ALLIANCE FOR
RESPONSIBLE MINING

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ARM

STANDARD-SETTING PROCEDURES

for the development of social and environmental standards
related to artisanal and small-scale mining and the supply chain of its products

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Further information and downloads: www.responsiblemines.org

The Alliance for Responsible Mining (ARM) is an independent, global-scale, pioneering initiative established in 2004 to enhance equity and wellbeing in artisanal and small-scale mining (ASM) communities through improved social, environmental and labour practices, good governance and the implementation of ecosystem restoration practices. ARM is committed to social justice and environmental responsibility as the values driving the transformation of ASM.

ARM´s vision is for artisanal and small-scale mining to become a formalized, organized and profitable activity that uses efficient technologies, and is socially and environmentally responsible. It is a vision of a sector that increasingly develops within a framework of good governance, legality, participation and respect for diversity and that increases its contribution to the generation of decent work, local development, poverty reduction and social peace in our nations, driven by a growing consumer demand for sustainable minerals and ethical jewelry.

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1. INTRODUCTION

The Alliance for Responsible Mining (ARM) develops, as part of its mission, **voluntary social and environmental standards related to responsible artisanal and small-scale mining (ASM) and the downstream value chain of its products** (ARM Standards).

ARM Standards may be developed by ARM as sole standard setter or by ARM in cooperation and partnership with other standard setting organizations or build upon other compatible standard setter's standards with due authorization. The term ARM Standards refers to all existing and all eventual future standards developed by ARM (i.e. currently the Standard Zero, the Fairmined Standard, and the Market Entry Standard) ~~(e.g. Standard Zero, Fairtrade and Fairmined Standard) and all eventual future standards developed by ARM.~~

The purpose of this document is to describe the procedures by which ARM Standards are developed, reviewed and implemented. These standard-setting procedures seek to ensure the credibility of all ARM Standards, by incorporating the values of transparency, participation and fairness into the processes for their development, and through alignment with international best practice for standards development.[1]

This document shall be available publicly and free of charges in electronic format for download at the ARM website. For distribution as hard- or soft-copies through other media, ARM may charge at cost.

Comments or suggestions regarding this standard-setting procedure may be submitted at any time by email to standards@responsiblemines.org, or in writing to the postal address of ARM published at the ARM website http://responsiblemines.org. Comments and suggestions will be taken into account at the next revision of the procedures.

The standard-setting procedures shall be revised periodically, regularly every four years, or in shorter intervals if considered appropriate by ARM in order to comply with its mission and to increase stakeholder confidence and commitment.

2. ARM STANDARDS GOVERNANCE STRUCTURE

2.1 ARM Board of Directors

The Board of Directors of ARM is the supreme authority with the responsibility and power to approve and enact a new or revised ARM Standards. Point of contact to the Board of Directors is the Board's Executive Committee, which decides according to its own procedures whether a topic can be decided or approved by the Executive Committee or needs to be presented to the plenary of the Board.

[1] The procedures outlined in this document aim for compatibility with the "ISEAL Code of Good Practice for Setting Social and Environmental Standards" but do not claim any compliance with the ISEAL Standard-setting code.

2.2 ARM Executive Director (staff)

The Executive Director of ARM reports to the Board of Directors and is in charge of steering and overseeing all standard-setting processes, implementing the decisions and instructions of the Board.

2.~~2~~ ~~3~~ ARM Standards Director (non-staff)

The Standards Director of ARM reports to the Board of Directors and the Executive Director and is responsible for providing advice and active guidance to the Board of Directors and the Executive Director on all strategic aspects related to standard setting, standard interpretation and standard maintenance.

The Standards Director has an "active guidance" role. This person is expected to maintain comprehensive oversight over all standards related processes, but is not expected or obligated to participate at operational level in day-to-day business. Notwithstanding, the Standards Director may, at request of the Board, the Executive Director, the Standards Coordinator (below) or at own discretion, intervene at operational level, taking temporarily an active lead on any task regularly assigned to the Standard Coordinator. In this "active" role, standards decisions of the Standards Director are "final" (if declared as such), only revocable by the Board of Directors.

