vii] Towards Sustainable Mining (TSM) 'Preventing Child and Forced Labour Protocol', Mining Association of Canada (June 2019), p.3. Available at: https://mining.ca/wp-content/uploads/dlm_uploads/2023/04/Preventing-Child-and-Forced-Labour-Protocol-English.pdf

	provisions should be made for "light work" by children under the age of 15 (according to the ILO-approved age scheme indicated above) in the context of mining Entities?	
3.1-05	**(3.1.8.3 – forced labor)** Background: We are proposing to remove reference to ENTITY obligation to shift to other suppliers where remedy to forced or trafficked labor in the supply chain is not possible. The motivation for this was to encourage operations to take action to reduce forced and trafficked labor and improve the lives of those who have been harmed, as some for remedy should always be possible, rather than simply shifting suppliers. The language is open enough that either the ENTITY could carry out remediation, or the contractor/supplier could do it (but the ENTITY would need to ensure, through monitoring or other methods, that it is being done). Question: Do you agree that Entities should take responsibility for remediation of identified cases of child labor or forced labor amongst their contractors and suppliers, either through their own actions or by applying leverage/pressure on contractors and suppliers to provide remediation? Or are there cases where Entities should immediately shift to other contractors/suppliers? Should IRMA provide a timeline by which Entities (and their contractors/suppliers) have to remediate child/forced labor per the above sub-requirements?	Feedback on this conflated two separate questions: 1. The question of whether Entities should 'leverage' to influence suppliers / contractors to reduce child / forced labor or whether they should simply cancel the contract - the general consensus on this was that an ENTITY should try to leverage, but ultimately shift away if not successful. Most supported establishment of a timeline, but said it should be flexible and depend on the situation. Some argued it was not feasible to 'leverage' (and monitoring remediation of) suppliers and that it was better to shift away. Several mentioned respecting existing contractual obligations. 2. The question of who is responsible for remediation (i.e. taking direct action) in the case of specific identified child / forced laborers (per previous requirement 3.1.7.5 for child labor, 3.1.8.3 for forced labor). Almost all feedback said that the ENTITY had a certain amount of responsibility for on-site workers (i.e. removing the worker immediately from their job, helping to provide shelter if required, etc.) but that longer-term re-integration should be the government's responsibility or, in the case of contractors, the contractor's responsibility. **Proposed Decision**: Incorporate changes into 3.1.6 (child labor) and 3.1.7 (forced labor / trafficking of persons) to delineate expected ENTITY actions depending on whether identified cases of child labor / trafficking of persons are amongst employees / contractors or suppliers. Also, in the case of suppliers where the ENTITY cannot directly remove workers from their positions or offer any remediation, and where it is not possible to use leverage to achieve a change in practices or appropriate remediation within a reasonable time frame, then the Entity is expected to end its association with the contractor or supplier (see requirements 3.1.6.4, 3.1.6.5, 3.1.7.4 and 3.1.7.5. We also propose to specify in guidance that Entities should leverage government programming

		for child labor / trafficking of persons remediation to the extent possible.
3.1-06	**(3.1.9.3 – benefits and other compensation)** Background: Based on research pertaining to parental leave policies across six major mining companies, the following types of leave were identified that are not currently included in the IRMA standard: • Paid leave for domestic violence (10 days) • Paid parental leave at full duration/benefits for parents experiencing stillbirth or death of the child. • Paid parental leave applicable to either natural births or adoption. Question: Should IRMA require that Entities provide these forms of leave to workers? If so, should this be provided to all workers, or only to certain categories (i.e., full time permanent, core services, etc.).	Feedback generally supported the inclusion of these benefits for full-time, permanent workers / employees, although some indicated that this was not yet a global norm. **Proposed Decision**: Based on stakeholder input, we are proposing to add a paid gender-neutral parental leave period, as well as paid bereavement leave for death of immediate family members (see 3.1.10.3). Throughout Chapter 3.1, we have outlined three separate 'categories' of ENTITY obligations vis-a-vis enforcing and monitoring compliance with IRMA requirements amongst 1) suppliers, 2) contractors, and 3) employees (See also the response to Consultation Question 3.1-01, above). We are proposing that the leave benefits in 3.1.10.3 would only need to be provided to the ENTITY employees; the ENTITY would not be responsible for ensuring that contractors and suppliers also provided this to their employees.
3.1-07	**(3.1.9.3 – benefits and other compensation)** Should IRMA strive to set a higher standard for paid medical leave (in 3.1.9.3.c) or be more specific about minimum number of weeks/months of paid medical leave and a lower limit to the wage replacement rate? Given the wide variation in paid medical leave (see, for example, https://www.worldpolicycenter.org/sites/default/files/WORLD Report - Personal Medical Leave OECD Country Approaches_0.pdf) any thoughts on acceptable standards would be welcome.	Feedback on this indicated that what IRMA had currently proposed was sufficient. **Proposed Decision**: No proposed changes.
3.1-08	**(3.1.9.4 – injuries and illnesses of contractors)** Further to CONSULTATION QUESTION 3.1-1 above pertaining to contractor obligations in general, what would be the appropriate expectations for contractors who suffer injury or illness when engaged in work at a mining or mineral processing operation? Should the ENTITY that owns/operates the site be accountable for providing compensation (if not covered by government programs), or is it the employer of the contractor (or labor broker) who should provide that compensation? And/or in the case of self-employed independent contractors, would there be no compensation guaranteed at all?	Feedback suggests that in many countries longer-term leave (for injury / illness) is the responsibility of the government. Also, in many countries, is it the contractor's obligations to provide this (although not all agreed - one person mentioned that the purpose of contractors was that such benefits did not need to be provided). Overall, the consensus seemed to be that the ENTITY should enforce the provision of workers leave / long-term injury / illness compensation per country of operation's laws amongst contractors, but not be directly responsible for providing (except for direct employees). **Proposed Decision**: Requirement 3.1.10.4 states that it is the ENTITY's responsibility to

		provide compensation / provide leave for work-related injuries and illnesses for its own employees. Requirement 3.1.10.5 requires that, in the case of a contractor suffering injury or illness, the ENTITY ensures contractors are providing this.
3.1-09	Background: According to an International Labour Organization (ILO) fact sheet on rest periods, "Different forms of rest and annual leave are important for a workers physical and mental well-being. If structured properly, they can all have a positive impact on occupational health and safety as well as improve productivity in the workplace."[viii] The ILO fact sheet also says that "in practice, coffee and tea breaks can be given for 10 – 30 minutes and are organized in the middle of each half of the work shift. Meal breaks are organized around the middle of the full shift and the last from 30 minutes to 2 hours." Finally, the fact sheet says that "rest breaks can be included as working time and thus paid, as in Argentina, or they can be unpaid." Neither the Responsible Steel nor RJC standards provide details on the length of breaks. Responsible Steel requires a policy that "all workers are provided with appropriate time off for meals and breaks," and RJC requires that if not covered by law, employees are provided with "at least one uninterrupted work break of reasonable duration if they work longer than six hours."[ix] Question: Would it be reasonable for IRMA to specify minimum break times as one of the following: • Option 1. Two coffee/tea breaks of at least 15 minutes duration, and a meal break of at least 30 minutes for each six hours worked? • Option 2. One (1) hour of total break time per six hours worked (apportioned as appropriate for the work being undertaken)? Should these breaks be considered paid working time? If they are not paid, will that result in breaks not being taken (thus creating risks to worker health and safety)?	Feedback said that breaks should be flexible to accommodate the nature of the workers' role and that they should be paid breaks. Nevertheless, feedback from industry suggested that more frequent, shorter breaks were necessary to mandate for biological reasons. Feedback unanimously said these breaks should be paid. **Proposed Decision**: Mandate at least two 15-minute and one 30-minute break per every 6 hours worked or whatever required in country of operation's laws (whichever is higher) or a CBA. Incorporate these changes into 3.1.11.1.

