

Indigenous Peoples Standard

Purpose & Objectives

Newmont recognizes the unique rights, culture, and history of Indigenous Peoples, and that they have distinct interests and concerns that differ from or are in addition to those of other stakeholder¹ groups. We acknowledge and respect traditional landownership and uses. Newmont adheres to the International Council on Mining and Metals' (ICMM) 2013 Position Statement on Indigenous Peoples, which requires that we will work to obtain the consent of indigenous peoples when a project is located on land they traditionally own or use, and is likely to cause impact on them.

This Indigenous Peoples Standard (this "Standard") is designed to complement and enhance our commitments put forth in Newmont's Sustainability and External Relations Standards (see references) and Global Inclusion and Diversity standard by defining the minimum requirements to engage with Indigenous Peoples, come to agreement around project development, assess and manage potential impacts, and report our progress. This will be aligned to the ICMM Statement on Indigenous Peoples and Mining to which Newmont is a signatory.

Scope

The scope of this Standard is global. It applies to all directors, officers and employees of Newmont Corporation ("NC") or any entity that is controlled or managed by NC (together with NC, "Newmont" or the "Company"). In addition, where explicitly stated in an applicable contract, it may apply to Newmont's contingent workers, vendors, contractors, and other types of business partners. It is applicable to all sites and in all phases of the mine life cycle including exploration, design, construction, operation and closure.

Content

1. Planning & Design

1.1 Application of Indigenous Peoples Standard

- 1.1.1 This standard shall apply if it is determined that Indigenous Peoples, and/or areas of cultural significance to Indigenous Peoples, are located within the area of influence of the site or will be impacted by the development and operation of the site. This determination must be established in consultation with the corporate office and approved by the Regional Senior Vice President (or equivalent).
- 1.1.2 Sites shall ensure full understanding of the legal rights, interests and perspectives of Indigenous Peoples in the area of influence and will acknowledge and respect the rights of Indigenous Peoples even if there is no formal recognition of these rights by a host country.
- 1.1.3 Sites shall conduct a specific standalone Social Baseline Study and/or Cultural Resource Survey, or incorporate into their existing Social Baseline

¹ "Stakeholder" is used here for internal, operational purposes, and does not seek to undermine the sovereignty of Indigenous Peoples.

Studies/Cultural Resource Survey, as appropriate, to identify special considerations, history, socio-economic context, traditional lands and uses, land claims, community decision-making processes, archeology, places of cultural significance, and culture of indigenous peoples, including a gender analysis. These studies shall be designed and implemented in a participative manner with the Indigenous Peoples.

- 1.1.4 Indigenous Peoples shall participate in the design and implementation of any Environmental Baseline and/or Impact Assessment studies, in line with the legal framework of the host country.

1.2 Identification of Indigenous Peoples

- 1.2.1 Sites shall identify in their stakeholder maps Indigenous Peoples as it relates to the specific site context in a manner consistent with the principles embodied in the ICMM Position Statement on Indigenous Peoples, which can include self-determination.

1.3 Engagement with Indigenous Peoples

- 1.3.1 Sites shall develop a stakeholder map, separately or within existing mapping processes, that clearly distinguishes Indigenous Peoples consistent with Newmont's Stakeholder Relationship Management Standard.
- 1.3.2 Sites shall determine the capacity of indigenous participants to engage in constructive dialogue, and, if necessary, sites shall offer support and contribute to build their capacity to participate in a dialogue/engagement process.
- 1.3.3 Sites shall design and implement an engagement plan specific for Indigenous Peoples utilizing culturally-appropriate and gender-appropriate mechanisms. In locations where Indigenous Peoples are present or could potentially be impacted by the activity, indigenous engagement shall also form part of broader engagement activities with other stakeholder groups.

2. Implementation & Management

2.1 Prior Engagement Activities

- 2.1.1 Exploration, project or mining staff will not enter a specific area recognized as traditional lands of Indigenous Peoples without first seeking permission in a culturally-appropriate manner.
- 2.1.2 Sites shall ensure that Indigenous Peoples are engaged and informed from the earliest possible timeframe regarding the activities of Newmont that could potentially affect Indigenous Peoples or cultural sites and expected timeframes.
- 2.1.3 Sites shall present to Indigenous Peoples as much information as possible regarding Newmont, investment partners, relevant facts about the mining process and mining life cycle, non-confidential information on the project, and

the project development process going forward. Information should be presented in a clear, easy-to-understand manner. Indigenous Peoples shall be consulted on how often they would like to be informed, and be asked to provide feedback on the quality of information presented.