2.~~3~~ 4 ARM Standards Coordinator (staff)

The Standards Coordinator reports to the Executive Director and is in charge of

- leading standard-setting work,
- carrying out standards research,
- liaising with other standards initiatives,
- collecting and compiling feedback from comments and consultations,
- participating in and coordinating the work of the Standards Committees and other standards-related bodies,
- overseeing compliance with these procedures,
- monitoring the efficiency end effectivity of approved and released standards,
- taking corrective action to ensure that standards fulfil their intent.

As needed, other ARM staff may be assigned by the Executive Director to perform work on standards related tasks. Such staff acts on behalf of the Standards Coordinator.

~~2.4 ARM Guardian Committee (former "Technical Committee")~~

~~The Guardian Committee represents the broader Stakeholder Community of ARM assuring the compatibility of ARM's standard-setting outcomes with ARM's mission. For that purpose, the Guardian Committee is comprised by:~~
~~delegates of ARM's formal Stakeholder Alliance,~~
~~artisanal and small-scale miners,~~
~~experts on ASM specific labour, environmental, technological, social and trading issues,~~
~~other interested stakeholders~~

~~The Guardian Committee shall consist of at least 12 members, without upper limit. Board members and staff of ARM may participate in the Guardian Committee representing their individual opinions. The Standards Coordinator shall be the only member of the Guardian Committee acting on ARM's behalf. To ensure independency of the Guardian Committee, the total number of participating Board members and staff shall be a minority.~~
~~Institutions and individuals conforming ARM's formal Stakeholder Alliance shall be invited (without obligation) to nominate delegates to the Guardian Committee. Additionally the Executive Director may invite eligible individuals to join the Guardian Committee. Furthermore, individuals with desire to participate in the Guardian Committee and perform the roles as described below, are encouraged to present their application to the Board of Directors. Applications will be evaluated by the Board of Directors based on~~
~~relevance of expertise~~
~~track record, reputation and standing within their respective stakeholder group~~
~~commitment with ARM's mission and vision~~
~~Terms of reference for the Guardian Committee shall be approved by the Board of Directors. The Guardian Committee is asked to monitor their appropriateness, present proposals for amendments as needed and adopt the Terms. The Guardian Committee shall have a strong voice, but has no decision making role.~~
~~Members of the Guardian Committee are expected to~~
~~demonstrate high ethical commitment to convert ASM into a socially and environmentally responsible activity, and to improve the quality of life of marginalized artisanal miners, their families and communities~~
~~raise their voice whenever needed to safeguard ARM's vision for responsible ASM~~
~~act as ambassadors for ARM's mission and vision of responsible ASM~~
~~participate actively with conceptual input in the development of ARM Standards~~
~~participate actively through comments in standards consultations and in between consultation periods~~
~~Members are expected to remain on the Guardian Committee for as long as 2 years. Membership is renewable except in case of members who repeatedly failed to participate in activities of the Committee or engaged in activities contrary to the expected commitment with responsible ASM.~~

2.5 ARM Standard Committee~~(s)~~s

For the maintenance of existing ARM Standards as well as for the development of new ARM standards, specific process- or product-intelligence and a representative balance of interests of stakeholders throughout the supply chain are required. For that purpose, a specific Standard Committee shall be convened for each ARM Standard.

Composition of Standard Committee~~(s)~~s

Standard Committee~~(s)~~s should consist of consist of at least ~~6~~ 10 and a maximum of 16~~2~~ members plus the Standards Coordinator. The total should always be made up by an odd number of individuals.

Standards Committees must always combine balanced expertise from different aspects of ASM and key supply chain players, ~~such as persons from global or national support organizations working in this sector~~ such as~~,~~ miners´ organizations, miners' associations, ~~mineral processors~~, traders, manufacturers, brands and global or national thematic and sectorial experts ~~and consultants, among others, whose involvement is crucial to ensure the legitimacy, applicability and technical quality of the ARM Standard~~. A diverse, multi-stakeholder composition of the committee is crucial to ensure the legitimacy, applicability and technical quality of the ARM Standard.

Ideally but not mandatory in exact numbers, Standards Committees should be composed by

- 1/3 supply side (in case of existing ARM Standards preferably certified producers). It is encouraged to have a participation of a woman miner to represent the challenges of the sector from a gender-balanced point of view.