[viii] International Labor Organization (ILO). (No date). Fact Sheet: Rest Periods. https://www.ilo.org/wcmsp5/groups/public/---ed_protect/---protrav/---travail/documents/publication/wcms_491374.pdf

[ix] ResponsibleSteel. 2022. ResponsibleSteel International Standard. V.2.0. Requirement 6.9.1.c. https://www.responsiblesteel.org/standard/

Responsible Jewellery Council. 2019. Code of Practices. Requirement 16.5. https://www.responsiblejewellery.com/wp-content/uploads/RJC-COP-2019-V1.2-Standards.pdf

Chapter 3.2
Occupational Safety, Health and Wellbeing

RESPONSE TO CONSULTATION QUESTIONS OUTLINED IN FIRST DRAFT

Question #	Question	Feedback and Decision
3.2-01	(**3.2.2.1, Annex 3.2-A Potential Workplace Hazards**) **Question**: Are there major potential hazards that have been missed in Annex 3.2-A or that you believe are not applicable to mining and/or mineral processing operations? Sub-requirement 3.2.2.1.a.iii is NEW. External factors can exacerbate hazards. In particular, climate-related events such as high heat waves, or unusually large precipitation events can lead to an increase in heat-related illnesses, flooding-related safety issues, or increase in vector-borne disease, etc. Sub-requirement 3.2.2.1.b replaces 3.2.2.3 from the 2018 Mining Standard which said "The operating company shall pay particular attention to identifying and assessing hazards to workers who may be especially susceptible or vulnerable to particular hazards." Instead of using the phrase 'pay particular attention' we are clear that susceptible workers, if any, needs to identified in relation to each hazard.	**Feedback received**: Comments suggested that Annex 3.2-A was mining focused and not inclusive of major potential hazards related to mineral processors, particularly downstream metallurgical and chemical processing operations. Comments also pointed out that transport of mined and/or processed material may include railway transport, and IRMA subsequently identified conveyor and marine transport as also not being explicitly included in Annex 3.2-A. Other comments suggested hazards including climate, lack of quality PPE, and worker capabilities that were intended to be inclusive in the proposed IRMA requirements in 3.2.2.1. **Proposed Decision**: The applicability to those suggested hazards to the existing requirements will be clarified in the Guidance document.
3.2-02	**(3.2.3.3 – Minimum set of procedures for common OHS hazards)** **Question**: Do you agree with this approach? If so, do you agree with the categories of hazards listed, or would you suggest other types of hazards that should always have procedures or controls (if relevant at the operation)?	**Feedback received**: Responses were unanimous as to agreement with the approach and categories. **Proposed Decision**: No change
3.2-03	**(3.2.3.8 – Reporting and investigation of health and safety issues)** **Question**: Is it common to have a procedure related to the reporting and investigation of health and safety issues in the workplace? If not, do you believe this is something that would be useful or not? Are there any elements you would add or remove from such a procedure?	**Feedback received**: Responses were unanimous as to agreement that reporting and investigation of health and safety issues in the workplace is both common and useful. One commenter recommended that a risk matrix be added as a requirement. **Proposed Decision**: The recommendation above will be addressed in the Guidance document.
3.2-04	**(3.2.4.4 – First aid)** **Question**: In 3.2.4.4.a, we are suggesting that all workers have at least basic training in first aid. Should there also always be others on site who have a higher level or depth of first aid training or certification (e.g., supervisors)? Also, mine sites and mineral processing operations can be extremely large complexes. Do you have a	**Feedback received**: Responses were split between yes and no and answers not consistent within sectors. Examples point that, for example, in US, required by MSHA, but not by OSHA. Also may be some confusion between EMT (emergency medical technician) level responder and basic first aid (incl. Cardiopulmonary Resuscitation, CPR), which are vastly different. Many mines/processors require at

	suggestion for what might be an adequate number of on-site employees/workers with certified first aid on site at all times?	least one or two to be on-site at all times. The approach is also highly size-dependent. Additional research shows that several mining countries require a fixed number per shift and per total number of workers. **Proposed Decision**: Proposed to add a normative minimum number of workers with a certified training in first aid, based on review of existing regulations across relevant jurisdictions. See 3.2.9.4.
3.2-05	**(3.2.4.6 – Housing)** **Question**: There are many more specific requirements that could be added based on the ILO and IFC/EBRD guidance. Do you have suggestions for additional or different requirements that should be viewed as the most material when it comes to worker accommodations?	**Feedback received**: Comments suggested addressing fatigue, privacy from employers, site security controls and personnel, and fire equipment and emergency procedures and alarm systems as additional or different requirements. A general objective of current Section 3.2.10 is to ensure that housing arrangements provided to workers are restful and provide respite from the fatigue of work activities. Fire equipment and emergency procedures and alarm systems are inferred in 3.2.10.1.e. "Appropriate protection against… fire …" Privacy was already covered in 3.2.4.6.c.v (see the new 3.2.10.1 and the accompanying footnote). **Proposed Decision**: The IRMA v2 Guidance document will clarify the requirements regarding fatigue and noise. Security is covered through a new explicit reference to "the right to liberty and security of person" in 3.2.10.3.
3.2-06	**(3.2.5.2 – Monitoring and surveillance)** **Question**: Is the selection of factors to be monitored and surveilled solely based on the outcomes of the risk assessment? Or should IRMA be requiring separate assessments (e.g., an exposure assessment or baseline monitoring) to help inform the monitoring program? For example, the ESG Standard developed by the RBA/RMI requires documentation of temperature exposure hazards, which presumably requires some monitoring of the workplace, and an "ergonomic assessment of workplace jobs, tasks and activities."	**Feedback received**: Responses were overall in favor of specific separate exposure level assessments and/or gathering of baseline data where needed to inform the risk assessment, i.e., knowing how close certain hazards are to health-based or regulatory limits will help to better understand the level of risk. **Proposed Decision**: Assessment of exposure levels was already covered in the risk assessment. This is now further clarified in 3.2.4.2.a.
3.2-07	**(3.2.5.2 – Monitoring and surveillance)** **Question**: Should we be separating out workplace environmental monitoring from health surveillance activities, and adding more specific expectations for both? For example: 1) Environmental monitoring in the workplace (e.g., sampling for chemicals/toxins in air,	**Feedback received**: Responses were overall not in favor of separating out workplace environmental monitoring from health surveillance activities. **Proposed Decision**: No substantial changes were made to the content (see now 3.2.11.2).

	measuring noise levels, monitoring temperatures in the workplace, evaluating ergonomics); and 2) Worker health testing and surveillance (e.g., routine physical examinations, chest x-rays, pulmonary function tests (PFT), testing blood, hair for chemicals, etc.)?	
3.2-08	**(3.2.5.2 – Monitoring and surveillance)** **Question**: If certain known hazards are identified during the ENTITY's hazard identification process (e.g., known carcinogens or hazardous substances, or potential that certain noise decibel levels will be exceeded) should the IRMA Standard outline specific monitoring and/or health surveillance actions to be taken? For example, OSHA in the United States has developed guidance related to a number of known hazards. Or, if normative requirements are not added, should IRMA add some guidance on what might be appropriate monitoring and health surveillance actions?	**Feedback received**: Responses were split as to whether the IRMA Standard should outline specific monitoring and/or health surveillance actions to be taken. Response from trade unions signaled that the "enormous diversity of workplaces covered by the Standard together with the enormous number of hazards makes this a very difficult task". **Proposed Decision**: 3.2.11.2 now mentions that 'all the significant hazards identified' need to have some form of monitoring and surveillance in place, but no specific monitoring or surveillance actions were added to the requirement. Further clarification will be provided in the Guidance document.
3.2-09	**(3.2.6.2 – Counseling and psychological support)** **Question**: Do you support the addition of sub-requirement 3.2.6.2.b? Do you agree that some form of counseling or psychological support be provided even if accidents don't result in fatalities? Should all employees (not just those who experienced or witnessed the accident be eligible for counseling or support?	**Feedback received**: All comments supported the addition of sub-requirement 3.2.6.2.b (now 3.2.12.3.b, and integrated in 3.1.10.4.e) as well as the other questions posed. **Proposed Decision**: No change.
3.2-10	**(3.2.6.2 – Categories of incidents)** **Question:** Should IRMA include requirements for entities to investigate and report on high-potential incidents instead of near miss incidents? Or in addition to near miss incidents? Or not at all? Please provide a rationale for your opinion.]	**Feedback received**: Responses were split between high potential incidents (HPI) and near miss incidents (NMI), with some suggesting they were synonymous and it depended on regional preferences. However, there was general support for the need to investigate all incidents. **Proposed Decision**: Added a definition in the glossary to clarify that "An HPI is a near-miss incident that could have ended in someone getting seriously hurt or killed, but for some reason that was avoided." Also added to the Glossary. Because HPI is a subset of NMI, we are proposing that all near misses be investigated. We have also added in 3.2.12.3 that for all near miss incidents there needs to be a determination of whether or not the NMI is also an HPI, because reporting of both NMI and HPI is now required in 3.2.16.1 (see response to Consultation Question 3.2-12).

3.2-11	**(3.2.7.3 – Retraining)** **Question**: What is an appropriate periodicity for retraining workers, and would the retraining programs cover the same information as the initial training?	**Feedback received**: Responses ranged from not supporting retraining, using OSHA MSHA requirements (e.g. annual retraining), and one to three years. **Proposed Decision**: No changes were made to this requirement. Further clarification will be provided in the Guidance document.
3.2-12	**(3.2.8.3 – OHS statistics)** **Question**: Are there any other health and safety statistics that may be relevant to publicly report?	**Feedback received**: Comments identified number of management safety interactions, number of High Potential Incidents (HPIs), % of actions resulting in closure, % requirements in compliance as leading indicators of health and safety. **Proposed Decision**: Added HPIs in the list of metrics in 3.2.16.1.

