

ANGLO**GOLD**ASHANTI

GUIDELINE		
GUIDELINE ON THE INDIGENOUS PEOPLES STANDARD		
CUSTODIAN	Corporate Sustainability Department	
APPROVED BY	EVP: Sustainable Development	DATE: March 2016

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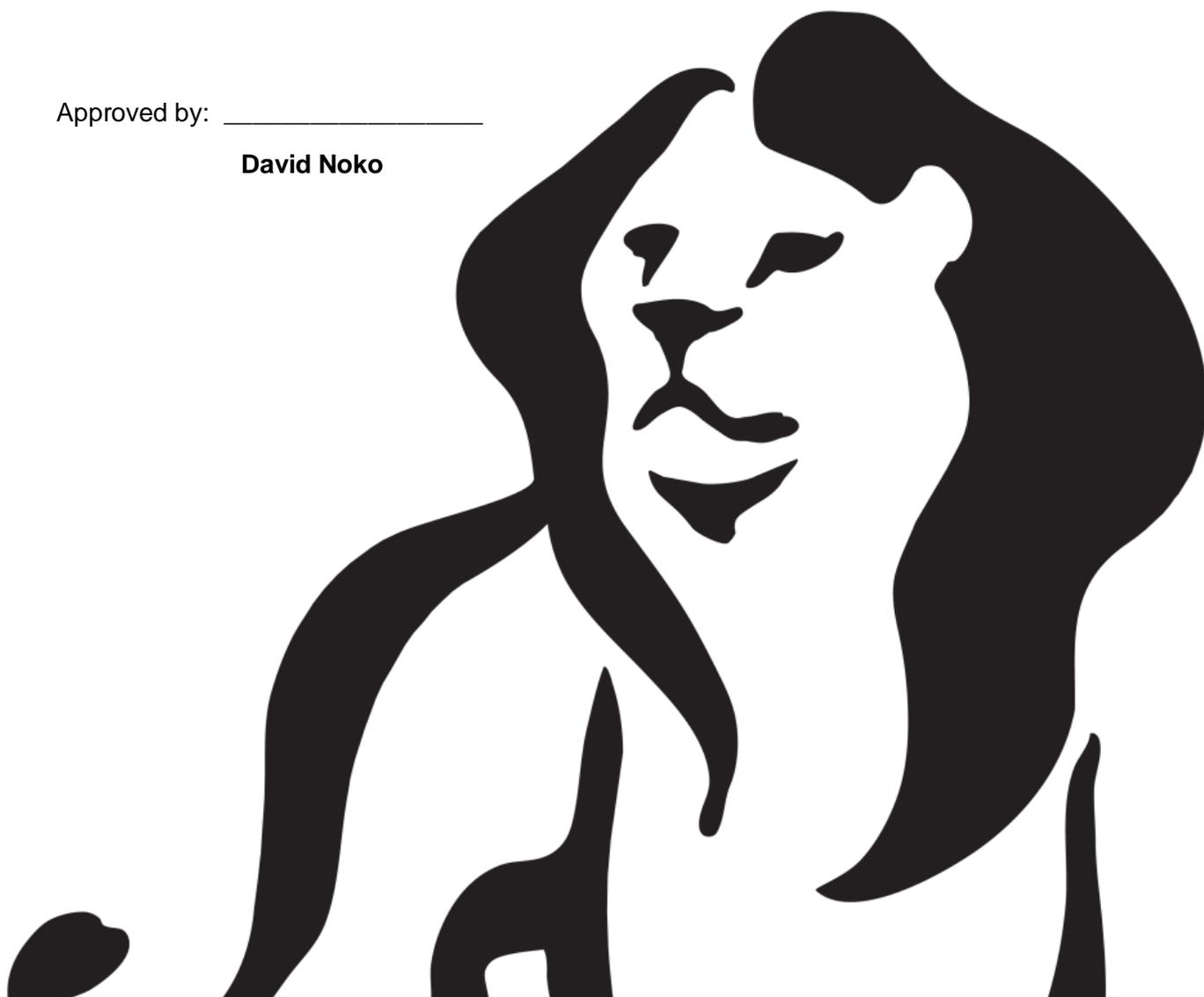




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1. PURPOSE

The purpose of this document is provide guidance for each site/operation to comply with the Standard on Indigenous Peoples, specifically indigenous peoples who are significantly impacted by exploration and mining activities undertaken by AngloGold Ashanti.

2. APPLICABILITY

All AGA sites and projects are required to implement appropriate processes and procedures to ensure;

- A mutually accepted process of negotiation between the company and the Indigenous Peoples affected by AGA's activities.
- Evidence of agreement between the parties as the outcome of the negotiations.

3. GUIDING PRINCIPLES

3.1 Interaction with Indigenous Peoples

At all times, whether in working to obtain consent, or in general interactions with Indigenous Peoples, AngloGold Ashanti sites must ensure that they have appropriate procedures to:

- Establish and maintain an on-going relationship with Indigenous Peoples where company activities occur on their land or near places of customary use or cultural importance throughout the life of the project.
- Foster engagement with and informed participation of the Indigenous Peoples when projects in the site's tenure or within its area of influence are to be located on traditional or customary lands under use by the Indigenous Peoples.
- Respect and assist with the preservation of the culture, knowledge and practices of the Indigenous Peoples.
- Ensure that the company's activities foster full respect for and preserve the dignity, human rights, aspirations, cultures, religions, and livelihood activities of Indigenous Peoples as well as the long-term sustainability of the natural resources located within traditional or customary lands under use by the Indigenous Peoples.
- Avoid adverse impacts from company activities on Indigenous Peoples, or when avoidance is not feasible, to minimize, mitigate or offset such impacts, and to provide opportunities for them to benefit from development in a culturally appropriate manner and in accordance with their expressed needs, aspirations and vocation.
- Gain and maintain Indigenous People's support for existing and new projects.