- 1/3 demand side / downstream supply chain (in case of existing ARM Standards preferably ~~certified buyers~~ authorized buyers or operators and consumer~~s~~ facing operators).
- 1/3 ~~support organizations and experts~~ thematic or sectorial experts ~~and consultants.~~.
- The Standards Coordinator

In any case and mandatory,

- neither ~~the supply side nor the demand side~~no stakeholder group shall have a majority (+50%) in the Standard Committee;
- if ARM Board members and ARM staff (except the Standards Coordinator) are appointed to serve in the Standard Committee, their total number shall be a minority (-50%).
- Representatives of ASM miners must always be included.

Additionally, as far as reasonably possible, a geographical balance according to the scope of the standard shall be taken into consideration.

Standard Committee Members are appointed by the Executive Director on behalf of the Board of Directors, on the basis of their specific insights and experiences with the assigned ARM Standard and their commitment to responsible ASM. ~~As far as reasonably possible, members of the Guardian Committee shall be invited to serve in Standard Committees.~~

~~Members are expected to remain on the Standard Committee for as long as a standard development or revision cycle lasts, up to a maximum of 4 years. Membership is renewable.~~

~~Objection against the composition of a Standard Committee can be presented by a super-majority of more than two third (+67%) of the members of the Guardian Committee.~~

Objection against the composition of a Standard Committee can be presented, if ~~the Standard Committee´s composition~~it does not ~~provide for~~represent the required balance of interests.

Members of an ARM Standard Committee are expected to

- adhere to the Generic Terms of Reference (ToR) and the Specific ToR of the Standard Committee;
- share ARM's mission and vision and demonstrate high ethical commitment to convert ASM into a socially and environmentally responsible activity, and to improve the quality of life of marginalized artisanal miners, their families and communities;
- represent their stakeholder group, including but not exclusively the interest of their institutions. Members are expected to keep their respective organizations updated on the assigned Standard and to be fully aware of their participation in the Standard Committee.
- declare all conflicts of interest at nomination and before taking part of decision making processes;

- have specific interest, proven expertise[2] and broad experience[3] on the topics related to the assigned standard;
- contribute in a constructive way to the standard development and evolution;
- regularly participate to Standard Committee meetings;
- properly prepare for meetings and contribute to all follow-up actions as agreed and/or mentioned in the meeting minutes.

Members are expected to remain on the Standard Committee for as long as a standard development or revision cycle lasts, up to a maximum of ~~4~~5 years. Any member is entitled to renounce nomination at any moment, in writing to the Executive Director on behalf of the Board. The Board of Directors is entitled to revoke nomination at any moment, in writing by the Executive Director to the member and the Chair of the Standard Committee. Membership is renewable.

The Chair assumes the role to support the Standard Coordinator during the Committee meetings and to ensure effective meetings: full participation during the meetings, the agenda is sent on time for all members and all the issues are included during the discussions in the meetings

The Standard Committee shall elect a Chair and a Vice-Chair for renewable periods of 2 years. The Vice-Chair replaces the Chair in cases of absence, conflict of interest or other grounds found necessary.

Roles and responsibilities of Standard Committee(s)

Specific ToR for each Standard Committee (based on the Generic ToR for ARM Standard Committees) shall be approved by the Board of Directors. The Specific ToR shall include at least the following:

- The aims and objectives of the ARM Standard that the Committee is mandated to develop or revise;
- The procedures to be followed;
- The working language(s);
- The decision making process;
- Any additional specific requirements to complete the work;
- Timetable for the standard development process.

The ToR may provide for the constitution of one or more sub-committees mandated or delegated to address specific aspects of the overall Specific ToR. These specific aspects shall be documented in specific ToR for the sub-committee.

Each Standard Committee has decision-making ~~authority~~ mandate regarding the ARM Standard assigned to that committee. For that purpose, the Standard Committee shall:

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[2] "broad expertise" is understood as the combination of understanding of ASM issues with not all, but several of the following relevant aspects: sustainability standards including certification, development issues, labour, health and safety, mining, mineral processing and cleaner technologies, metallurgy, manufacturing, environmental management, ecological restoration, gender and child labour issues, formalization, legal and regulatory frameworks, minerals supply chains, conflict minerals issues, minerals supply chains, due diligence requirements, traceability, commercialization and markets, or other topics relevant for the assigned standard.~~-~~

[3] Except in case of artisanal miners, international experience is expected.

