

## ASI Community Rights and Participation Working Group – Call 2

1 July 2025

### Participants:

|                     |                  |
|---------------------|------------------|
| Diana Munoz         | Shreya Jessica   |
| Linn Aakvik         | Cathal Doyle     |
| Abu Karimu          | Quiviya Eldridge |
| Alexey Spirin       | Yuri Herder      |
| Piet de Wit         | Lauren Brandi    |
| Francesca Fairbairn | Aboubacar Diallo |
| Kendyl Salcito      | Nikolas Kelling  |

ASI Secretariat:  
Chelsea Reinhardt  
Jessica Pereira  
Mark Annandale

### Agenda points:

1. Welcome and updates
2. WG feedback on draft criteria
3. Break-out groups
  1. Are the minimum expectations included?
  2. Consider the criteria on a scale of criticality
  3. Consider the applicability
4. Feedback form break-out groups
5. Definition of Affected Communities
6. Next steps (5 min)

### Discussion Notes:

- ASI presented initial feedback submitted on the first draft of the revised Community Rights and Participation criteria. The key issues highlighted by participants included:
  - The need to improve clarity around which criteria apply to which types of communities (e.g. Indigenous Peoples, affected communities, land-connected communities).
  - Concerns around auditability, particularly how abstract concepts such as “meaningful consultation,” “culturally competent,” or “accessible formats” can be reliably assessed during audits.
  - Participants emphasised the importance of balancing thorough community consultation with the risk of consultation fatigue. There was broad agreement that mechanisms should avoid placing additional burdens on communities, especially where engagement processes are repeated across projects or sectors.

- Participants noted a potential conflict between respecting traditional governance and decision-making structures, and ensuring inclusive participation. This is especially relevant where local norms may exclude certain groups such as women or nomadic populations from consultation.
- There was recognition that some requirements may not be appropriate or realistic in certain legal or operational contexts, particularly where local law may contradict traditional practices.
- It was noted that transparency and disclosure requirements may conflict with cultural or legal sensitivities. Participants highlighted the need for flexibility or supporting guidance in circumstances where public disclosure may not be appropriate.
- Definition and scope of affected communities
 

Participants engaged in a detailed discussion around the proposed working definition of “affected communities.” Several points of clarification and revision were suggested:

  - The inclusion of nomadic or mobile populations needs to be made explicit. These communities often depend on natural resources but may not reside permanently within defined impact zones.
  - Several participants suggested that land-connected communities who do not self-identify as Indigenous—such as Afro-descendant groups in Latin America—should be clearly captured within the definition.
  - Some expressed concern about using specific regional examples (e.g. Quilombolas in Brazil) within the standard, noting that it may inadvertently limit interpretation or conflict with legal recognition in other jurisdictions.
  - Participants discussed the value of distinguishing between “peoples” and “communities.” It was noted that referring to Indigenous Peoples as communities may weaken their legal status and undermine their collective rights. Alternatives such as “affected peoples and communities” or “land-connected peoples and communities” were proposed.
  - There was consensus that definitions should align, as much as possible, with existing international frameworks (e.g. UNDRIP, the Convention on Biological Diversity)
- Community Consultation criteria
  - There was agreement that consultation criteria must account for existing cultural and social dynamics. For example, patriarchal governance may prevent women or youth from participating in formal consultations, despite being directly affected
  - Participants discussed the need for strategies that enable all community members, including women, nomadic groups, or other marginalised populations, to participate safely and meaningfully in consultations.
  - The group stressed the importance of linking community mapping directly to consultation and engagement. Mapping exercises should inform how consultation is structured, with appropriate consideration of different population groups.
  - There was support for changing criteria related to vulnerable groups from Level 2 to Level 1, ensuring that such requirements are considered minimum expectations rather than optional elements.
- Use of terminology and auditing
 

Participants raised concerns that some key terms—such as “accessible,” “meaningful engagement,” and “culturally competent”—are currently too vague for effective implementation or audit.

  - It was suggested that these terms be clearly defined in the glossary of the standard itself, rather than only in guidance materials.

- There was agreement that definitions in the glossary should be concise and auditable, with further explanation or case studies included in accompanying guidance documents.
- Participants noted that auditors often rely on the glossary as their primary reference and are generally not expected to consult the broader guidance unless directed.
- Distinction between Indigenous Peoples and other communities
  - Participants recognised the need to avoid conflating Indigenous Peoples with other affected groups, in order to protect their distinct rights and self-identification.
  - Participants agreed that ensuring appropriate recognition of Indigenous Peoples' status and entitlements outweighed concerns about redundancy, even if it results in repetition
- Other points
  - The applicability of some criteria across the aluminium value chain was discussed. While mapping and consultation are clearly essential for upstream entities, participants questioned how these criteria could be applied meaningfully by downstream actors.
  - It was acknowledged that existing industrial facilities (e.g. smelters or refineries in urban areas) may not be able to engage communities in the same way as extractive operations. ASI agreed that differentiation based on context should be reflected in the applicability of criteria.
  - Some participants noted that community impacts can also occur in downstream operations, and that these should not be entirely exempt from obligations related to engagement
- Next steps
  - ASI will revise the draft criteria based on the feedback provided in the meeting and in the SharePoint comments.
  - Further engagement with IPAF will continue to inform the drafting and ensure alignment
  - ASI will share an updated draft of the criteria
  - Next working group call is scheduled for Tuesday 5 August