- 2.1.4 Sites shall conduct a specific impact evaluation of the proposed activities on Indigenous Peoples during the design stage in consultation with Indigenous Peoples or their representatives and make necessary changes to avoid and minimize impacts and ensure appropriate restoration and/or compensation measures have been identified and included in the project design and financial analysis. This study can be a standalone study, or incorporated into other impact assessment studies.
- 2.1.5 Special attention shall be given to indigenous cultures by respecting the tangible and intangible aspects of cultural heritage.
- 2.1.6 Sites shall consult with Indigenous Peoples to identify relevant participatory environmental and social monitoring programs for identified impacts.
- 2.1.7 If involuntary resettlement is necessary, Newmont will follow the Land Acquisition and Involuntary Resettlement Standard. Newmont will recognize traditional ownership and customary land uses of indigenous peoples during the planning, assessment, compensation, and livelihood restoration process.

2.2 Agreements with Indigenous Peoples

- 2.2.1 Sites shall defer to the definition of Consent provided in the ICMM Position Statement on Indigenous People. Newmont will work to obtain the Consent of Indigenous Peoples for new projects and changes to existing projects by focusing the process on reaching agreement on the basis for which the project should proceed.
- 2.2.2 Sites shall strive to formalize Consent at each stage of the mining lifecycle via a signed agreement. Sites shall define together with the identified indigenous representatives a decision-making process to develop an agreement that formally defines the relationship between Newmont and the Indigenous Peoples. Best efforts should be made to ensure that the involved indigenous participants truly represent the interests of the broader population. Sites shall put in place separate agreements if necessary for specific indigenous groups.
- 2.2.3 All formal agreements with Indigenous Peoples must be approved by the Regional Senior Vice President, in consultation with the Regional Group Executive for Sustainability and External Relations (or equivalent). Signed agreements must be submitted to Corporate S&ER. Agreements must be translated into the indigenous language if requested to do so.
- 2.2.4 Agreements with Indigenous Peoples shall be updated when there are new, significant impacts proposed, in line with the mining lifecycle.

2.3 Training

2.3.1 Sites shall train staff and on-site contractors on relevant cultural norms of the Indigenous Peoples, with the aim of creating an inclusive environment, in line with the Global Diversity and Inclusion Standard and the Stakeholder Relationship Management Standard.

2.4 Socio-Economic Development

2.4.1 Sites shall design and implement specific projects to benefit Indigenous Peoples, in a participative manner together with leaders and potential beneficiaries, consistent with the Community Investment and Development Standard and taking into account cultural norms.

2.4.2 Sites shall design and implement preferential local employment and procurement programs to benefit Indigenous Peoples, consistent with the Local Employment and Procurement Standard and taking into account host country regulations and cultural norms.

2.5 Complaints and Grievance Mechanisms

2.5.1 Sites shall ensure that a Complaints and Grievance Mechanism exists, in line with the Stakeholder Relationship Management Standard, and that Indigenous Peoples have collaborated in its design. If the mechanism is already in place, Indigenous Peoples must be able to provide feedback to improve its efficacy.

3. **Performance Monitoring**

3.1 Tracking Engagements

3.1.1 All formal engagements and agreements with Indigenous Peoples must be clearly recorded to provide a record for current and future generations who are affected by the decisions and to maximize transparency in the decision-making process.

3.2 Monitoring, Reporting and Communicating Agreements

3.2.1 Sites must design and implement a mechanism to monitor, report, and communicate the implementation of any agreement, and/or any program or initiative relative to Indigenous Peoples.

Definitions

- Free, Prior, and Informed Consent (FPIC) - Newmont adopts the International Council on Mining and Metal’s (ICMM) definition of FPIC (from the 2013 Position Statement on Indigenous Peoples):

“FPIC comprises a process, and an outcome. Through this process Indigenous Peoples are: (i) able to freely make decisions without coercion, intimidation or manipulation; (ii) given sufficient time to be involved in project decision making before key decisions are made and impacts occur; and (iii) fully informed about the project and its potential impacts and benefits. The outcome is that Indigenous Peoples can give or withhold their consent to a project, through a process that strives to be consistent with their traditional decision-making processes while respecting internationally recognized human rights and is based on good faith negotiation. The commitments in this position statement relating to consent apply to new projects and changes to existing projects that are likely to have significant impacts on indigenous communities.”

- Indigenous Peoples - Newmont adopts the International Labour Organization’s approach to the identification of indigenous peoples as indicated in Articles 1 and 2 of the Convention 169.

Internal References

All internal references can be found on Prospector

- Sustainability and Stakeholder Engagement Policy
- Human Rights Standard
- Local Employment and Procurement Standard
- Community Investment and Development Standard
- Social Baseline and Impact Assessment Standard
- Global Inclusion and Diversity Standard
- Land Acquisition and Involuntary Resettlement Standard
- Stakeholder Relationship Management Standard

External References

- ICMM Position Statement on Indigenous Peoples and Mining
- IFC Performance Standard 7 on Indigenous Peoples
- United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP)
- International Labour Organization Convention 169

Document Control

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