- develop and ~~maintain~~ review the ARM Standard assigned ~~to the committee~~ by the ARM Board of Directors, according to the Specific ~~Terms of Reference~~ToR ~~for the assigned standard~~
- monitor the appropriateness of the ARM Standards-setting procedures, the Generic ToR-SC, and the Specific ToR~~s~~ of the Standard Committee ~~Terms of Reference~~, and present proposals for amendments as needed, and adopt the Terms
- agree on internal operating practices, timelines and responsibilities of the Committee and of individual Committee members
- ~~Provide conceptual and~~ technical input for the development ~~and maintenance~~ or revision of the assigned standard and request additional research if applicable
- ~~Overview~~ overview the standard setting and eventual standard testing procedures ~~for the assigned standard~~
- ~~provide guidance and feedback to accredited certification bodies on the implementation and interpretation of the assigned standard~~
- Review the proper stakeholder involvement during public consultations
- Advise ARM on all matters regarding the content of the assigned standard and related relevant supply chain, downstream and commercial issues to ensure highest quality, consistency and continuous improvement.
- Approve final drafts of standards for presentation to the Board of Directors

Additional specific mandates may be assigned to a Standard Committee by the Board of Directors, or by being recommended by the Standard Committee and approved by the Board of Directors.

Decision making processes

Requirements for quorum and procedures in case of conflict of interests shall be defined in the Terms of reference.

Standard Committee(s) shall strive for consensus on the content of the standard. The highest level of consensus to be aimed for is unanimity.

If unanimity cannot be reached, opponents shall be asked to propose alternative options that are more likely to reach consensus and these alternatives shall be discussed. If these discussions do not lead to any decision by unanimity, majority decision-making procedures should be used. Every member has one vote. Proxy votes (delegated in writing to the Chair) are possible; however, one person may only assume one proxy vote.

On request to carry out additional research by a minority of at least 25% or by the Standards Coordinator, the topic in question may be postponed once for the next meeting of the Standard Committee.

If no research request is made or supported by at least 25% of the votes, or if the topic has already been postponed once, decisions can be taken by simple majority (+50%). In case of a tie, the vote of the Standards Coordinator decides; in his absence the vote of the chair, the vice-chair, or the acting chair in this order.

All decisions as well as a summary of deliberations shall be documented in minutes of Standard Committee meeting; in suitable form to be released to the public.

3. PROCEDURES TO DEVELOP OR REVISE ARM STANDARDS

3.1 Decision to develop a new ARM Standard

Proposals to develop a new ARM Standard may come from the Board of Directors, the ARM Stakeholder ~~Alliance~~network, ARM staff, or any relevant stakeholder.

The proposal should be formalized through a rationale outlining the need for a new standard and set of terms of reference for a feasibility study for the development of a new ARM Standard.

The Executive Director, with assistance from the Standards Coordinator makes the assessment of the proposal on the basis of funding and resources, broadly considers the scope and evaluates the urgency of that proposal relative to the existing work plan of the organization. Based on the findings, the Executive Director shall request guidance from the Board of Directors whether to proceed with the procurement of a feasibility study, postpone further actions, or discard the proposal. The proponent shall be informed in writing on the decision and its rationale.

In case of a decision to proceed, the feasibility study for a new ARM Standard should:

- Specify the aims and objectives of the new standard;
- Explain how these aims and objectives contribute to ARM's mission;
- Identify the key stakeholder groups that will be affected by the new standard and the potential impacts upon them;
- Reference any background papers, previous decisions by the Board of Directors, discussion papers of ARM´s Stakeholder ~~Alliance~~Network, etc., that support the need to develop the proposed standard(s);
- Include a comprehensive list of key stakeholder groups that should be consulted during the standard setting process (stakeholder mapping);
- Identify any existing standard(s) or guidelines already developed by third parties that ~~might achieve ARM's objectives, and the reason why any such standard(s) that are identified should not be adopted by ARM;~~serve common objectives, and potential synergies with these standard(s) or guidelines
- Include an analysis of the impact the proposed standard would have on other ARM standards and policies;
- Include a risk assessment, identifying groups of stakeholders likely to support and/or object the proposal for ARM to develop the standard(s);
- Specify a proposed work plan and estimated budget for the standards development process;
- Indicate potential sources of funding;
- Market analysis.

The formal decision to authorize the development of a new ARM Standard shall be taken by the Board of Directors, based on the findings of the feasibility study, and the recommendations of the Executive Director and the Standards Coordinator.

