

ANGLO GOLD ASHANTI

MANAGEMENT STANDARD		
LAND ACCESS AND RESETTLEMENT		
POLICY CUSTODIAN	Group Sustainability Department	
AUTHORISED BY	AngloGold Ashanti Executive Committee	DATE: April 2019
BRIEF DESCRIPTION OF CHANGES		
Revision: 01 (April 2019 Review ratified by the Sustainability Policy and Standards Committee)		
<ul style="list-style-type: none">• Clarification of roles and responsibility in terms of strategy, management plans and procedures.• Requirements to record and manage land access and resettlement management processes on CIMS were introduced.• Requirements on land relinquishment were introduced.		



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1. INTRODUCTION

- 1.1 Access to land and the displacement and resettlement of people are complex, emotive issues with long term implications for the relationship between a mine and local communities. They can pose significant risks to both the company and affected people (project-affected persons) if not well managed.
- 1.2 When displacement and resettlement are practically unavoidable they must be carefully and systematically planned from an early stage, with the informed participation of displaced persons and other relevant stakeholders, in order to minimize and address negative impacts and maximize benefits for the displaced people.
- 1.3 In support of company values, policies and standards, this Land Access and Resettlement Management Standard (the Standard) provides further detail on AngloGold Ashanti's approach to land access, acquisition and resettlement as well as mandatory requirements in this regard.

2. OBJECTIVES

The objectives of this Standard are to:

- 2.1 Ensure the necessary and appropriate land access permissions and land acquisition titles are in place and necessary compensation and resettlement are undertaken in relation to the particular area in question before displacement causing activities occur in that area, which applies across the mining project life cycle.
- 2.2 Outline a common approach to land access, acquisition and resettlement activities at sites under the control and influence of AngloGold Ashanti.
- 2.3 Ensure that land access, acquisition and resettlement impacts and activities are addressed and managed in accordance with host country policies and regulations; AngloGold Ashanti's policies and standards; the International Finance Corporation's Performance Standards on Social and Environmental Sustainability; and AngloGold Ashanti's values.

3. DEFINITIONS

- 3.1 **Displaced persons:** People who suffer either physical and/ or economic displacement as defined below.
- 3.2 **Economic displacement:** Loss of income streams or means of livelihood resulting from project land acquisition or obstructed access to resources (land, water, or forest) which results from the development or operation of a mine or its associated facilities. For example, economic displacement can result from loss of access to farm land or grazing land and can occur without physical displacement occurring.
- 3.3 **Involuntary resettlement:** Resettlement is considered involuntary when affected individuals or communities do not have the right to refuse land acquisition that results in displacement. This occurs in cases of: (i) lawful expropriation or restrictions on land use based on eminent domain; and ii) negotiated settlements in which the buyer can resort to expropriation or impose legal restrictions on land use if negotiations with the seller fail.

- 3.4 **Land acquisition:** Transactions resulting in the acquisition of land, including land use or access rights.
- 3.5 **Physical displacement:** Loss of shelter and assets resulting from the acquisition of land associated with the development or operation of a mine or its associated facilities that requires the affected person(s) to move to another location.
- 3.6 **Procedure:** AngloGold Ashanti's Land Access and Resettlement Management Procedure referred to in 3.1.5
- 3.7 **Project-affected person (PAPs):** Any person who, as a result of the development or operation of a mine loses the right to own, use, or otherwise benefit from a built structure, land, annual or perennial crops and trees, or any other fixed or moveable asset, either in full or in part, permanently or temporarily.
- 3.8 **Resettlement:** Resettlement refers both to physical displacement and to economic displacement as a result of mine related land acquisition, and the process by which these impacts are mitigated and addressed.
- 3.9 **Stakeholders:** Persons or groups that are directly or indirectly affected by a project as well as those that may have interests in a project and/or the ability to influence its outcome either positively or negatively. Stakeholders include locally affected communities and individuals and their formal and informal representatives, government, politicians, religious leaders, civic organisations, and other groups with special interests, the academic community, employees, their families and employee representatives, other businesses, shareholders and joint venture partners.
- 3.10 **Voluntary land transactions:** A land transaction is voluntary when it is a market transaction in which the seller is not obliged to sell and the buyer cannot resort to expropriation or other compulsory procedures if negotiations fail.

4. ACCOUNTABILITY AND RESPONSIBILITY

- 4.1 Accountability for establishing this standard for the company lies with the Executive responsible for Sustainability, and accountability for implementing this standard lies with relevant Group, Regional and Site Managers.
- 4.2 Implementation accountabilities can be delegated to designated person(s) who must clearly understand their accountabilities and authorities.
- 4.11 Each site must ensure that it has adequate and appropriately experienced resources, including human resources, to implement the standard.

5. SCOPE

- 5.1 The requirements of this standard apply to all AngloGold Ashanti sites, country, region and corporate offices.
- 5.2 In the case of a non-managed joint venture (JV), AngloGold Ashanti shall 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.

