ASI Community Rights and Participation Working Group – Call 1
12.00 - 13.15 CET 22 May 2025

Participants:

Brodie Vansleve	Johannes Danz
Catherine Momha	Cathal Doyle
Abu Karimu	Daniel Ocampo
Alexey Spirin	Lauren Brandi
Piet de Wit	Louis Biswane
Francesca Fairbairn	Rania Tayeh
Margriet Biswane	Marcus Vinicius Vaz Moreno

ASI Secretariat:

Chelsea Reinhardt

Jessica Pereira

Agenda points:

1. Welcome and overview of process (10 min)
2. Early proposals in the revision process (15 min)
   - Structure of standards – including differentiation
   - IPAF priorities
   - Scope of community rights + related topic areas
   - Definitions of communities
3. WG Input – Priorities and outcomes (10 min)
4. Early thinking on proposed changes to criteria (10 min)
5. Discussion areas (30 min)
6. Next steps (5 min)

Discussion Notes:

- ASI presented an overview of the working group procedures and standard revision timeline
- ASI introduced initial proposed changes in the Performance Standard structure and content, including:
  - New approach for differentiation (defining minimum vs leading practice) within thematic areas
  - More emphasis on materiality and relevance
  - Incorporation of more outcome-based criteria, in addition to management/ process-based approaches
- ASI gave a summary of initial input from IPAF (Indigenous People's Advisory Forum) representatives, including expanded Free Prior and Informed Consent (FPIC) requirements,

greater collaboration and engagement of IPs and local communities, and more clarity around the area of influence for Entities

- Participants were asked to identify initial priorities for the revision of the Community Rights section of the performance standard, and the following points were raised:
  - o Meaningful inclusion of affected communities is critical
  - o More notice given ahead of ASI audits
  - o More transparency in audit reports
  - o Focus on ecosystem services and biodiversity
  - o Equitable inclusion of local communities
  - o Consideration of induced impacts beyond Entity's direct jurisdictions, but which can still negatively impact communities
  - o Ensuring auditors have the right expertise, especially around social auditing skills, and that conflicts of interest are managed
  - o Ensuring that FPIC is implemented effectively in practice
  - o Participatory nature of impact assessments
  - o Consideration of associated facilities
  - o Educating local communities around their rights is essential
- Other points raised in the discussion related to pain points or challenges with the current PS V3, including:
  - o Challenges in use of the word Indigenous, which can be considered disrespectful in some contexts
  - o Lack of adequate baseline data from some governments, requiring companies to develop this directly
  - o Potential misalignment between standard requirements and local customs, e.g. around corruption areas
  - o Distinguishing between wants and needs of the affected communities

- *On assurance* – ASI explained that the assurance framework will be revised along with the standards, and there is opportunity for the working groups to feed into that process. However, even the best audits are still a snapshot in time, so we are looking also to strengthen the Entity's processes in general (between audits) for community engagement, including identifying and addressing impacts, operating effective grievance mechanisms, etc.

- ASI shared the overview of affected populations as currently defined, which includes Indigenous Peoples, Land-Connected Communities, and local communities
  - o It was recognised that this broad definition is important to cover groups which may be affected but might not be geographically close, e.g. downstream communities impacted by water contamination
  - o It was noted that integration with the Biodiversity/ Nature Working Group will also be important as there may be examples where local community preferences may not align with biodiversity objectives (example of cashew trees being requested by local communities in rehabilitation programmes)
- ASI Presented a set of proposed high-level content under the main Community related topic areas, and highlighted which sections are likely to change most compared to the current V3 of the PS. These include new requirements around mapping of affected communities, expansion of FPIC requirements, new inclusion of community benefits, and expansion of requirements on community impacts.
  - o It was asked whether alignment with IFC PS5 is around displacement/ resettlement is still considered good practice, as the standard is from 2006 and is due for revision. ASI

clarified this is something they will discuss further, along with input from civil society representatives who have given feedback on the current Performance Standard

- o It was asked what ASI's role is to drive change upstream in between audits: ASI explained that we anticipate the standard should provide a framework for Entities to set up effective systems to engage with local communities and identify/ address negative impacts; it should ideally be these systems that are checked during audit (not only what is seen during the short audit time itself). Strengthening this approach should be a key focus of the revision with input from the working group

- ASI presented a potential outcomes and criteria for the Community Benefits topic, alongside some questions including: How ambitious should we be concerning community benefits? What are the minimum expectations we want to see, and what is leading practice? What are some outcomes/metrics that can be included?

  - o It was highlighted that this is a sensitive area
  - o Needs to focus on things beyond monetary compensation. Community benefits need to be sustainable and long term, there must be sustainable methods of community growth, and include empowerment
  - o Some of the wording comes across as promoting individual advantages or benefits -> benefits should be framed from the collective perspective and reflect community development projects
  - o Community benefits is a tricky one to start with, as it is often one of the later stages in development and depends on the impacts, hard to consider in isolation -> what are the implications on communities? Sometimes benefits can be a distraction from the rights and the potential impacts that go with the project.

  - o The process for identifying and developing these outcomes and benefits are just as important and should be rooted within FPIC framework
  - o Should be a pro-active approach to community engagement and investment. Areas of education, training and job creation/local hiring need to link together so that education and training is the focus and start of the journey. This also allows these skills to be transferrable
  - o Concerning allocation X% of jobs to local community, there is a risk of using quota's and it resulting in nepotism or a tick box exercise. There must be clear community engagement and community investment plans
  - o Benefits can create divisions, e.g if only youth are considered in hiring and job creation, this could cause conflict between youth and elders. Thats why the agreement making process is so important and must be inclusive

- Next steps:
  - o Jessica to send out an email with:
    - the notes, slides and recording
    - A doodle poll to schedule the next calls
    - A link to sharepoint where you can access all documents