Chapter 3.3
Community Health and Safety

RESPONSE TO CONSULTATION QUESTIONS OUTLINED IN FIRST DRAFT

No consultation question for this chapter

Chapter 3.4
Security Forces

RESPONSE TO CONSULTATION QUESTIONS OUTLINED IN FIRST DRAFT

Question #	Question	Feedback and Decision
1.4-02	**(3.5.6.3 – specific grievance mechanism; repat from Chapter 1.4 (now 1.6))** Background: Chapter 1.4 - 'Complaints and Grievance Mechanism and Access to Remedy' includes a range of requirements surrounding the existence of an accessible and effective operational-level grievance mechanism. It is not possible to score well on Chapter 1.4 if the mechanism does not have certain quality-related characteristics. Other chapters (i.e., human rights, gender, resettlement, security, ASM) also have requirements relating to the existence of a grievance mechanism; however, the requirements in each of those chapters ask only that a mechanism is in place that allows grievances to be filed and addressed, but they do not speak to the overall quality of that mechanism. This is an approach proposed by IRMA to avoid too much repetition across chapters. However, this creates a situation in which an ENTITY could theoretically score 'fully meets' on the grievance-related requirement in an individual chapter (which in most cases only asks that stakeholders have "access to" a grievance mechanism), even if the grievance mechanism as a whole is not an effective one (as reflected in the overall score for Chapter 1.4). Question: Should an ENTITY's score on grievance-related **requirements** within individual non-grievance-specific chapters be restrained or linked to the overall score that the ENTITY gets on the grievance chapter (Chapter 1.4) as a whole? For example, if a site scores 80% on Chapter 1.4, the most the site could receive for a grievance requirement in the other chapters would be a 'substantially meets,' but if a site scores 100% on Chapter 1.4 then, assuming the mechanism can handle grievances specific to the other chapters, they could possibly get a 'fully meets' rating on those grievance requirements.	**Feedback received**: Feedback largely supported putting a 'cap' on the ENTITY's score on grievance-related mechanisms in other chapters based on its performance on Chapter 1.6 (former 1.4). **Decision**: The Scoring system is adjusted to ensure that an ENTITY's potential score on the grievance-related requirement in an individual chapter (which simply requires the existence of a grievance mechanism capable of receiving grievances relating to the particular issue, or in Chapter 2.2 that mechanism/s are specifically designed with, and for, Indigenous Peoples) is limited by their score on Chapter 1.6 (former 1.4) on Grievances (which addresses not just the existence but also the quality of a grievance mechanism). This means that, although an ENTITY may have otherwise received 'fully meets' on a grievance mechanism requirement in an issue-specific chapter, if the ENTITY does not receive a full score on Chapter 1.6 as a whole, then their score on the issue-specific grievance requirement cannot be higher than 'partially meets'. If the ENTITY has developed separate issue-specific grievance mechanism/s, it will be assessed separately against all relevant requirements of Chapter 1.6.

Chapter 3.5
Artisanal and Small-Scale Mining (ASM)

RESPONSE TO CONSULTATION QUESTIONS OUTLINED IN FIRST DRAFT

No consultation question for this chapter

Chapter 3.6
Cultural Heritage

RESPONSE TO CONSULTATION QUESTIONS OUTLINED IN FIRST DRAFT

Question #	Question	Feedback and Decision
3.7-01	**(Background)** **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.	**Feedback received**: 5 responses received (3 mining, 1 NGO, 1 consultancy). Responses included suggestions to include and align with EBRD Performance Requirement 8 and the relevant 2023 Guidance, IEMA Principles (2021), and CIfA (UK Chartered Institute for Archaeologists) Standards and Guidance. Some mentioned various national and legal frameworks and references. **Decision**: We have proposed additions and revisions to the draft Standard that incorporate these inputs. We also proposed additional sub-requirements regarding legal/permitting process obligations, protocols, standards, guidelines etc. for cultural heritage identification, fieldwork, assessment, mitigation, and monitoring.
3.7-02	**(Background)** **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?	**Feedback received**: 8 responses received (4 mining, 1 NGO, 1 finance, 1 consultancy) All respondents but one (1 mining) agreed that this should be considered and addressed, and that this is already established current best practice. 1 consultancy flagged the need to allow for exception when a site can demonstrate that assessing past impacts is impossible. 1 mining respondent suggested to exclude past impacts that happened under the ownership of any previous owner/s (which is not in line with international recommendation and guidance). 1 mining respondent raised the issue of situations where mitigation/restoration measures that were taken decades ago could have been agreed upon by affected people (and/or in line with best practice at the time), and no longer be in line with current best practice; and asking what would be required from the ENTITY under these circumstances. **Decision**: Keep requirements related to past unremediated impacts. We have also provided guidance regarding historical mitigation that would now be deemed as outdated and may have resulted in unanticipated residual impacts, including were such mitigation was deemed national and/or international good or best practice at the time.
3.7-03	**(3.7.3.3)** **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	**Feedback received**: 5 responses received (4 mining, 1 consultancy). Responses were mixed, though overall in favor: 2 mining and 1 consultancy agreed. 1 mining suggested to defer to legal requirements. 1 mining did not think that monitoring and evaluation was needed by default (though could be required in specific cases). **Decision**: Based on global best practice as well as the potential of operational and external risks and impacts, the implementation of

	should be filled in the IRMA Standard, can you suggest examples of best practices in the monitoring or surveillance of cultural heritage mitigation activities?	monitoring, evaluation and corrective measures remains a key component of continued operational performance that needs to be retained in the IRMA Standard.

Chapter 3.7
Noise and Vibration

RESPONSE TO CONSULTATION QUESTIONS OUTLINED IN FIRST DRAFT

Question #	Question	Feedback and Proposed Decision
4.4-01	(**General**) **Question**: Currently, we do not have a requirement for noise monitoring. Do entities typically carry out regular or even periodic monitoring of noise levels, e.g., at site boundaries, or is monitoring more typically only done in response to complaints or other indications that there may be noise-related issues?	**Feedback received**: 6 responses received (4 mining, 1 purchaser, 1 consultant). General support that monitoring should occur IF impacts have been identified. **Proposed Decision**: Based on input on this consultation question, which was overall supportive of a noise monitoring requirement, we are proposing to add a monitoring requirement. We had already included requirements to measure noise/vibration levels and compare them to specific maximum allowable noise/vibration limits. The addition of a specific monitoring requirement allows us to move those limits into a table, and simply require that monitoring results be compared to the values in those tables. The outcome of that comparison will determine if additional monitoring and mitigation is required. (See proposed new requirement 3.7.2.1).
4.4-02	(**4.4.1.1 - Scoping**) **Background:** In the 2018 Mining Standard, existing operations were not expected to carry out noise scoping unless there was a change to the operation that could increase noise levels. If there was a noise-related complaint at the existing site, however, the operation would be required to take action as per the requirements in the rest of the chapter. We are proposing here that all sites (proposed projects and existing operations) demonstrate that they have carried out a scoping of potential noise and vibration impacts. The rationale is that without such evidence, it is difficult for entities to know if there may be impacts that are being overlooked. Also, the 2018 Mining Standard (and this proposed updated version of the Standard) expects that noise-related impacts on human and wildlife receptors would be considered as part of the Environmental and Social Impact Assessment (ESIA) process in Chapter 2.1 and if significant impacts are identified then mitigation options are developed as per the ESIA process. Therefore, in many cases, scoping of potential noise/vibration-related impacts will already have been done.	**Feedback received**: 7 responses received (4 mining, 1 NGO, 1 purchaser, 1 consultant). Results are spilt on whether or not to require scoping. Four (4, cross-stakeholders) support, two (2 mining) do not support requiring scoping for existing operations unless there is a trigger. A rationale from one in support is that "An existing operation could be impacting receptors through noise/vibrations without them knowing." **Proposed Decision**: We are proposing to leave the requirement as is, which means that it will be assessed at both new projects and at existing operations. However, we are proposing that at existing operations, if noise scoping was not covered in an ESIA, entities could demonstrate that they have met the intent of this requirement by producing evidence that they have conducted consultations with affected communities that included specifically asking community members about any issues with noise/vibrations, and consultations with wildlife experts (e.g., could be government representatives, local/regional

	However, for projects or operations that either have not/did not go through ESIA or did not do a comprehensive assessment of the range of potential impacts during the ESIA, then it seems reasonable that these issues be scoped as a standalone exercise so that all entities are held to the same expectations. Question: **Do you agree with this new approach requiring that all sites demonstrate that they have scoped noise issues? Or should a scoping only be triggered at existing operations if there is a complaint or a change in potential noise sources?**	wildlife biologists, academics) to understand if there may be impacts on wildlife of which the ENTITY was unaware. If only grievances (or lack of grievances) are produced as evidence, then existing sites would not meet this requirement, because the intent is that there needs to be proactive effort to fully understand if there may be impacts or not.
4.4-03	(**4.4.2.2 – Blasting-induced impacts**) **Question**: As with the 2018 Mining Standard, the blasting measures are only required if there are human receptors who may be affected by the noise or vibrations from blasting. While wildlife may be affected by blasting, it is not clear if the measures outlined in 4.4.2.4 would even prevent impacts on them. If there are special mitigation measures that can reduce blasting-related impacts on wildlife (for example, maybe cessation of blasting during particularly sensitive calving times, etc.) then it is our presumption that those specific actions would be incorporated into the management plan (requirement 4.4.2.1). Do you agree with this approach?	**Feedback received**: 5 responses received (3 mining, 1 purchaser, 1 consultant). General support that blasting impacts on wildlife should be mitigated, and included in management plan **Proposed Decision**: Risks and impacts on wildlife are now integrated into the scoping processes required in Chapter 4.4 on Biodiversity, Ecosystem Services, and Protected and Conserved Areas. This is more consistent, and coherent with the fact that the Chapter on Noise and Vibration mainly focuses on risks and impacts on people and structures (and now moved under Principle 3 on Social Responsibility)

