

## ASI Community Rights and Participation Working Group – Call 5 - notes

13 October 2025 (Virtual)

### Attendance (there were 14 people in the meeting at one stage)

Brodie Vansleve (Rio Tinto)

Elena Miceski (Rio Tinto)

Linn Aakvik (Hydro)

Lauren Brandi (Hydro)

Kendyll Salcito (NomoGaia)

Piet Wit (Chimbo Foundation)

Louis Biswane (IPAF representative)

Shreya Jessica (IPAF representative)

Yuri Herder (TetraPak)

Alexey Spirin (UC RUSAL)

### ASI Secretariat Participants

Chelsea Reinhardt, *Standards Director*

Jessica Pereira, *Human Rights Specialist*

Mark Annadale, *Director of Research and IPAF  
Advisor*

Lia Vacheret, *Standards Manager*

### Agenda:

1. Welcome and updates (5 mins)
2. Plenary discussion: Complaints Mechanism and Remediation (40 mins)
3. Legacy Impacts (20 mins)
4. Discuss comments on the draft (20 min)
5. Next steps

### 1. Introduction

- ASI opened the meeting, ran through the agenda and recapped discussion from the last meeting, as per the notes circulated.
- The Displacement and Resettlement section will be removed from this section and become a modular section to better align with IFC Performance Standard 5.
- FPIC 'side discussion' scheduled for October 15th to discuss the material impacts definition, as it relates to FPIC. This is open to all WG members or colleagues. The input from this discussion will be fed back to the Standards Committee and the Community Rights Working Group.
- Cultural heritage and security practices have not been covered in calls, but feedback has been gathered through online comments and expert reviews

### 2. Complaints Mechanism and Remediation

- ASI provided some context on the key changes proposed from version 3 of the PS around complaints and remediation. These include:
  - More focus on the effectiveness of the complaints mechanism (e.g. not just a documented process)

- Expanded training requirements for workers managing complaints
- More detail around the review process
- Restructured format: one criterion with independently assessed sub-requirements rather than nested sub-bullets
- A Working Group participant commented that the current wording didn't necessarily take into account the fact that companies often have various channels for complaints (HR, union, security, whistleblower hotline, community mechanisms) and suggested changing language to "mechanisms" (plural) rather than singular to capture the full ecosystem. **Action: ASI to update wording**
- Another participant raised a concern about 'trust' being part of the criterion – this was subjective and out of the control of the entity, as well as being difficult to measure. Would suggest focusing on the process – have 'transparent' and 'accessible' processes. Another participant thought that there should be a focus on the user perspective, and that this started with trust – community feedback on complaints mechanisms usually focused on lack of trust in them rather than whether they were technically adequate. ASI clarified that the intent here was to go further than simply having the mechanisms in place, but to require mechanisms that addressed complaints properly. **Action: Other WG members are asked to weigh in on the draft requirements with their comments. ASI will review comments and concerns, and if needed, will adjust wording if required to provide more clarity or guidance around trust/ effectiveness**
- A point was raised about the use of consistent language in this section – in some places there was reference to grievance mechanisms. ASI took note and said that this would be done.
- On Remediation:
  - ASI explained that under V3 remediation was part of the Human Rights Due Diligence criteria. The proposal was to bring it out separately with a focus on an entity's own operations (with supply chain requirements being in the separate Responsible Sourcing section). The requirements covered remediation for both labour rights violations and community impacts.
  - A participant raised a concern about how confidentiality issues would be addressed – for example a company may not share details of complaints/cases raised through its whistleblowing hotline. There were also questions raised about requiring legal/judicial mechanisms to be engaged – this wasn't always appropriate. On the other hand, other participants suggested these were important to maintain as sensitive labour issues may not always get reported
  - **Action: ASI to share the governance draft directly with the WG participants to invite further review of the language around remediation.**

### 3. Legacy impacts

- ASI clarified the definition of legacy impacts and explained that the current proposal was to have a requirement at leading practice that required entities to initiate engagement on legacy impacts in concert with affected Indigenous Peoples and Land-Connected Communities.
- There was discussion about entities not being responsible for past actions by governments or other industry actors and what reaching a shared understanding meant in practice – this could take a lot of time and would be impossible in some cases. There were concerns of what the outcomes should be, and what remediation would be expected. A participant thought that this should be a minimum requirement, while another thought that leading practice was the right level.
- ASI noted the sensitivities around this issue and clarified that the intent was that there was a dialogue between partners on legacy issues so that parties could at least start to understand each others' positions, not necessarily reach any agreement. It was clarified that the requirement did not mandate either responsibility or remediation

- **Action:** ASI to adjust wording of the requirement in order to remove the explicit reference to an [agreement](#), and to clarify that the intent is a meaningful dialogue. Working Group Members are invited to add further comments on whether this (adjusted) requirement should be a minimum requirement or leading practice.

#### 4. Discuss comments on the working draft

- On documenting consultation activities:
  - ASI explained the proposal – the intent was that there should be records kept of community engagement – many companies did this routinely, the idea was to standardise this practice across the sector.
  - One participant suggested that this should be limited to ‘key’ engagements. There was discussion about who would decide what was meant by ‘key engagement’. It was noted that it may be unrealistic to expect all engagement to be recorded – some operations have large numbers of stakeholder engagement activities. Some participants thought that expecting communities to sign off on these records was too much and that some community members would refuse to sign, for example if they wanted to remain anonymous.
  - **Action:** ASI to review comments received on the draft and look to adjust the approach as required
- On the public disclosure requirements:
  - Some concerns had been raised about the feasibility of public disclosure of community benefits plans – there was a need to balance transparency with confidentiality considerations. There was not sufficient time to discuss the issue on the call, but the Working Group was asked to review these requirements on the draft document and provide further input

#### 5. Next steps

- A side meeting is planned for 15 October to discuss the FPIC requirements. This will focus on how to define material impacts as it relates to triggering a mandatory FPIC process. ASI clarified that the intent wasn’t a dramatic change from version 3 but to move into consistent implementation of FPIC requirements as already included under Criterion 9.4 in V3
  - A participant asked whether alumina refining operations and not just bauxite mining would be considered ASI explained that the Mine Closure draft is proposed to also apply to refineries, and this will be further discussed
- Next steps: The Working Group was urged to provide feedback on the current draft. The aim was for the Standards Committee to sign off the draft for consultation ahead of launching a first public consultation in Q1 2026
- Next Working Group call likely to take place on **6 November 2025** (tbc).