

ANGLO**GOLD**ASHANTI

MANAGEMENT STANDARD		
INDIGENOUS PEOPLES		
POLICY CUSTODIAN	Corporate Sustainability Department	
AUTHORISED BY	AngloGold Ashanti Executive Committee	DATE: March 2016
BRIEF DESCRIPTION OF CHANGES		
Revision: 1		





TABLE OF CONTENTS

1. INTRODUCTION	3
2. OBJECTIVES	3
3. DEFINITIONS.....	3
4. ACCOUNTABILITY AND RESPONSIBILITY.....	4
5. SCOPE.....	5
6. NORMATIVE REFERENCES	5
7. REQUIREMENTS	6
8. REVIEW REQUIREMENTS.....	6
9. GLOSSARY	6
10. REFERENCES	7



1. INTRODUCTION

While Indigenous Peoples share many of the same concerns and aspirations as other communities impacted by exploration and mining activities, due to their unique characteristics and circumstances, AngloGold Ashanti seeks to ensure its interactions with Indigenous Peoples are in keeping with good practice.

This standard is designed to align AngloGold Ashanti with International Standards and conventions, such as the ICMM Position Statement on Indigenous Peoples and the International Finance Corporation's Performance Standard 7 on Indigenous Peoples, where applicable.

2. OBJECTIVES

The objectives of this standard are:

- To provide AngloGold Ashanti sites with requirements for implementing the company's policy that: "we will ... respect the values, traditions, and cultures of the local and indigenous communities in which we operate."
- To communicate to AngloGold Ashanti sites that appropriate procedures must be in place to meet the requirements as expressed in the IFC Performance Standard 7 and ICMM Position Statement on Indigenous Peoples.

3. DEFINITIONS

- 3.1 **Indigenous Peoples:** There is no universally accepted definition of Indigenous Peoples. Rather, Indigenous Peoples are defined by a set of common characteristics which differentiate them from the general populace. In keeping with international convention¹, the term "Indigenous Peoples" is used in a generic sense in this Standard to refer to distinct social and cultural groups possessing the following characteristics in varying degrees:
- 3.1.1 Self-identification as members of a distinct indigenous cultural group and recognition of this identity by others;
 - 3.1.2 Collective attachment to geographically distinct habitats or ancestral territories and to the natural resources in these habitats and territories;
 - 3.1.3 Customary cultural, economic, social, or political institutions which are separate from those of the dominant society or culture;

¹ ILO Convention 169; The United Nations Permanent Forum on Indigenous Peoples; The International Finance Corporation Performance Standard 7.



3.1.4 An indigenous language, often different from the official language of the country or region.

3.1.5 In the African context, indigenous peoples are more commonly defined by the presence of the following characteristics:

- Their cultures are under threat, in some cases on the verge of extinction;
- They often live in inaccessible, geographically isolated regions;
- They suffer from political and social marginalization and are subject to domination and exploitation within national political and economic structures

3.2 **Traditional Lands:** Lands not necessarily under legal ownership, but which are used by Indigenous Peoples for their communal livelihood activities, or have natural, cultural, ceremonial or spiritual values linked to their identity.

3.3 **Area of Influence:**

- the area encompassing the primary project site(s) and ancillary facilities (including those developed by contractors) such as power transmission lines, pipelines, access roads, borrow and disposal areas, construction camps etc.;
- as well as the area of any other associated facilities such as hospitals and schools set up by or in partnership with AngloGold Ashanti and whose goods or services are essential for the successful operation of the project; and/or
- any area whose development is limited by project-related developments or impacts.

3.4. **Good Faith Negotiation**

Good faith negotiation broadly refers to a bilateral (or sometimes multilateral) process, which requires the commitment and participation of each party to a negotiation, and requires that all parties respect each other's decision-making processes and appreciate their constraints. The outcome, where the good faith negotiation process is successful, is an agreement and evidence thereof.