Chapter 4.1
Waste and Materials Management

RESPONSE TO CONSULTATION QUESTIONS OUTLINED IN FIRST DRAFT

Question #	Question	Feedback and Decision
4.1-01	**(Background)** **Question**: Can you suggest other materials or wastes that you believe should be included in the list above, or recommend that any of the materials or wastes in the list be removed? Please provide your rationale for suggested inclusions/exclusions.	**Feedback received** (4): 2 mining think the list is comprehensive; 1 consultant doesn't like removal of the requirement for a waste management policy (formerly 4.1.1); and 1 consultant wonders if the management of mine-impacted waters would be better in Chapter 4.2 (responded that sources are identified and characterized in 4.1). **Proposed decision**: See slightly expanded and modified lists.
4.1-02	**(4.1.1.2)** **Question**: Do you agree with this approach? Is it reasonable to expect that if supplier information is not sufficient that mineral processors do a thorough analysis of all feed materials in order to fully understand the range and concentrations of potential contaminants that may be emitted to air or present in effluent? If not, then how else can the mineral processor demonstrate to auditors that they fully understand the range of containments that may be released (and that have adequate controls in place to address them)?	**Feedback received** (9): 5 say approach is reasonable (to have mineral processor determine COPCs if not supplied by company providing feedstock). But a list of required chemicals is needed and the frequency of analysis. Question also about availability of certified labs in some jurisdictions. **Proposed decision**: Retain expectations as proposed (see 4.1.2.4.b, and endnotes). We propose to require that the determination of COPCs align with the list of parameters in the IRMA Water Quality Criteria, as relevant. We will consider adding guidance on situations where processors could provide an explanation to limit the list of required analytes.
4.1-03	**(4.1.2, waste mitigation hierarchy)** **Question**: Do you think energy recovery from waste is still considered an acceptable practice in terms of human health, safety or environment? Should IRMA include it in the list of waste mitigation hierarchy options?	**Feedback received** (5): (2 mining, 1 auditor, 1 consultant, 1 purchaser). Most agree to keep it in with limitations; 1 purchaser says take it out. **Proposed decision**: We have clarified in an endnote for 4.1.5.1 that energy recovery is only acceptable if the Entity can demonstrate that energy recovery will result in a net positive environmental impact. Note that in 4.1.5.1.c Entities are already required to evaluate the potential human health, safety, biodiversity and environmental impacts of energy recovery and any other mitigation hierarchy option other than prevention of waste generation. We can add further guidance, such as the need for energy recovery to have proper facilities and occupational health and safety measures.
4.1-04	**(4.1.2, waste mitigation hierarchy)** **Question**: Should IRMA go further to integrate concepts of circularity into this chapter? For example, rewarding (i.e., give higher ratings to) entities that demonstrate a higher proportion of waste products that are being recycled/re-used/remined than	**Feedback received** (8): 2 say operations demonstrating circularity should be given higher scores (1 consultant + 1 mining), others less clear on opinion but most say circularity should be promoted. 1 mining: be sure to distinguish between waste management and hazardous waste management; want circularity at a more strategic

	those who clearly are not prioritizing those circularity-type strategies? We'd be interested in your input on this suggestion, or other suggestions for how IRMA might integrate circularly concepts into this chapter or others in the Standard (see also Chapter 2.1, where we are proposing additional circularity requirements - Note for 2.1.3.3, and CONSULTATION QUESTION 2.1-4).	level. 1 mining says it should be the main focus of this chapter. **Proposed decision**: Most civil society respondents raised the risk of potential greenwashing associated with extractive industries using the term "circularity"; and prefer waste reduction. IRMA notes that this is not only limited to waste reduction, as it could include remining, but on the other hand the opportunities for remining are not equal across sites and commodities. The greenwashing risks associated with "circularity" in the extractive sector have been signaled multiple times to IRMA during additional engagement calls with specialized NGOs. We propose to limit the use of the term 'circularity' to materials management (and not wastes). We have also proposed an IRMA+ optional requirement (4.1.6.4) to assess opportunities for and align (if possible) the management of non-hazardous materials with circular uses.
4.1-05	**(4.1.2.3, non-hazardous materials)** **Question**: Currently, while we have some limited requirements for non-hazardous wastes, we have not included requirements related to non-hazardous materials, such as materials used in construction of buildings. Do you agree with this approach, or do you think IRMA should include requirements for non-hazardous materials? If you believe there should be requirements, what would you suggest would be appropriate expectations regarding non-hazardous materials? And are there particular types of non-hazardous materials that warrant a greater focus than others?	**Feedback received** (11): Most agree that what is in the revised Standard is adequate. Most only mentioned non-hazardous wastes rather than non-hazardous materials. 1 mining respondent has begun a process to divert hazardous & non-hazardous wastes/materials for productive use. Some confusion about definition of non-hazardous in the US regarding mine wastes (Bevill Exclusion). **Proposed decision**: We have proposed an IRMA+ optional requirement (4.1.6.4) to assess opportunities for and align (if possible) the management of non-hazardous materials with circular uses. (Note that potentially-hazardous materials could end up being considered non-hazardous if characterization process in 4.1.2 indicated the absence of hazard).
4.1-06	**(4.1.2.3, non-hazardous waste)** **Question**: Regarding non-hazardous wastes, would it be reasonable to limit this requirement to the non-hazardous wastes that are most likely to have associated environmental and health risks (e.g., wastes like garbage dumps/landfills and sewage). Or should all non-hazardous wastes be evaluated? Also, are there additional requirements for non-hazardous wastes that should be added? For example, currently we do not require procedures or management plans for non-hazardous waste facilities, based on the assumption that any significant risks and subsequent mitigation measures (e.g., to control seepage or air emissions) would be	**Feedback received** (7): Most agree with IRMA's proposed approach to limit to those with likely risks. 2 mining: apply mitigation hierarchy to all wastes. **Proposed decision**: We propose to address the management of non-hazardous wastes in two optional requirements. IRMA+ requirement 4.1.3.2 is an optional risk assessment of these types of wastes, and IRMA+ requirement 4.1.5.5 is a management plan to reduce the generation of non-hazardous wastes, and to prevent, mitigate, and remediate all risks to, and impacts on, human health or safety, biodiversity, or the environment from non-hazardous wastes.

	incorporated into the plans in those chapters	
4.1-07	**(4.1.4.1)** **Question**: Do you agree with the current approach in 4.1.3.1 (and 4.1.4.1) of including some specific elements, even though they overlap with other chapters? Or should we try to integrate the relevant requirements from this chapter into the chapters on OHS, water, or other relevant chapters?	**Feedback received** (6): all but two (1 consultant + 1 mining, who want requirements integrated) agree that repeating an element is acceptable in some cases, but double counting should obviously be avoided. **Proposed decision**: We have proposed to include reference to risk assessments from other chapters in 4.1.3.1, but for other elements point to relevant requirements in other chapters in footnotes or in guidance to avoid double counting.
4.1-08	**(4.1.5.1)** **Question**: Currently, in engineering controls in 4.1.5.1.b, we are only including leachate/runoff collection system. Can you recommend other controls that should be implemented for on-site hazardous waste facilities?	**Feedback received** (4): 1 mining: no additions; 1 mining + 1 consultant: don't include specifics/put examples in guidance; 1 consultant: treatment for underground equipment repair area. **Proposed decision**: We will not list specific engineering controls in the requirement (now 4.1.5.2), but instead will put examples in guidance.
4.1-09	**(4.1.6.3, riverine, lake, marine disposal)** **Question**: Should IRMA consider expanding this requirement to include all hazardous wastes? Or all wastes (even if they are non-hazardous), since dumping of wastes into water bodies is not best practice for any type of waste?	**Feedback received** (9): 5 agree to expand exclusion to all wastes (hazardous or non-hazardous); 1 NGO says shouldn't dispose wastes unless can demonstrate lower risk than on-land disposal; two mining say OK to dispose in natural waters if permitted or if based on positive comprehensive assessment. **Proposed decision**: To maintain IRMA's commitment to best practices, we have proposed a new, optional IRMA+ requirement (4.1.4.3) that no wastes be disposed in rivers, lakes or marine environments (to complement the critical requirement to not dispose any waste from mining and mineral processing into such environments, now 4.1.4.1).
4.1-10	**(4.1.6.3, riverine, lake, marine disposal)** **Question**: Should IRMA consider adding a remediation step to enable sites that are no longer using these practices but did so in the past to at least partially, or possibly even substantially, meet this requirement? Remediation for damage that has been done might include, for example, waste removal and ecosystem restoration, and/or some sort of offset to create an equivalent ecosystem or ecosystem services elsewhere, or providing other forms of compensation. This is the approach taken in Chapter 4.6 for historic soil pollution.	**Feedback received** (9): 8 say yes, add a remediation step so ENTITY can gain partial/substantial credit; 1 mining says determine on a case-by-case basis. **Proposed decision**: Based on the responses to this consultation question and the level of effort involved, we are proposing to include a pathway for sites with past waste disposal into water bodies to meet this requirement (see 4.1.4.2 on remediation action plan). Note that any remediation action plan would also require monitoring and evaluation (as per Section 4.1.9), and continuous improvement (as per 4.1.10).
4.1-11	**(4.1.8.1, inspections)** **Question**: We are proposing annual inspections, but do you think that these types of inspections should occur at a much higher frequency (e.g., weekly, monthly)?	**Feedback received** (8): Several say inspection frequency depends on climate or the particular element requiring inspection; 1 mining says make them more frequent. 1 mining says can't be prescriptive - relate to risk.