The decision to develop a new ARM Standard shall be officially announced, through the ARM website and any other available and suitable channel of communication. The announcement shall be proactively circulated at least to:

- ~~The ARM Stakeholder ~~Alliance~~network;~~
- ~~The ARM Guardian Committee;~~

- Key stakeholder groups identified by the feasibility study;
- The ISEAL Alliance.

The announcement shall include:

- A summary of the terms of reference for the standard, including a brief, clear description of the proposed scope, objectives, rationale and justification of the need for an ARM standard;
- A summary of the planned standard-setting process and timeline, including indications on how and when to contribute to the development of the ARM Standard;
- A reference to the public ARM standards-setting procedures, and/or – if applicable – an explanation of proposed specific procedures for decision making;
- The contact point at ARM for further information;
- The invitation to all interested parties to comment on the public summary for the proposed standard and, in particular, on the terms of reference.

3.2 Decision to revise an existing ARM Standard

Approved and released ARM Standards shall be reviewed periodically, initially after two years and subsequently every ~~four~~ five years ("review cycle"), or in shorter intervals if considered appropriate by ARM in order to assure continued relevance and effectiveness in meeting their stated objectives.

Proposals to review an ARM Standard earlier than scheduled may origin from the Board of Directors, the ARM Stakeholder ~~Alliance~~network, ARM staff, or any relevant stakeholder.

The review process shall consider whether a need continues to exist for the ARM Standard and whether external circumstances have changed to the point of requiring changes in the standard. The review shall take into account comments received to date. Continued relevance of the standard shall also be assessed through results of monitoring and evaluation activities.

The decision on whether to revise or reaffirm the standard is made by the Executive Director, requesting opinion of the Standards Coordinator, and shall be based on the results of the review process. The decision shall depend on the type and scope of changes deemed necessary:

If proposed changes are of administrative character, imply only small technical amendments or clarifications without modification of scope and intent, reflect a perceived general consensus of stakeholders, reflect changes of the international legal framework and/or involve no reputational risk for ARM and ARM's stakeholder, an abbreviated process to reaffirm the ARM Standard with minor amendments shall be initiated. An abbreviated process only involves ~~the Standard Committee without requirement for public consultation.~~ the Standard Coordinator, the Standard Director and the Board of Directors without requirement to convene a Standard Committee for a full revision cycle.

If any significant or substantial changes are proposed, the Standard Committee for that Standard shall be convened and a full revision process shall be initiated.

The decision to engage in a full revision of an ARM Standard shall be authorized by the Board of Directors and officially announced, with audience and content similar to announcements of new standards development processes.

In the case of transition periods, ARM will note the date of a revision or reaffirmation of the standard; and the transition period by which the revised standard will come into effect. ARM shall promptly inform its direct stakeholders of the revised standard and transition period.

3.3 Provisional Standard Amendments in the interim between full revision processes

Where specific requirements of approved and released ARM Standards prove ineffective, result in unintended consequences, or hinder the achievement of the intent of the standard, Provisional Standard Amendments may be released. The instrument of Provisional Standard Amendments is particularly intended for specific aspects that can only be assessed by piloting during ongoing Standard implementation, and for which the initiation of a full standard review would be a premature decision.

If the above described conditions apply and the identified shortcoming of the released standard version cannot be mitigated by other means, the Standards Coordinator shall prepare a Proposal for a Provisional Standard Amendment.

The Chair of the Standard Committee assesses the proposal and its rationale, and if considered relevant, requests the Standard Coordinator to submit it by e-mail to the Standards Committee.

The members of the Standard Committee shall have not less than 15 days to express their concerns or objections towards the proposal. If there are any objections, a Standards Committee meeting must be convened to discuss the proposal and decide on the Provisional Standard Amendment.

In case of no objection or a positive Standard Committee decision, the Provisional Standard Amendment shall be presented to the Board of Directors and released for a period of initially up to 2 years. If the Amendment proves effective, it shall remain in force until the next Standard review.

3.~~4~~34 Process of developing or revising ARM Standards

The Executive Director and Standards Coordinator, in consultation with the Board of Directors, shall draft terms of reference, a work plan and budget for the development or revision of the proposed standard.