4. **ACCOUNTABILITY AND RESPONSIBILITY**

4.1 **Ultimate accountability for implementing this standard lies with the manager in control of the site or activity/project.**

4.2 **Implementation accountabilities can be delegated to a designated person(s) who must clearly understand his/ her role(s)' accountabilities and authorities.**

5. **SCOPE**

5.1 This standard is applicable to all sites where:



- 5.1.1 Indigenous Peoples are present in or have links to the land-holding permitted for exploration or mining, or anywhere in our area of influence.
- 5.1.2 Indigenous Peoples claim, or have acknowledged customary rights of use of land holds which are being or will be (directly or indirectly) disturbed by company activities resulting in temporary or permanent loss of access to or restricted use which Indigenous Peoples rely for traditional livelihood activities such as hunting, gathering and artisanal fishing or for cultural, ceremonial, or use that define their identity and community.
- 5.2 In the case of a non-managed joint venture (JV), AngloGold Ashanti must endeavour to ensure that the standards applied by the joint venture comply with those that are acceptable to AngloGold Ashanti and the third party. Where a standard is not in place or available, the parties must adopt a standard which accords with internationally accepted good mining practice.
- 5.3 When entering into a non-managed JV, AngloGold Ashanti must consider whether acceptable standards will be adopted by the third party. If acceptable standards are unlikely to be agreed with the third party, AngloGold Ashanti would not enter into the Joint Venture. Where AngloGold Ashanti participates in a non-managed JV and the third party does not operate in accordance with acceptable standards, this would be grounds for AngloGold Ashanti exiting the partnership.
- 5.4 Onsite contractors and subcontractors are required to adopt this standard unless they have an alternative standard approved in writing by AngloGold Ashanti.
- 5.5 In the absence of government determination or legal framework, ascertaining whether a particular group is considered as Indigenous Peoples for the purpose of this standard may require a technical judgment by management in conjunction with other stakeholders, including, suitably qualified experts, where applicable.

6. NORMATIVE REFERENCES

The following documents will be referred to and utilised as part of the Indigenous Peoples management system

- AGA Guidelines on Indigenous Peoples
- IFC: *Performance Standard and Guidance Note 7- Indigenous Peoples*
- International Council on Mining and Metals: *Position statement on Mining and Indigenous Peoples*
- AGA Group Risk Management Standard
- AGA: *Group Risk Management Policy Statement*
- *Group Risk Management Guidelines and Risk Assessment and Reporting Matrix*



7. REQUIREMENTS:

- 7.1 In accordance with AngloGold Ashanti's values and commitments, Sites must respect and preserve the rights, dignity, 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 Indigenous Peoples.
- 7.2 Where AngloGold Ashanti activities have potential to disturb indigenous communities located in the exploration or mining tenure or in any other area whose development is limited by project-related impacts; the site must work to understand and respect the social, economic, environmental and cultural interests and perspectives of the Indigenous Peoples as well as their rights as articulated and defined within local, provincial, national laws and international conventions.
- 7.3 Sites 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, including those which pertain to Good Faith Negotiation.
- 7.4 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, sites must make every effort to avoid or at least minimize the size of land affected.
- 7.5 In situations where the government is responsible for managing Indigenous Peoples' interests in a way that limits the involvement of companies, Sites must collaborate with the responsible authorities to achieve outcomes consistent with this Standard.

8. REVIEW REQUIREMENTS

Periodic reporting must be in accordance with regulatory and AngloGold Ashanti corporate office reporting requirements which includes incident notification and reporting and GRI Indicators.

9. GLOSSARY

- Company: refers to AngloGold Ashanti
- Operation: refers to a producing mine.
- Project: refers to an exploration project or a new mine expansion.
- Site: is used when referring collectively to producing operations and to exploration and expansion projects.



10. 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
http://www.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/ifc+sustainability/publications/publications_handbook_stakeholderengagement_wci_1319577185063