		Proposed decision: Because these requirements pertain to inspection of facilities, storage and conveyance structures, and equipment used in relation to hazardous materials and hazardous wastes, we propose to adjust the frequency of inspections in requirements 4.1.9.1 and 4.1.9.2 from annual to monthly, and add more context to guidance.
4.1-12	**(4.1.8.1, inspections)** **Question**: There will be cases when entities send hazardous wastes to third-party disposal facilities. If those facilities are poorly managed, then it is possible that the ENTITY would be contributing to impacts on human health or safety, or impacts on the environment or communities. Should there be either an up-front due diligence requirement to ensure that any third-party disposal facilities are well managed, adhere to certain standards, etc., and/or should there be any ongoing monitoring of those facilities by the ENTITY?	**Feedback received** (8): Most agree with an up-front due diligence requirement but not ongoing monitoring of the third-party disposal facilities. 1 mining say best practice is to audit off-site facilities at least every 3 yrs - but just request the audit report. Ongoing inspections could be quite costly due to multiple facilities, lack of auditors, lack of qualifications of ENTITY, etc. 1 mining recommends adding a requirement for upfront due diligence for any third-party hazardous waste disposal. 1 mining say should be due diligence and ongoing monitoring b/c is a key corporate risk. **Proposed decision**: We have proposed to add a requirement (4.1.5.4) for up-front due diligence including evidence that facilities are licensed and in good standing, and requesting an audit (or equivalent) of the third-party disposal facility every 3 years.

Chapter 4.2
Tailings and Mine Waste Storage Management

RESPONSE TO CONSULTATION QUESTIONS OUTLINED IN FIRST DRAFT

Question #	Question	Feedback and Proposed Decision
4.X-01	**(ANNEX 4.X-A: Best Practices for the Management of Physical Stability)** **Question**: Do you agree with the proposal to create guidance to better inform auditor's assessments? If not, how do you suggest auditors determine whether or not the measures at a site are sufficient to prevent or mitigate physical instability?	**Feedback received**: 9 respondents: 5 mining, 2 NGO, 2 Consultancy. 6 respondents agree with the inclusion of guidance, but 1 NGO suggests to add more about Factor of Safety and Annual Probability of Failure, 2 Mining suggest it to be more risk-based, and 1 Mining finds it too prescriptive. 1 Mining and 1 Consultancy shared concerns about clarity and the difficulty in maintaining such guidance as technology can evolve rapidly. **Proposed decision**: The draft Annex attempted to cover the most stability-risk-prone facilities at mines and mineral processing operations. IRMA now proposes to focus this Chapter on Tailings Storage Facilities (TSFs) and Mine Waste Facilities, and to mark all the requirements related to the management of other facilities as optional (IRMA+) given the substantial scope expansion this represents for implementing sites. Also acknowledging the lack of clarity in the draft Annex that largely referred to "best practice" without necessarily offering more details, IRMA proposes to remove this Annex.
4.X-02 Part 1	**(4.X.3.4: Initial facility designs and the refinement of the designs of critical facilities)** **Question**: Do you agree that IRMA's best practice design criteria follow the well-established Canada Dam Association criteria? If not, why not? Or are there other design criteria that have emerged as best practice criteria?	**Feedback received**: 10 respondents: 5 mining, 2 NGO, 1 Finance, 2 Consultancy. -Supportive ('yes'): ▪ The 2 NGOs answered yes, but one flagged the need to align design criteria to the highest/safest levels where there is a potential loss of life (in case of failure). ▪ 1 Mining respondent answered yes. ▪ The 2 consultancy firms answered yes. -Not supportive ('no'): ▪ 4 Mining respondents are not supportive, for various reasons (1 flagging that dams and waste dumps are completely different, 1 flagging that all types of facilities are different and require different criteria, 1 suggests to not have criteria altogether, and 1 suggests to strictly align with GISTM) -Others ▪ The finance respondent is undecided, but flags that designs must take climate change into account, and adopt more conservative design criteria accordingly **Proposed decision**: It is proposed to align design-related requirements with GISTM, but to require that the most protective criteria are used for all facilities (i.e., this

		approach is only one of two options proposed in GISTM (Option B1 of GISTM Requirement 4.2). Instead, in this DRAFT it is proposed to be the only option to obtain full conformance with this Chapter). See requirement 4.2.10.2.
4.X-02 Part 2	**(4.X.3.4: Initial facility designs and the refinement of the designs of critical facilities)** **Question**: Do you agree with the inclusion of slope stability criteria? If not, why not?	**Feedback received**: 8 respondents: 4 mining, 2 NGO, 2 Consultancy. -Supportive ('yes'): ▪ The 2 NGOs answered yes, but one flagged the need to align design criteria to the highest/safest levels where there is a potential loss of life (in case of failure). ▪ 1 Mining respondent answered yes. ▪ The 2 consultancy firms answered yes. -Not supportive ('no'): ▪ 3 Mining respondents are not supportive, 1 suggests to not have criteria altogether, and 2 suggest to strictly align with GISTM. **Proposed decision**: It is proposed to align design-related requirements with GISTM, but to require that the most protective criteria are used for all facilities (i.e., this approach is only one of two options proposed in GISTM (Option B1 of GISTM Requirement 4.2). Instead, in this DRAFT it is proposed to be the only option to obtain full conformance with this Chapter). See requirement 4.2.10.2.
4.X-03	**(4.X.3.4: Initial facility designs and the refinement of the designs of critical facilities)** **Question**: As with GISTM, should IRMA make additional allowances for existing facilities if they can demonstrate that upgrade to the best practice design criteria is not viable or cannot be retroactively applied? If so, then like GISTM, should IRMA require demonstration that upgrades still take place to minimize risk to as low as reasonably practicable (ALARP) at those sites? Perhaps if sites do not meet all of the design criteria but can demonstrate that risks have been reduced to ALARP, IRMA could cap a site's rating for this requirement at substantially meets (i.e., they would never be able to fully meet the requirement), so that the sites that have implemented best design practices are able to distinguish themselves. Is that an approach that you would support?	**Feedback received**: 9 respondents: 5 mining, 2 NGO, 2 Consultancy. This question saw a clear divide between the Mining companies and the consultants answering 'Yes' to aligning with GISTM on the one hand, and on the other hand the NGOs answering 'No' (i.e. if a site cannot fully meet, it cannot fully meet). One consultancy and one of the mining respondents did not provide a clear answer. **Proposed decision**: No consensus was found on this issue. In this 2nd DRAFT, it is proposed to -at least- align with the approach taken in GISTM, see requirement 4.2.10.4. However, IRMA proposes to discuss and explore potential approaches within an **IRMA Expert Working Group** dedicated to Tailings Storage and Mine Waste Facility Management. See more below.

Chapter 4.3
Water Management

RESPONSE TO CONSULTATION QUESTIONS OUTLINED IN FIRST DRAFT

Question #	Question	Feedback and Proposed Decision
4.2-01 (4.2.3.4)	**Question**: Are there other codes or programs that you would recommend including? And should IRMA's list only include credible codes that are publicly available, or also include proprietary programs like GoldSim? What guidance can we offer if the codes or software are proprietary that would assist auditors in their evaluations?	**Feedback** (4): 3 mining, 1 consultant. One respondent suggested to require 3rd-party review of models. The following programs were suggested by various respondents: MODFLOW, Leapfrog, MIKESHE and FEFLOW. **Proposed decision**: We will add MODFLOW, Leapfrog, MIKESHE, and FEFLOW to guidance. We will also consider a workshop on how to increase confidence in model results; consider requiring an independent review of model, especially if programs are proprietary and little operational data exist.
4.2-02 (4.2.4.1)	**(Annex: Best Practices to Manage Water Risks Associated with Various Facilities)** **Question**: Do you agree with this approach to create guidance to guide auditor's assessments? If not, how do you suggest auditors determine whether or not the measures at a site are sufficient to safeguard water resources? Would you be interested in being part of a working group to help work on this guidance? If so, please contact IRMA (comments@responsiblemining.net) and we will be in touch as we move forward with this process.	**Feedback** (6): 1 mining: Defer to local regulatory guidance or use Annex if doesn't exist; Annex generally good approach but not all reasonable (e.g., prefers design for 100-yr not 200-yr storm). 1 consultant + 1 mining: Agree to add annex. 1 mining: Agree but annex needs much work. 1 mining interested in joining a working group. 1 NGO is separately requesting independent review of models required in 4.3.3.2. **Proposed decision**: Did not include Annex for now; IRMA proposes to discuss it further within a working group, as well as the need for independent review of models in certain circumstances.
4.2-03 (4.2.4.3)	**Question**: Do you have any suggestions on alternative language or approaches, or alternative means for safeguarding water resources and those who rely on them if long-term water treatment is necessary, would be welcome.	**Feedback** (3): 1 mining: Water monitoring/mitigation plans more valuable than a risk assessment; can't know if long-term treatment will be needed w/o operational data. 1 mining: Future iterations may be needed, but current language is sufficient. 1 consultant: no suggestion. **Proposed decision**: Maintain the current proposed approach to long-term water treatment in the draft Standard.
4.2-04 (4.2.4.7, Critical)	Question: An adaptive management plan is **also** required for land and soil management (4.XX.4.3). Should adaptive management plans be required for the management of other resources (e.g., biodiversity, or air)?	**Feedback** (6): All (4 mining, 1 purchaser, 1 consultant) agree that management plans for other resources should contain adaptive management elements, but separate AMPs for each resource are not necessarily needed. Specific resources mentioned include biodiversity, air quality, GHGs, land and soil, **Proposed decision**: Some elements of adaptive management integrated in 3.7 (Noise and Vibration), and 4.5 (Air Quality). The