Terms of reference

Particularly for new ARM Standards, detailed and specific terms of reference shall be established, based on the findings of the feasibility study. The terms of reference shall cover at least the following elements:

- the proposed scope of the standard and the intended geographic application;
- a justification of the need for the standard, including an assessment of whether the proposed standard will meet an expressed need;
- documentation of what other standards exist or are in the process of development which meet all or part of the expressed need;
- an assessment of how broadly the final standard is intended to be applied;
- clear objectives that the standard seeks to achieve, in particular those objectives that focus on social, environmental and/or economic aspects and how those aspects are linked to ARM's theory of change;

- an assessment of risks in implementing the standard and how to mitigate for these, including identification of factors that could have a negative impact on the ability of the standard to achieve its objectives;
- unintended consequences that could arise from its implementation;
- possible corrective actions that could be taken to address these potential risks.

For the revision of existing ARM Standards, the terms of reference shall be updated, focusing in particular on issues to be addressed regarding

- the continued need for the standard
- other standards or new stakeholders that became relevant since the last revision
- intended modifications of the scope
- relevance of the social, environmental and economic objectives
- experienced shortcomings and unintended consequences
- risks to be mitigated

~~For an initial development phase of a new ARM Standard, the work plan may consider to task the Guardian Committee in plenary to participate actively with conceptual input, comments and consultations, and act as "incubator" for the bottom-up development of the new standard. Temporary specific terms of reference for an "incubator project" involving the Guardian Committee shall be set up for that purpose.~~

For each ARM Standard that has reached a mature stage (standards under implementation, or new standard projects ready ~~to leave the "incubator"~~to start), a dedicated Standards Committee shall be established for its development and/or revision.

Work Plan

The work plan shall include at least the following:

- Needs for setting up an "~~incubator~~ new project" (if applicable) and milestones for handing over the standard-developing process to an ordinary Standard Committee;
- Required research;
- Required field testing or pilot testing during development and prior to decisions on a final draft to the Board of Directors for approval, when this is considered appropriate for the type of standard under development;
- Particular measures to ensure that participation in standards development follows a bottom-up approach, reflects a balance of interests among interested parties and is open to all interested parties and in particular to disadvantaged stakeholder groups such as ASM miners;
- Measures to ensure adequate involvement and function of ~~the Guardian Committee and~~ the Standard Committee, in compliance with the standard governance and procedures of this document;
- Measures to ensure meaningful opportunities of all interested parties to contribute to the development or revision of the standard, including the support of informal consultative processes as deemed appropriate for the standard development;
- The setting up and support of a formal consultative process in compliance with the procedures specified below in this document;
- Specification of a communications plan for the standard development process;

- An estimated date on which the completed standard will be submitted to the Board of Directors for approval.

All members of ~~the Guardian Committee~~ and the Standards Committee shall receive a copy of the terms of reference and the work plan prior to commencement of work and shall be invited to comment on their appropriateness and to present proposals for amendments as needed.

Formal Consultations

Once a draft Standard has been prepared, a formal consultation exercise with stakeholders shall commence. This consultation shall be opened to all stakeholders and shall aim to achieve a balance of interests and in the geographic scope to which the standard will apply.

The Standards Coordinator shall be responsible for setting up a rigorous consultation process for each ARM Standard to ensure that all stakeholders who may be affected by the implementation of the standard have the opportunity to comment formally during the process of development of the standard.

The formal public consultation for standards development or revision shall initially anticipate at least two rounds of comment submissions by interested parties.

- A first round is mandatory.
- A second round is necessary when substantive, unresolved issues persist after the first round.
- If substantive, unresolved issues persist after the second round, the Standards Committee shall decide on the need for additional rounds.
- If no objections were raised or substantial comments received in the first round, or where urgent issues of safety, health and environment or rapid changes in production, trade or markets need to be addressed, the Standards Committee may decide to waive the second round.

Each consultation round shall include a period of at least 60 days for the submission of comments. This period may be shortened where justified by decision of the Standards Committee. In such cases, the comment period shall still be no less than 30 days and justification for any reduction shall be included in the public summary of the consultation process.

The draft of a Standard released for comments shall be sent directly to stakeholders with a request for feedback, be posted on the ARM website, and be distributed through other appropriate channels. Stakeholder workshops for consultation on the draft standard, ensuring participatory methodology to facilitate understanding and real involvement of various groups, may be part of the Consultation process.

The Standard Committee and/or the Standards Coordinator may request comments on a specific part of the draft or circulate open questions to specific stakeholders.

