

ASI Community Rights and Participation Working Group

Call #8 – Post Consultation

14 May 2026

Agenda points:

- Welcome back
- Public consultation summary
- High level overview of feedback
- Priority areas for consideration
 - FPIC
 - Community agreements
 - Legacy impacts
- Next Steps

Participants

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Discussion Notes:

1. Welcome and public consultation summary

- ASI welcomed the group and introduced the agenda
- ASI provided an overview of the public consultation process on the draft revised ASI Standards, which was open from 17 Feb to 30 April 2026. In total more than 500 responses were received, including nearly 100 submissions via online survey or consultation inbox. Another 400+ responses were from members of affected communities, who were engaged through IPAF led sessions and completed targeted questionnaires on priority issues affecting communities
- More than 1500 individual qualitative comments were received via the consultation inbox and online survey (with additional comments from affected communities still to be added) – the Climate section received the most comments, followed by Nature, overall comments on the Performance Standard and then Community.

2. Early themes from feedback on Community Rights and Participation (Section 7)

- ASI explained some of the main themes from preliminary feedback analysis, including areas where stakeholders mainly agreed:
 - Broad support for structure and format changes; elevating community rights to a dedicated Section 7 was welcomed
 - Strengthening FPIC was broadly supported, although there were mixed views on how to strengthen this
 - Inclusion of vulnerable groups drew consistent cross-sector support
 - The inclusion of community benefits as a concept has general support, but stakeholders don't yet agree on *how* it should be included
- ASI also shared areas with divergent views from consultation:
 - Materiality scope – most respondents felt that the materiality focus for the Community section is appropriate, but some worry this could screen out key impacts
 - Concerns about current structuring/drafting within Section 7 – including how this section links with other sections (section 2, section 11)
 - Stakeholders have *diverging* views on *how* to include FPIC, Legacy Impacts, and Community Benefits within the Standard
 - Stakeholders have broad support for the concept of leading practice but diverging views on what should be considered a minimum requirement vs leading practice

3. Discussion on Free, Prior, and Informed Consent (FPIC) section:

- ASI summarised the key points from consultation responses that related to FPIC requirements (section 7.6 in the consultation draft)
 - Fewer overall comments than anticipated on this section, most relatively minor or asking for more clarification or restructuring
 - Suggestion to restructure FPIC requirements to improve logic and clarity (2 *respondents*)
 - For demonstrating consent (7.6.2.2) some respondents recommended to remove the requirement to give consent to begin FPIC itself, asked for more clarity around the definition of consent (a suggestion to align with the ICMM statement), as well as requests to allow more flexibility in how consent is sought and given. It was raised by affected communities that sometimes consent can be fabricated
 - Information sharing with affected communities: there were mixed views on public disclosure vs sharing information only to affected communities. Affected communities' responses in the questionnaire strongly supported public disclosure, whilst some industry feedback was to only provide to local affected communities. Some respondents asked for more clarity for example around communicating to communities directly vs through representatives
- ASI proposed restructuring the criteria on FPIC in line with consultation suggestions, as below:

1. Agree an FPIC process with affected Indigenous Peoples (Including specific contexts when FPIC is required (current 7.6.2.1)
 2. Demonstrate that the agreed process has been followed at appropriate decision points (Including demonstrating consent when required * *recognising the need for flexibility in different contexts*)
 3. Monitor and evaluate the effectiveness of that process over time.
- The Working Group discussed the overall feedback on FPIC and the proposed restructuring, in line with industry consultation input:
 - During the working group discussion, there were no initial concerns raised about restructuring as proposed, although it will be important to make sure that there are benchmarks that both sides agree the process is being followed
 - One member shared that FPIC was perceived as a very important issue from affected communities in India. Communities are not always aware of the expectations of FPIC, but as the awareness increases, this will be positive.

4. Discussion on Community Benefits and Community Agreements

- ASI reminded the working group about the proposed requirements on community benefits and agreements in the consultation draft, and summarized the initial and preliminary feedback received during consultation with survey monkey and the excel spreadsheet
- Consultation feedback was broadly supportive of the concept of community benefits plan, with input from affected communities as overwhelmingly supportive. Some respondents from industry raised concerns about whether all sub-bullets under 7.4.1.1 are required or should be 'as feasible' – it was also suggested to make it clear that benefits need to go beyond minimum regulatory requirements. One respondent suggested strengthening the language e.g., community development programme' rather than 'benefits plan'.
- The Working Group discussed this feedback and noted:
 - From the experience of affected communities in India, there are cases where benefits have not been delivered for many years. In Guinea, there are examples where some local development support for local communities from companies is just starting, mainly focusing on areas where the company is having impacts.
 - It is important that companies first address adverse impacts and do not look at community benefit plans as a substitute to cover up or not address unremediated impacts.
 - Based on this, it was discussed whether plans to address negative impacts should be separate or combined with the community benefits plan. A couple of participants commented that it makes sense to keep these separate, but the relationship between the two should be made clear. This will be further considered by the ASI Secretariat and Standards Committee
- On community agreements – consultation feedback was more divided. Some industry respondents want to maintain community agreements only for leading practice and only applying to Indigenous People, due to the complexity of implementing these and

concerns about bribery and corruption. On the other hand, some CSOs and affected communities expressed that legally binding community agreements should be minimum expectations. A number of industry and CSO respondents indicated the two-year suggested timeframe is too restrictive.

- The Working Group was asked whether they have anything to add to this feedback:
 - One participant noted that from a company perspective, agreements can be challenging in many operations as there are many different community groups who may not always agree. The fixed timeframe is also not realistic and needs to be more flexible. They would support this requirement but only as leading practice

From a community perspective, one participant noted that if the community members are not aware, sometimes a local political leader can talk directly to the company and rather than bringing a positive agreement for affected community benefit, it can make issues worse – not all communities can select good community leaders. Communities need support to understand and then engage in the process, so capacity building is required.

5. Discussion on Legacy impacts

- ASI shared that the consultation feedback, as expected, was mixed on the draft proposal around legacy impacts (7.9.1). Some respondents suggested that all requirements should be minimum and while some respondents felt these should be either removed or only leading practice:
 - One participant added that from the perspective of civil society, many issues, for example related to security providers affecting communities, can carry on for long timeframes. Therefore, they would support maintaining some legacy impacts as minimum requirements [such as forced re-settlement, destruction of sacred sites or places of worship]
 - Two participants shared that from an affected community perspective, cultural values were not always understood or respected. If Entities and local communities came together and had good communication, a lot of issues could be resolved

6. Next steps

- Comments from consultation and the Working Group will be shared with the ASI Standards Committee and discussed further in June during their in-person meeting
- The Working Group will next meet in July – dates to come
- The Working Group will be given a chance to review and comment on an updated working draft of Section 7, likely after the Standards Committee meeting in June
- Please reach out to the ASI team if you wish to provide any further input or set up a direct call to discuss anything related to the revision