		harmonization of monitoring and evaluation + continuous improvement sections across all chapters also reflects this
4.2-05 (4.2.5.1, Critical)	**Question**: We do not currently have any prescribed frequency for sampling. We are considering requiring that samples be collected and analyzed monthly unless there is a legitimate reason for a different sampling frequency, but would appreciate feedback on this topic.	**Feedback** (8): 1 mining + 1 purchaser: at least quarterly. 1 consultant + 1 Indigenous organization: at least monthly. 1 NGO: monthly for water quality, quarterly for water levels/balance. 3 mining: IRMA should not prescribe frequency (one flagging the need to consider seasonal conditions) **Proposed decision**: IRMA will not prescribe a particular frequency. We have added an endnote that specifies "The frequency of sampling will be dependent on the results of baseline/background water sampling, the presence of storms and extreme events, and releases of project-affected waters according to the adaptive management plan outlined in 4.3.6." Note that based on stakeholder input, we also propose to require consideration of temporal variability in addition to seasonal variability in the gathering of baseline/background data in in 4.3.1.1.
4.2-06 (4.2.5.1, Critical)	**Question**: At the present time, IRMA does not have any water quality criteria for rare earth elements (REEs). We would be interested in knowing of any international or national water quality standards for REEs. If none exist, should IRMA still require that rare earth mining and processing operations at least measure certain elements as part of their characterization of ores, wastes, brines, and concentrates (see Chapter 4.1, 4.1.1) to, at minimum, establish a baseline? If so, which elements should be monitored?	**Feedback** (6): No respondents knew of international or national water quality standards for REEs. 1 NGO and 1 Indigenous organization suggest that IRMA shouldn't include REE mines until it develops criteria specific to these radioactive waste issues. (e.g., waste management, monitoring, monitoring for radionuclides, etc.). 1 purchaser suggests measure REEs as part of their characterization; 1 mining is in favor of characterizing if known health effects. 1 consultant suggests to use background values or establish criteria (IRMA or the ENTITY). **Proposed decision**: Water quality standards for REE were investigated during the review of the IRMA Water Quality Criteria By End-Use tables (Annex 4.3-A). As mentioned in the Summary of the Chapter above, those tables were updated, but no values were added for REEs due to a dearth of relevant standards (only one reference to one REE was found – guideline value for Lanthanum in Australia and New Zealand's guidance). Some radioactive parameters were updated (e.g., Radium 226/228, Uranium). Note that IRMA requires the geochemical characterization of ores in Chapter 4.1, so if there are radioactive elements such as uranium or thorium in REE ores that could be released as a result of mineral processing, they would need to be identified as per requirement 4.1.2.1, would be expected to be included in baseline sampling (in water and/or air), and if concentrations are high enough to pose a risk to human health or the environment they would need to be mitigated. As more information on REEs becomes available, IRMA will revisit its approach.
4.2-07 (4.2.7.2)	**Question**: Do you know of best practice examples of how water data are shared with affected communities? We would be	**Feedback** (4): 1 mining flag difficulty to share water data because some communities don't have WiFi. 2 mining say that monthly is too cumbersome, request change to quarterly. 1

	interested in seeing those examples so that we can provide ample guidance to entities seeking to meet this requirement.	purchaser recommends to Use Alliance for Water Stewardship (annual disclosure). **Proposed decision**: IRMA is proposing that in 4.3.9.2 to make summaries of water data available quarterly, but all water data should be available, not individual months only. Requirement 4.3.9.2 also requires summaries of water data to be published and shared with stakeholders from affected communities whether they are requested or not. Discussions related to water data could also be shared as per Section 4.3.8, which requires Entities to review water quality management strategies, monitoring results, and adaptive management issues with relevant stakeholders on an annual basis.
4.2-08 (Water quality criteria by end use tables)	**Question**: Are you interested in reviewing the updated water quality tables? If so, please contact IRMA (comments@responsiblemining.net) and we will make sure you receive a copy of proposed updates.	**Feedback** (4): Four respondents expressed their interest in reviewing the updated water quality tables. *Response to one respondent who enquired about contradiction between legal criteria and IRMA criteria*: Regarding the IRMA Water Quality Criteria Tables, if the jurisdiction's standards meet or exceed (i.e. are more protective than) IRMA's water quality values, those will take precedence. However, if IRMA's are more protective, they will take precedence (as a standard reflecting best practice, and not just legal compliance), depending of course on the identified water uses. And in some cases, the jurisdiction will have additional standards that IRMA does not; in this situation, the jurisdiction's standards will apply. **Proposed decision**: Now that the IRMA Water Quality Criteria tables have been updated, IRMA will reach out directly to those stakeholders who expressed interest in reviewing the tables, and will also announce more generally that the tables are ready for review by others who might be interested.
4.2-09 (Annex 4.2-A)	**Question**: Is there any content in the guidance that you do not believe is best practice? Are there other elements of water monitoring programs that should be included?	**Feedback** (4): 1 NGO requests change baseline data collection to over a two-year period. 2 mining and 1 consultant: Annex 4.2-A (now Annex 4.3-B) is reasonable. 1 mining suggests that specifics in the annex should not be a requirement. 1 consultant suggests that more could be added on groundwater monitoring. **Proposed decision**: Annex 4.3-B is guidance, and is not normative. Annex 4.3-B has been revised such that baseline monitoring collection occurs over a two-year period. Based on additional discussion with mining companies, non-US references and information will be added to the annex.

Chapter 4.4

Biodiversity, Ecosystem Services, and Protected and Conserved Areas

RESPONSE TO CONSULTATION QUESTIONS OUTLINED IN FIRST DRAFT

Question #	Question	Feedback and Proposed Decision
4.6-01	(4.6.1) **Question**: Should mining entities be required to identify ICCAs (Indigenous and Community Conserved Areas) as part of their scoping? If so, and if they are identified in the area of influence, would the next steps be: consultation with ICCA custodians to determine what values are being conserved and identify potential impacts on the ICCA, free, prior and informed consent from Indigenous Peoples for proposed activities that would affect their rights or interests, collaboration with affected local stakeholders to determine mitigation strategies as per the mitigation hierarchy, implementation, monitoring and reporting on effectiveness of mitigation (in other words, steps outlined in this chapter)?	**Feedback received**: 12 responses received (4 NGO, 4 mining, 1 purchasing, 1 finance, 2 consultancy). All but one respondent supported the inclusion of ICCAs in the scoping. **Proposed decision**: We have added a sub-requirement that other effective area-based conservation measures (OECM) be identified during Scoping. As per the IUCN and IRMA definition, OECMs including ICCAs, IUCN Green List sites, certain Private Protected Areas, etc.
4.6-02	(4.6.3) **Question**: Should IRMA also include specific requirements to manage and minimize impacts on plant or animal populations or species even if those plants/animals do not provide a priority ecosystem service or if impacts on them will not lead to an overall loss of biodiversity? Or should IRMA keep this chapter focused on the most critical/material impacts on biodiversity and ecosystem services?	**Feedback received**: 8 responses received (5 mining, 2 NGO, 1 purchaser). All mining and purchaser respondent suggested to keep the focus on the most critical/material impacts. The 2 NGO respondent suggested to expand the focus. **Proposed decision**: We have retained the focus on important biodiversity values and priority ecosystem services, in alignment with the Ecosystem Approach, Systematic Biodiversity Planning principles, and material impact approaches. But we have proposed additional explanations and guidance for the identification of important biodiversity values and priority ecosystem services. In the proposed changes, we require that, if potentially significant impacts on any biodiversity values or ecosystem services are identified, they should be addressed in the management plans (see 4.4.3.1), but the most stringent objectives (e.g., net gain, no net loss) and highest priority in the plans would be for critical habitats, and the important biodiversity values and the priority ecosystem services (See 4.4.3.2).