The Standards Coordinator shall receive and compile all comments received during the consultation periods and incorporate all comments on the draft from stakeholders into one document to present to the Standard Committee, and prepare a report to document the feedback for audit trail purposes and to provide a synopsis of received comments. The report shall include

- a summary of the issues raised
- an analysis of the range of stakeholder groups who have submitted comments
- a general response to comments
- a proposal of how the issues might be addressed in the subsequent standard draft, if applicable.

The report on the formal comments shall be circulated to all members of the Standard Committee. Standard Committee members shall have access to full-text documents of all comments received.

The Standard Committee shall review and take into account all comments and input received during the period for commenting. Comments received shall be considered on an objective basis and a justification shall be given if the issue area that a comment addresses is not incorporated. If required, the Standard Committee shall request additional research.

The result of a consultation round shall be a revised draft Standard. A report on the consultation round, including a synopsis of comments received and how they have been addressed shall be prepared, published on the ARM website and made available to interested stakeholders.

Multiple drafts are likely to be prepared, each reflecting feedback from stakeholders and possibly additional research. Drafts are revised until the Standard Committee judges that adequate research and consultation has been undertaken to address the concerns of stakeholders. At this point a final draft, judged for the submission to the Board of Directors is said to have been prepared.

Special considerations for inclusion of stakeholders

ARM shall try to ensure direct participation from miners and representatives of producer organizations through specific actions such as:

- Designing an outreach plan with the mining organizations in advance of consultations;
- Holding participatory workshops and consultation processes with miners through the work of its partner local support organisations, where possible;
- Seeking opportunities to hold workshops with interested stakeholders by piggy-backing on other global, national or local meetings on artisanal and small scale mining;
- Facilitating translation of the standards into other languages;
- If considered necessary, ARM will pilot test the standards to ensure that they are applicable on the ground in different contexts.

3.4 5 Decision Making by the Board of Directors

Final draft Standards approved by the Standard Committee shall be submitted to the Board of Directors for decision making.

Final Draft for Approval

The Standards Coordinator shall prepare a report on behalf of the Standard Committee. The report shall:

- Summarize the standards development process, taking into account any deviations from the original work plan;
- Explain the main issues and concerns raised during the process, and explain how these have been addressed;
- Include a clear statement as to whether the process followed the ISEAL Code of Good Practice;
- Include in an appendix a list of the names and affiliations of the members of the Standard Committee, and the names and affiliations of all stakeholders that have submitted comments during the standards development process;
- Include the motion of approval of the final draft standard by the Standard Committee.

The report shall be reviewed and commented by the Executive Director and shall be revised and amended by the Standards Coordinator accordingly. After approval by the Executive Director the final report shall be submitted to the Board of Directors together with:

- The standard submitted for decision making; and
- A copy of all formal comments received during the final period of public consultation.

Decision Making

All ARM Standards shall be approved by the Board of Directors. The Board of Directors may delegate its powers to a formal committee charged with this duty, subject to oversight by the Board of Directors.

The Board of Directors (or its designated committee) shall either:

- Give the standard approval as an ARM Standard; or
- Give the standard approval as an ARM Standard, with minor amendments; or
- Reject the standard.

If the Board of Directors rejects the standard, within 30 days of its decision it shall state the reasons for the rejection, and may suggest what steps it considers necessary in order to address its concerns. The Executive Director shall consider these reasons and decide what further actions should be taken.

If these actions result in major substantive revisions to the standard, the standard shall be re-submitted to the Standard Committee and development cycles including consultations as suitable for the purpose shall be repeated.

In approving a draft, the Board of Directors approves the content of the draft as a social and environmental international ARM Standard and it shall be enacted as an approved ARM standard on the ARM website. This shall be publicly announced on the ARM website, to the stakeholder ~~alliance~~ ne and other relevant stakeholders.

3.~~5~~ 6 Administrative maintenance of ARM Standards

After the Standard Committee and the Board of Directors have approved the content of an ARM Standard, the need for minor editorial work may persist or arise, such as formatting, correcting spelling errors, minor re-phrasing to improve legibility and clarity, etc. Such changes are considered non-substantial “Administrative Amendments” if they do not alter the intent and content of the Standard.

Administrative Amendments shall be carried out by the Standards Coordinator when needed and do not require approval by the Standard Committee or the Board of Directors.

Updated versions of ARM Standards incorporating Administrative Amendments shall be published through simple update of the ARM website, without requirement to make a public announcement. Updated versions shall carry the date or a sub-version number indicating the Administrative Amendment.