3.2 Plan of Action

- Site must agree on appropriate engagement and consultation processes with potentially impacted Indigenous Peoples and relevant government authorities as early as possible during project planning.
- The processes should be documented in a plan that identifies representatives of potentially impacted indigenous communities and government, agreed consultation processes and protocols and the reciprocal responsibilities of parties to the engagement process.
- These processes should strive to be consistent with Indigenous Peoples' decision-making processes and reflect internationally accepted human rights, and be commensurate with the scale of the potential impacts and vulnerability of impacted communities.
- The plan should also document at the outset, the agreed avenues of recourse in the event that disagreements, impasses or differences of opinion arise.
- In situations where host governments provide no or limited legal framework to uphold Indigenous Peoples claims to ethnicity, land and other resources which are not legally owned, the site should obtain expert, including legal, advice, as appropriate, prior to any decision-making with potential to affect Indigenous Peoples or their claims.

3.3 Engagement

- The site must engage and consult with potentially affected Indigenous Peoples in a fair, timely and culturally appropriate way throughout the project cycle and do so in accordance with the company's standard on Engagement, and any other applicable law, standards and guidelines:
- Engagement must be based on respect of customary practices, open provision of information, and in a form that is accessible to Indigenous Peoples.
- Engagement must begin at the earliest possible stage; starting at a reconnaissance stage, through to exploration and mining and finishing with the closure of the project.
- Engagement, wherever possible, must be undertaken through appropriate structures within Indigenous Peoples' communities and with respect for traditional decision-making processes. Specifically this may include Indigenous Peoples' representative bodies (for example, councils of elders or village councils, among others) and, be inclusive of both women and men and of various age groups.
- Engagement efforts must seek to build cross-cultural understanding: for company personnel to understand Indigenous Peoples' culture, values and aspirations, and for Indigenous Peoples to understand the company's mission, vision and values, operational issues and practices.



3.4 Minimisation of Impact

- Where activities results in loss or restriction of use of assets or natural resources upon which Indigenous Peoples rely for traditional livelihood activities or for cultural, ceremonial, or spiritual use, site management are encouraged to proceed as follows:
 - Document the efforts undertaken to avoid or at least minimize the size of land affected.
 - Seek expert advice to document land use, in collaboration with the affected Indigenous Peoples, without prejudicing any Indigenous Peoples' land claim.
 - Assist and facilitate where necessary in enabling affected Indigenous Peoples to be appropriately informed of their rights with respect to these lands under national laws, including any national law recognizing customary rights or use.
 - Consult and assess possible offsets with the affected Indigenous Peoples under the principles of this standard.
- Where alternatives have been explored and adverse impacts are unavoidable, primary consideration will be given to remediation of such impacts. In consultation with the affected Indigenous Peoples, AGA will minimize, restore, and/or compensate for these impacts in a culturally appropriate manner commensurate with the nature and scale of such impacts and the vulnerability of the Indigenous Peoples affected.
- Action plans proposed to avoid, or, where not possible, to mitigate, minimize and offset the potential adverse impacts identified in appropriate studies are to be developed and implemented as set out below and in line with the AGA Standard on Socioeconomic Contribution.
- Sites must endeavor to reach mutually agreed processes with Indigenous Peoples in developing programs designed to generate benefits and opportunities which ideally outweigh the negative impacts of mining activities. Where appropriate and feasible engage with other social partners such as government institutions to partner in developing programs. In addition, such programmes should help to resolve or alleviate other problems or issues faced by Indigenous Peoples, in a way that doesn't interfere with the states' obligations nor creates dependency on AngloGold Ashanti's financial resources.
- The site must seek to find mutually-agreed ways to begin or increase the participation of Indigenous Peoples as employees and suppliers, and to support self-empowered regional and community development such as through education, training, healthcare, and business enterprise support.

3.5 Protection of Indigenous Peoples' Rights

- Special arrangements must be made to protect cultural property or sites of religious significance for Indigenous Peoples in accordance with applicable law and the company's standard on Cultural Heritage and Sacred Sites.



- The site must support appropriate frameworks to enable the Indigenous communities located in the site's area of influence to raise and receive response to grievances and complaints, in line with the company's standard on Community Complaints and Grievances.
- The site must provide Indigenous Peoples with a clear and culturally appropriate two-way communication channel for complaints and follow-up on the status of grievance redress actions.
- Sites must identify, evaluate and understand the vulnerabilities pertinent to the indigenous groups living within the site's area of influence as well as the potential social, economic and environmental impacts of site activities on Indigenous Peoples.

3.6 Relocation of Indigenous Peoples

- Special requirements must be put in place where the relocation of Indigenous Peoples from their communally held lands is being considered and this will be done in accordance with the applicable legal requirements and the company's standards on Land Access and Resettlement.
- Sites must consider feasible alternative project designs to avoid the relocation of Indigenous Peoples.
- If such relocation is unavoidable, the site must not proceed with the project unless it enters into consultation with the affected communities of Indigenous Peoples, and documents their informed participation and the successful outcome of the negotiation.
- Sites must be managed in such a manner that where feasible, the relocated Indigenous Peoples should be able to return to their traditional or customary lands, should the reason for their relocation cease to exist.

For further guidance, refer to the ICMM Indigenous Peoples Implementation Guidance.

4. REFERENCES

- IFC. Performance Standard and Guidance Note 7: Indigenous Peoples
- ICMM. May 2013. Position statement on Mining and Indigenous Peoples
- ICMM 2014. Indigenous Peoples Implementation Guidance
- IFC, 2007 Stakeholder Engagement: A Good Practice Handbook for Companies Doing Business in Emerging Markets

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