4.6-03	(4.6.3.2) **Question**: Do you agree that all projects and operations should be required to demonstrate no net loss and preferably a net gain in important biodiversity values, and in priority ecosystem services?	**Feedback received**: 13 responses received (6 mining, 3 Ngo, 1 purchaser, 1 finance, 2 consultancy). 6 respondents agree (1 mining, 2 NGO, 1 purchaser, 1 finance, 1 consultant). 2 respondents (1 mining, 1 NGO) do not agree. 4 respondents (3 mining and 1 consultancy) expressed skepticism about the feasibility of being able to achieve "no net loss" and the ability to demonstrate it, at the level of a site. 1 respondent (1 consultant) does not have preference. **Proposed decision**: We have proposed a revision to the draft standard requiring "a net gain for critical habitats; and no net loss when possible, and preferably a net gain, in other important biodiversity values, and priority ecosystem services in alignment with international best practice". Net gain is required for critical habitats as per IFC PS6 (2012). We propose to also provide additional guidance for this requirement, particularly regarding no net loss and net gain.
4.6-04	(4.6.6) **Question**: Do you think that a reporting requirement should be added to this chapter? If so, what would be some of the information that should be shared on an annual basis? And would a written report suffice, or should entities be engaging directly with stakeholders?	**Feedback received**: 11 responses received (5 mining, 2 NGO, 1 purchaser, 1 finance, 2 consultant). All but one respondent (mining) agreed that a reporting requirement should be added. **Proposed decision**: We have added requirements for public reporting in alignment with the GRI 101: Biodiversity 2024 standard and the GRI 14 Mining Sector

Chapter 4.5
Air Quality and Dust Management

RESPONSE TO CONSULTATION QUESTIONS OUTLINED IN FIRST DRAFT

Question #	Question	Feedback and Decision
4.3-01 (4.3.1)	**Question**: Do you agree with the two requirements proposed below? Would you add any potential sources or categories of contaminants of potential concern? 4.3.1.1. The ENTITY identifies all potential sources of air emissions (including fugitive emissions) from the project/operation and associated facilities, including, as relevant:… 4.3.1.2. For each air emission source, the ENTITY identifies the contaminants of potential concern (COPCs), including…	**Feedback:** (4): 1 mining: Yes, remove ozone and add HAPS. 1 purchaser: add CO_2. 1 consultant: add leaching and tailings facilities. 1 mining: agrees with both. **Proposed decision**: Based on input from stakeholders, we propose to retain the proposed 4.3.1.1. and 4.3.1.2 (now 4.5.1.1.a and b). In the list of COPCs in 4.5.1.1.b we will retain ozone because smelting, certain processing operations, and fuel combustion can generate ozone emissions. The HAPS list would add 188 pollutants, most of which are not relevant for mining and mineral processing operations, so they are not included. Mercury will be added to Table 4.3 (Now Annex 4.5-A). We will not add CO_2 e (carbon dioxide equivalent) as it does not have numeric limits in the standards or guidelines that we have found. We will add mine haul roads and service and access roads to guidance as examples of Roads in 4.5.1.1.a.
4.3-02 (4.3.6.1)	**Question**: We are proposing that all entities measure their air quality emissions against the standards in Table 4.3, so that there is comparability between sites, but then offer a menu of how they might mitigate any exceedances of the air quality limits. The options align with the options that were proposed in the 2018 Mining Standard. Do you agree with this approach? NOTE THAT 4.3.6.1 REFERS TO AMBIENT AIR QUALITY MEASUREMENTS, NOT AIR QUALITY EMISSIONS. See disclaimer opposite.	**Disclaimer:** The wording in this consultation question is in error – it refers to emissions generated by the site, but the criteria in Table 4.3 (now Annex 4.5-A) are for ambient air quality monitoring. This was unfortunately a mistake in the IRMA 2018 Standard too, as expectations were confusing and contradictory between direct emissions and ambient air. ***Feedback**: 5 responses received (3 mining, 1 finance, 1 consultant). Four agree, while 1 disagrees – arguing that this approach is too cumbersome and would require modeling. The same respondent suggests to use EPA's National Ambient Air Quality Standards (NAAQS) as the requirement instead of the EU standards in Annex 4.5-A.* **Note**: The pollutants listed in Table 4.3 (now Annex 4.5-A) that are not in EPA's NAAQS list are benzene, As, Cd, Ni, and PAHs. Note that all but benzene are target values, not limit values. EU guidance says that "For a target value, the obligation is to take all necessary measures that do not entail disproportionate costs to ensure that it is attained, and so it is less strict than a limit value." Also, Pb seems to be the only parameter that is measured "in the immediate vicinity of specific, notified industrial sources." (see

		https://environment.ec.europa.eu/topics/air/air-quality/eu-air-quality-standards_en). However, for the updated EU limits (to be met by 2030), all are for ambient air quality monitoring. We are not aware of applicable limit values for emissions at the source, e.g. exhaust, stack or chimney outlet, in the mining sector to draw upon, largely because this is too context-specific. **Proposed decision:** The monitoring and compliance sections of the chapter (4.5.4 and 4.5.7, respectively) have been refocused on ambient air quality, and therefore the alternative risk-bases approach to address air emissions (at the sources) has been removed. Continue to align IRMA air quality criteria with EU standards (see Annex 4.5-A), with addition of mercury.
4.3-03 (4.3.7.1)	**Question**: In addition to disclosure requirements, some IRMA chapters require annual reporting to stakeholders on the ENTITY's management of the issues. In some cases, the reporting is to stakeholders generally (e.g., reporting on human rights due diligence), and in other cases, it involves more active discussion with relevant stakeholders, which tend to be the affected communities, on the issues (e.g., annual discussions on water management). Should IRMA require that entities report to stakeholders, or that they meet with and discuss air quality issues with affected communities? Or should IRMA not require this (and assume that if it is an important issue to stakeholders, that they will request such meetings with the ENTITY)?	**Responses** (7): Four say it should not be a requirement (3 mining + 1 finance), and three say it should (1 mining + 1 purchaser + 1 consultant). 1 finance and 1 mining had identical responses – could report air quality data annually if also holding annual discussion on other environmental topics but should not be mandatory. 1 mining suggests air emissions data could be reported annually but not ambient air quality data. 1 purchaser + 1 consultant say should be required if air quality impact is significant according to risk assessment. **Proposed decision**: If ambient air quality monitoring data exceed the IRMA Air Quality Criteria provided in Annex 4.5-A as a result of the project, or a dust deposition from project activities exceeds the value provided in Annex 4.5-C, the ENTITY is required to meet with the affected communities annually. This requirement is now 4.5.9.1.

Chapter 4.6
Climate Action

RESPONSE TO CONSULTATION QUESTIONS OUTLINED IN FIRST DRAFT

Question #	Question	Feedback and Proposed Decision
4.5-01	(4.5.1.1 – Technology Selection) **Question**: Do you agree with adding this requirement? Are there other ways a company might demonstrate it has given the minimization of energy use and greenhouse gas emissions due weight in its mine design processes? Should this requirement be limited to proposed projects, or is it reasonable to create a similar requirement that applies to existing operations that are adding or replacing equipment or processes?	**Feedback received**: 6 responses received (4 mining, 1 finance, 1 NGO). Almost all respondents agreed that it makes sense to add a requirement, although several made suggestions regarding how it could be revised: including by adopting a risk-based approach, or by requiring the ENTITY to demonstrate how these considerations are integrated in decision-making. **Proposed Decision**: We propose to keep the requirement, but we propose to refocus it to assess the presence of a "system", and the extent to which integration and rationales are documented (see 4.6.3.1).
4.5-02	(4.5.2.1 – Targets) **Question**: Do you agree with the proposal to require absolute emissions AND intensity targets? If this is the chosen approach, what would realistic targets and timeframes be for each measure and how should they be linked?	**Feedback received**: 11 responses received (6 mining, 2 finance, 1 NGO, 1 purchaser, 1 consultant). Responses were mixed. Across responding sectors, there was a majority of respondents in favor of either requiring both or focusing on absolute targets (instead of intensity). **Proposed Decision**: We propose to focus on the need to have absolute targets, in what is now requirement 4.6.6.1. We clarify that alignment with the Paris Agreement can be demonstrated for site-level targets, or as part of company-wide targets. For more information and rationale on Paris Agreement targets, see the Section entitled Issues Under Close Watch, which precedes the Chapter requirements.
4.5-03	(4.5.2.1 – Targets) **Question**: Do you agree with the addition of a renewable energy target? If not, why not?	**Feedback received**: 10 responses received (6 mining, 2 finance, 1 purchaser, 1 consultant). Responses were mixed, but a majority (5) agreed with the proposition. 1 respondent suggested to exclude exploration projects from this requirement. **Proposed Decision**: We propose to keep this sub-requirement (now 4.6.6.2.b). As already clarified in the applicability guidance (and now visible directly in this document), these targets are not required for exploration projects (until the project permitting and development stages).
4.5-04	(4.5.3.1 – Emissions Quantification) **Question**: Do you have any suggestions of other methodologies for calculating Scope 1, Scope 2 and Scope 3 emissions that could be added as examples in IRMA Guidance?	**Feedback received**: 6 responses received (4 mining, 2 finance). Some suggested including ICMM Scope 3 Guidance, AEE methods for energy savings, and GHG Protocol Project Overview. One respondent suggested that IRMA could allow entities to be assessed against country of operation's laws. **Proposed Decision**: No substantial change. Some structural and minor content changes to add clarity and