6. NORMATIVE REFERENCES

- 6.1 The following documents shall be referred to and utilised as part of the land access and resettlement management system:
- 6.1.1 IFC: *Performance Standard 5 – Land Acquisition and Involuntary Resettlement*
 - 6.1.2 AGA Group Risk Management Standard
 - 6.1.3 AGA: *Group Risk Management Policy Statement*
 - 6.1.4 *Group Risk Management Guidelines and Risk Assessment and Reporting Matrix*
 - 6.1.5 *AGA Land Access and Resettlement Management Procedure*
 - 6.1.6 *AGA Stakeholder Engagement Management Standard*
 - 6.1.7 *AGA Complaints and Grievances Management Standard.*

7. REQUIREMENTS

- 7.1 Each site must develop and maintain a land access and resettlement procedure to address the requirements of this standard and the associated guidelines, where land acquisition and related resettlement are necessary for associated areas and facilities e.g. contractor sites related to the site; access roads; dams; water or power lines; power plants; and required safety, health and environmental buffer zones.
- 7.2 The following high-level considerations must be applied where land acquisition and related resettlement are necessary:
- 7.2.1 **Assessment** - Where land acquisition is contemplated, a baseline assessment and an environmental, social and health impact and risk assessment must first be undertaken. Refer to Annexes 1: Overview of Typical Components of Land Access & Resettlement Process and 3: Preliminary Land Access and Resettlement. Environmental and Social Impact and Risk Assessment Questionnaire.
 - 7.2.2 **Management Plan** - Where a decision is made to undertake land acquisition and resettlement, relevant Management Plans must be prepared in line with the requirements of the Guidelines. No displacement of people will occur until the required Management Plans are approved by the Regional and Corporate office.

7.2.3 **Retroactivity:**

7.2.3.1 Review of Ongoing Activities - Where a site is already in the process of planning or undertaking land acquisition and resettlement at the time that this Standard becomes applicable to the site, these activities must be reviewed by a designated person from AngloGold Ashanti Corporate Office or a qualified and experienced external resettlement consultant appointed by AngloGold Ashanti, and, where necessary and possible, adjusted as soon as practically possible to ensure their compliance with this Standard.

7.2.3.2 Past Resettlements - The Standard may, at the discretion of AngloGold Ashanti, also be applied if prior land acquisition and resettlement from a project/mine site by a third party has taken place, with or without AngloGold Ashanti knowledge, in anticipation of the project. This is to ensure that, where practically possible and at the discretion of AngloGold Ashanti, those who were resettled were compensated and dealt with in a manner consistent with the Standard.

7.2.4 **Host Country and IFC Requirements** - All assessment, land access and acquisition and resettlement activities must be carried out in accordance with host country policies and regulations; and embody the principles, observe the provisions and comply with the IFC's Performance Standard 1 (Social and Environmental Assessment and Management Systems) and Performance Standard 5 (Land Acquisition and Involuntary Resettlement).

IFC's Performance Standard 5 does not apply where land transactions and resettlement are voluntary, however AngloGold Ashanti shall observe and comply with the provisions of this Standard and the Procedure in these situations to ensure that issues in relation to assessment, land access and acquisition and related resettlement activities are dealt with in a systematic and thorough manner.

7.3 **Avoidance, Minimization and Mitigation** – Displacement of people must be avoided and minimized where practically possible. Where displacement is caused, AngloGold Ashanti must mitigate adverse social and economic impacts resulting from land acquisition and restrictions on affected persons' use of land.

7.4 **Compensation** - Where displacement is unavoidable, displaced people must be compensated fully, fairly and promptly for all lost assets.

7.5 **Improvement or Restoration** - Resettlement must be conducted in a way that assists displaced persons to improve or at least restore their livelihoods and standards of living.

7.6 **Land Relinquishment**- In cases where the company's tenement is required to relinquish land for specific activities, for example ASM programs, agricultural projects, etc, a due process in terms of land relinquishment requirements should be followed.

7.7 **Disclosure and Participation** - Resettlement assessment, planning, implementation and monitoring activities must be undertaken with adequate and appropriate disclosure of information and the active, free, prior, informed and ongoing participation of affected people

and other relevant stakeholders. AngloGold Ashanti will seek to acquire land in a way which promotes the broadest possible consensus amongst interested people.

- 7.8 **Personnel** - All land acquisition and resettlement assessment, planning, implementation and monitoring activities must be conducted by sufficient and adequately skilled, experienced and resourced personnel.

8. RECORDING AND REPORTING

- 8.1 Periodic reporting must be in accordance with regulatory and AGA corporate office quarterly reporting requirements.
- 8.2 All land access and resettlement management processes and activities must be documented within the Community Information Management Systems (CIMS).
- 8.3 All commitments emanating from land access and resettlement management processes and activities must be recorded in the Community Information Management Systems (CIMS).

9. REVIEW REQUIREMENTS

- 9.1 This management standard will be reviewed to assess its relevance on a periodic basis (at least every 3 years) and will also be updated in accordance with changes to company policy.

10. GLOSSARY

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