

Background

The Initiative for Responsible Mining Assurance (IRMA) Standard for Responsible Mining (2018)¹ is a voluntary international standard used for independent third-party IRMA audits. IRMA Standards are also used as a benchmark to assess and improve law and policy frameworks, promoting incorporation and implementation of best practices, including best practices around community benefit sharing. The IRMA Mining Standard, designed and approved by IRMA's equally-governed multi-stakeholder board, is informed by international frameworks as well as the lived experience of stakeholders and rights holders at the mine site level.

Community Benefit Sharing in the IRMA Mining Standard

The IRMA Mining Standard requires that companies develop collaborative planning processes for benefit sharing and deliver community benefits.² Collaboration includes affected communities, stakeholders—including workers and local government, and Indigenous rights holders—to develop participatory planning processes to guide company contributions to community development initiatives and benefits in affected communities.³

The planning process must be designed to ensure local participation, social inclusion, good governance, accountability, and transparency. The process must be inclusive by gender and age, and must ensure inclusion of potentially underserved and/or marginalized people.⁴

If requested by the community and not already provided by the appropriate public authorities, the IRMA Standard requires the operating company to offer appropriate assistance to facilitate effective stakeholder engagement⁵ in the form of access to training, capacity-building, or independent experts—including through funding of such experts.⁶

Reflecting best practices, the IRMA Mining Standard requires companies to develop:

- Measures to improve, or at least maintain, the health, social, and economic wellbeing of affected communities;
- Local procurement opportunities;
- Initiatives that benefit a broad spectrum of the community (e.g., women, men, children, youth, potentially underserved and/or marginalized people); and
- Mechanisms that can be self-sustaining after mine closure, including building community capacity to oversee and sustain any projects or initiatives agreed upon through negotiations.⁷

¹ Initiative for Responsible Mining Assurance (IRMA), IRMA Standard for Responsible Mining IRMA-STD-001 (June 2018).

² https://responsiblemining.net/wp-content/uploads/2018/07/IRMA_STANDARD_v.1.0_FINAL_2018-1.pdf.

³ *Id.* at 2.3.3.

⁴ *Id.* at 2.3.3.1.

⁵ *Id.* at 2.3.3.2.

⁶ *Id.* at 1.2.3.1.

⁷ *Id.* at 2.3.3.3.

⁸ *Id.* at 2.3.3.4.

Companies are required to document planning process and any outcomes or decisions and make these publicly available.⁸ The IRMA Mining Standard also requires companies to collaborate with the community to periodically and jointly monitor the effectiveness of any mechanisms or agreements developed to deliver community benefits, based on agreed indicators, and evaluate if changes need to be made to improve the mechanisms/agreements.⁹

Holistic Coverage in the IRMA Mining Standard

Requirements around community development and benefit sharing in the IRMA Mining Standard are related to a range of other requirements in the IRMA Standard, including but not limited to:

- Community and stakeholder engagement, such as requirements that communications and information be shared in formats and languages that are accessible to stakeholders and rights holders, and are provided in a timely, culturally-appropriate manner;
- Indigenous rights and Free, Prior and Informed Consent (FPIC), requiring operating companies to obtain FPIC where there are Indigenous Peoples whose land, resources, cultural heritage or rights may be impacted by mining activities and opportunities to address the safety, environmental, and social impacts of those artisanal mining activities;
- Community health and safety;
- Fostering positive relationships with artisanal miners operating on or near the mining concession;
- Human rights due diligence;
- Complaints and grievance mechanism and access to remedy;
- Revenue and payments transparency;
- Environmental and social impact assessment and management; and
- Biodiversity, ecosystems services, and protected areas.

Community and Rights Holder Engagement in IRMA Audits

IRMA's multi-stakeholder governance model is unique among mining sector standards as it gives equal voting rights to six sectors: directly affected communities, NGOs, labor unions, mining companies, purchasing companies, and the investor and finance sector. The affected communities sector has included Indigenous leaders since IRMA was founded in 2006. The IRMA Standard was developed through over 10 years of global dialogue across stakeholder sectors. Regular review and updates to the IRMA Mining Standard continue to be governed by IRMA's six sectors and informed by government representatives, academics, and other subject matter experts.

IRMA requires accredited third-party auditors to announce audits in advance so that stakeholders and rights holders are aware of upcoming audits and understand the opportunity to engage in the IRMA audit. Accredited third-party auditors interview rights holders, members of affected communities, and mine workers at the site level. IRMA audit reports are public documents including over 100 pages of information about the audited mine site. Where a mine site has activities that affect the rights or interests of local stakeholders and rights holders, IRMA audit reports are a publicly accessible tool to enhance transparency around impacts, benefits, and continuous improvement.

⁸ *Id.* at 2.3.3.5.

⁹ *Id.* at 2.3.3.6.