		increase auditability. Taking into account respondents' suggestions, we will review and update guidance on this requirement.
4.5-05	(4.5.3.1 – Emissions Quantification) **Question**: Are you aware of trends in use of direct measurements for particular greenhouse gas emissions? If so, what are the methods being used to do so, and what are the main limitations in the use of those approaches?	**Feedback received**: 3 responses received (all mining). They all signaled that direct measurements are not practical, difficult to undertake, and seldom occur. **Proposed Decision**: No requirement added, at this stage.
4.5-06	(4.5.3.2 – Scope 3 emisisons) **Question**: Has IRMA struck an appropriate balance between driving progress on Scope 3 emissions with creating the necessary breathing space for sites to work towards conformance within a reasonable timeframe?	**Feedback received**: 6 responses received (4 mining, 2 finance). Overall sense is that IRMA has not struck the right balance yet. One thought it was fine, another didn't know because it has not yet been implemented. Others made suggestions for improvement. Suggestions include: ▪ Allowing projects to determine relevant Scope 3 emissions on a project-by-project basis, and do not prescribe the Scope 3 sources [this is aligned with our requirement] ▪ Emissions should be confined to when the product is in the company's custody, otherwise, impossible to track all downstream emissions in this global economy ▪ Only require quantification of immediate downstream customers in the value chain. ▪ Scope 3 emissions not feasible for most exploration and development companies ▪ Instead of a time bound commitment, require commitment to advancing downstream emissions quantification in a manner aligned with best practice, which IRMA can update over time. ▪ Agrees that setting a time frame is important (given that Scope 3 emissions from Downstream activities account for close to 90% of GHG emissions from the mining industry), but also need to acknowledge that it will take time to do the groundwork (map and work with downstream users/emitters on emissions reductions) **Proposed Decision**: Language has been updated to ensure targets on Scope 3 emissions reduction consider what can be done, to the greatest extent possible (see 4.6.6.2.c). We will provide guidance on what this means in practice. Additionally, the Sections on calculations (4.6.4) and target-setting (4.6.6) are now separated for greater clarity and consistency across the Standard. Language has been updated to ensure targets on Scope 3 emissions reduction consider what can be done, to the greatest extent possible. As already clarified in the applicability guidance (and now visible directly in this document), these targets are not

		required for exploration projects (until the project permitting and development stages).
4.5-07	(4.5.3.4 – Intensity) **Question**: Do you agree with the proposed method(s) of reporting GHG intensity and energy intensity? If not, please suggest what metrics would be more appropriate, and why.	**Feedback received**: 4 responses received (4 mining). Responses all in favor, though 1 respondent suggesting that as long as the company is reporting then the units should not matter. **Proposed Decision**: IRMA will not prescribe how intensities are calculated.
4.5-08	(4.5.5 – Carbon offsets) **Question**: Do you agree with the proposed approach to offsets? If not, what would you change and why?	**Feedback** received: 4 responses received (3 mining, 1 NGO). General agreement with the approach. However, respondents want more clarity that offsets are a strategy of last resort. **Proposed Decision**: In the absence of consensus within the IRMA Board of Directors on whether carbon offsets could be considered best practice, we propose to remove the proposed Section dedicated to carbon offsets. The IRMA Secretariat has not been able to identify agreed international best practice for carbon offsets that is **consistently successful and non-controversial.** Thus, IRMA does not want to appear as if its own audit system can sufficiently evaluate the legitimacy, integrity or long-term effectiveness of carbon offset projects. The chapter instead focuses on the Entity's efforts to reduce its own emissions (and those in its supply chain). While this chapter will not prohibit the use of offsets, it does not encourage them, and IRMA will not attempt to audit the legitimacy or effectiveness of carbon offset projects. Instead, it will simply require transparency and rationale about their use (4.6.11.2.e) -as a last resort-, if any.
4.5-09	(4.5.5 – Carbon offsets) **Question**: Should IRMA include a requirement addressing the use of carbon credits and if yes, what limits (if any) should be put in place, and what expectations are reasonable with respect to establishing the credibility of the credit issuer?	**Feedback received**: 5 responses received (4 mining, 1 consultant). Respondents are split, 2 support carbon credit requirement (one only as "a last option"), 2 do not support (1 had no comment). **Proposed Decision**: We propose to not include requirements related to carbon credits in the Standard.
4.5-10	(4.5.6.1 – Reporting and disclosure) **Question**: Do you support the proposal that GHG management plans be made publicly available? If not, why not?	**Feedback received**: 8 responses received (5 mining, 1 NGO, 1 finance, 1 consultant). The responses are split, with no clear divide between sectors. **Proposed Decision**: We propose to keep this requirement. It is not a critical requirement, and therefore won't prevent higher achievement levels if the ENTITY does well on other requirements. Also, the Standard requires management plan disclosures in many other chapters.

4.5-11	(4.5.6.4 – Reporting and disclosure) **Question**: Do you support the proposed approach for greater transparency in greenhouse gas and energy data? If not, what would you change and why?	**Feedback received**: 6 responses received (4 mining, 1 finance, 1 consultant). Most think that in general the level of disclosure is reasonable, but a few revisions are suggested (including exceptions for exploration and development, exclusion of raw calculation files/sheets, exclusion of business-sensitive data). **Proposed Decision**: No substantial change. As already clarified in the applicability guidance (and now visible directly in this document), these public reporting elements are not required for exploration projects (until the project permitting and development stages). As per chapter 1.2, business-sensitive information (if any) can be redacted as long as a rationale is documented and proactively shared with stakeholders.

Chapter 4.XX
Land and Soil Management (REMOVED)

RESPONSE TO CONSULTATION QUESTIONS OUTLINED IN FIRST DRAFT

Question #	Question	Feedback and Decision
4.XX-01	**(Background/Notes)** **Question:** Do you agree with the proposal to add a new chapter on 'Land and Soil Management'? If not, why not?	**Feedback received**: 7 responses received. 3 (2 mining, 1 consultant) agree with adding. 3 (mining) disagree and suggest combining with other chapters. 1 (mining) suggests removing duplicate requirements from other chapters and piloting before adopting into the Standard. **Proposed decision:** Do not include as a separate chapter. We have strengthened references to soil resources in Chapter 2.1 (ESIA) and Chapter 2.7 (Concurrent Reclamation, Closure and Post-Closure)
4.XX-02	**(Background/Notes)** **Question:** Do you agree that soil does not need to be maintained or restored to original (pre-mining) biological and physical quality? If you do not agree, please explain. If you believe the chapter should have additional best practice requirements, please feel free to make suggestions, and if possible, provide examples of where your best practice suggestions are being implemented at mining or mineral processing sites.	**Feedback received**: 6 responses received (5 mining, 1 consultant). All respondents agreed that soil does not need to be maintained or restored to original (pre-mining) biological and physical quality. No respondents suggested additional best practice requirements in responding to the second question. **Proposed decision**: The Chapter is not included anymore.
4.XX-03	**(4.XX.1.1 – Site selection for mineral processing projects)** **Question:** Is this a reasonable requirement and would many/most new mineral processing operations be able to demonstrate that brownfield sites were considered (or explain why they were not)?	**Feedback received**: 5 responses received (4 mining, 1 consultant). All respondents agreed 4.XX.1.1 is a reasonable requirement. **Proposed decision:** The Chapter is not included anymore.
4.XX-04	**(4.XX.4.1)** **Question:** Can you recommend examples of international good practice related to soil remediation as it relates to mining and/or mineral processing?	**Feedback received**: No detailed example provided. One respondent suggested to use the French methodology for managing polluted sites (no other information included). **Decision**: The Chapter is not included anymore.

4.XX-05	**(4.XX.4.1)** **Question:** Are these requirements too onerous in cases where there is no legal liability? In such cases, does the scope of the requirements need to be narrowed? For example, should remediation only be required within the site boundary (as long as on-site contaminated areas are not contributing to off-site contamination or impacts)?	**Feedback received**: 4 responses received (4 mining). 3 respondents suggested the requirements were too onerous, 1 questioning requirements if no liability. 1 suggests keeping the requirement to ensure IRMA expectations are met where the country of operation's law does not set meaningful standards. **Proposed decision**: The Chapter is not included anymore.
4.XX-06	**(4.XX.4.2)** **Question:** Are there other strategies that you can suggest to protect soil chemical quality and minimize erosion and loss of soil and land? If so, where would your suggestions fit in the hierarchy above?	**Feedback received**: 4 responses received (4 mining). 1 respondent finds it sufficient as listed.1 respondent provided links to ICMM approaches (links to ICMM's Good Practice Guidance for Mining and Biodiversity, which only has limited specifics about soil quality and soil loss) and to a soil loss modeling reference. **Proposed decision**: The Chapter is not included anymore. Soil erosion and soil loss is now addressed under Chapter 2.7: Concurrent Reclamation, Closure, and Post-Closure.
4.XX-07	**(4.XX.5.1)** **Question:** Do you believe it critical to quantify soil erosion rates, or should monitoring focus on qualitative visual inspections to recognize the signs of erosion and prioritize affected areas for mitigation and restoration? If you believe that soil erosion measurements are needed, are there particular methods that you would recommend? Is knowing the actual volume of soil or land loss important? Or should these numbers not be a concern as long as actions are taken to effectively return land to a productive, beneficial use?	**Feedback received**: 2 responses received (2 mining). 1 respondent suggested to just use visual approach and focus on restoration not volume calculations. The other suggested to use visual and modeling; flagging that modeling may overestimate erosion rates. **Proposed decision**: The Chapter is not included anymore. Soil erosion and soil loss is now addressed under Chapter 2.7: Concurrent Reclamation, Closure, and Post-Closure.