4. MISCELLANOUS CONSIDERATIONS

4.1 Implementation of approved ARM Standards

Approved ARM Standards shall be implemented, as specified in accordance with their scope and standard effective date.

If necessary, training sessions in respect of ARM Standards shall be arranged for the support organizations, partners or certification body.

After approval and publication, ARM shall continuously collect feedback from producer organizations, support organizations, downstream value chain, and all other stakeholders about the application of Standards. The feedback shall be documented for the next review process. If a critical mass of feedback in relation to a specific ARM Standard is accumulated prior to the culmination of a review cycle, a decision to shorten the review cycle shall be taken and a review process of the standard shall begin. This decision shall take into account the amount and importance of the feedback with regards to the objectives of the Standard.

4.2 Complaints

Complaints about the application of this procedure can be submitted in writing to ARM at standards@responsiblemines.org or by mail. Complaints shall be considered according to the ARM Standards Complaints Procedure.

4.3 Availability of ARM Standards

Approved ARM Standards shall indicate the formal status of the document, the contact information of ARM and shall be available publicly and free of charges in electronic format for download at the ARM website. For distribution as hard- or soft-copies through other media, ARM may charge at cost.

The primary language of ARM Standards shall be English. Translations of ARM Standards into other languages have informative character and shall be provided as needed and as reasonably possible. Only translations published at the ARM website shall be considered authentic.

Approved ARM Standards and their translations are the intellectual property of ARM and shall indicate the applicable Copyright notice.

The Standard will include and make publicly available the possible planned year of the subsequent review.

ARM Standards are voluntary and all stakeholders and in particular ASM miners are encouraged to adopt the standards voluntarily as guidance. However, claims of compliance with ARM Standards shall only be made according to assurance mechanisms approved by ARM.

4.4 Approved departures from procedures

Departures from these procedures may be approved in exceptional circumstances, when compliance with the procedure was not possible for reasons beyond the control of ARM, and/or when an alternative process would be in the best interests of the mission of ARM.

The Executive Director or Standards Coordinator shall report any departures in writing to the Board of Directors as soon as they are proposed or come to their notice. The report shall explain the nature of the departure, and the reason or justification for the departure. The Board of Directors shall review the report on the departure and express approval or corrective action to be taken in relation to the departure.

The decision of the Board of Directors shall be communicated to the competent Standard Committee and a synopsis of the report and decision shall be made publicly available, together with the final standards.

4.5 Record keeping

ARM shall keep the following records for each ARM Standard for as long as it remains the current version, but at least five years:

- Feasibility study with recommendations to develop the standard
- List of stakeholders contacted, list of stakeholders involved at each stage of the process~~Names and affiliations of members of the Guardian Committee and stakeholders that were consulted on the standard during its development~~
- ~~Minutes of Guardian Committee meetings~~
- Standards Procedures, Standards Committee General Term of References, and Standards Specific Term of References
- Copies of all internal standard draft and final versions;
- Copies of public draft standards circulated for comment;
- Copies of all comments received on public draft standards;
- Summary of comments received in response to each public draft, together with a general response to those comments: Synopsis;
- Members participating in the Standard Committee;
- Reports and documents presented to the Standard Committee;
- Minutes from Standard Committee meetings;
- Reports on departures from the procedures and the actions taken in respect of those departures;
- Decisions of the Board of Directors;
- Records of Administrative Amendments;
- Other relevant documents related to Standard development.

All above mentioned document list shall be available publicly, either as download from the ARM website, or per email on request by interested parties indicating the intended use. Confidentiality requests for individual documents (e.g. by stakeholders submitting comments to consultations) shall be respected.

5. REFERENCES

Generic Terms of Reference for ARM Standard Committees (version 2~~1~~.0)
ARM Standards Complaints Procedures (version 2~~1~~.0)

Referenced documents:
ISEAL Code of Good Practice: Setting Social and Environmental Standards v6~~5~~.0.
http://www.isealalliance.org/online-community/resources/iseal-standard-setting-code

Note: This document was prepared using the ISEAL code as guidance and uses partly wording "borrowed" from the code. However, ARM makes explicitly no claims regarding ISEAL compliance of the procedures at the moment of adopting this procedure document, but may apply for external evaluation of ISEAL compliance at a later moment.