

PUBLIC CONSULTATION & DISCLOSURE PLAN

SUBIKA PIT EXPANSION PROJECT BRONG AHAFO REGION GHANA



Public Consultation & Disclosure Plan
Subika East Expansion Project

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1 Introduction and Background

Newmont Ghana Gold Limited (NGGL) is one of the largest gold mining companies in Ghana and is planning to expand the Subika Pit at the Ahafo South Project. This Public Consultation & Disclosure Plan (PCDP) outlines and documents how NGGL intends to consult with relevant stakeholders and disclose Project information on their expansion plans. The PCDP includes details of public involvement activities with Subika East Expansion stakeholders which will occur during the development of the project.

NGGL's Ahafo Project is located in the Brong Ahafo Region of Ghana, West Africa. A location map is presented at Figure 1 below.



Figure 1.1 Location Map, Ahafo Project

Newmont Ghana Gold Limited (NGGL) is engaged in a rolling land access program and has separated the Ahafo Project into two components: Ahafo South and Ahafo North as shown on the Figure 1.2 below. The Ahafo South Project generally extends from the Amoma Shelterbelt/Bosumkese Forest Reserve on the north and east; the communities of Kenyase 1 and 2 on the south; and to the headwaters of the Subri and Awonsu drainages in the west. The North Phase Lease Area extends from the northern boundary of the Amoma Shelterbelt and Bosumkese Forest reserves north-easterly to the known extent of the Ahafo mineralised zone. The South Phase Lease Area is separated from the North Phase Lease Area by these forest reserves (Figure 1.2).

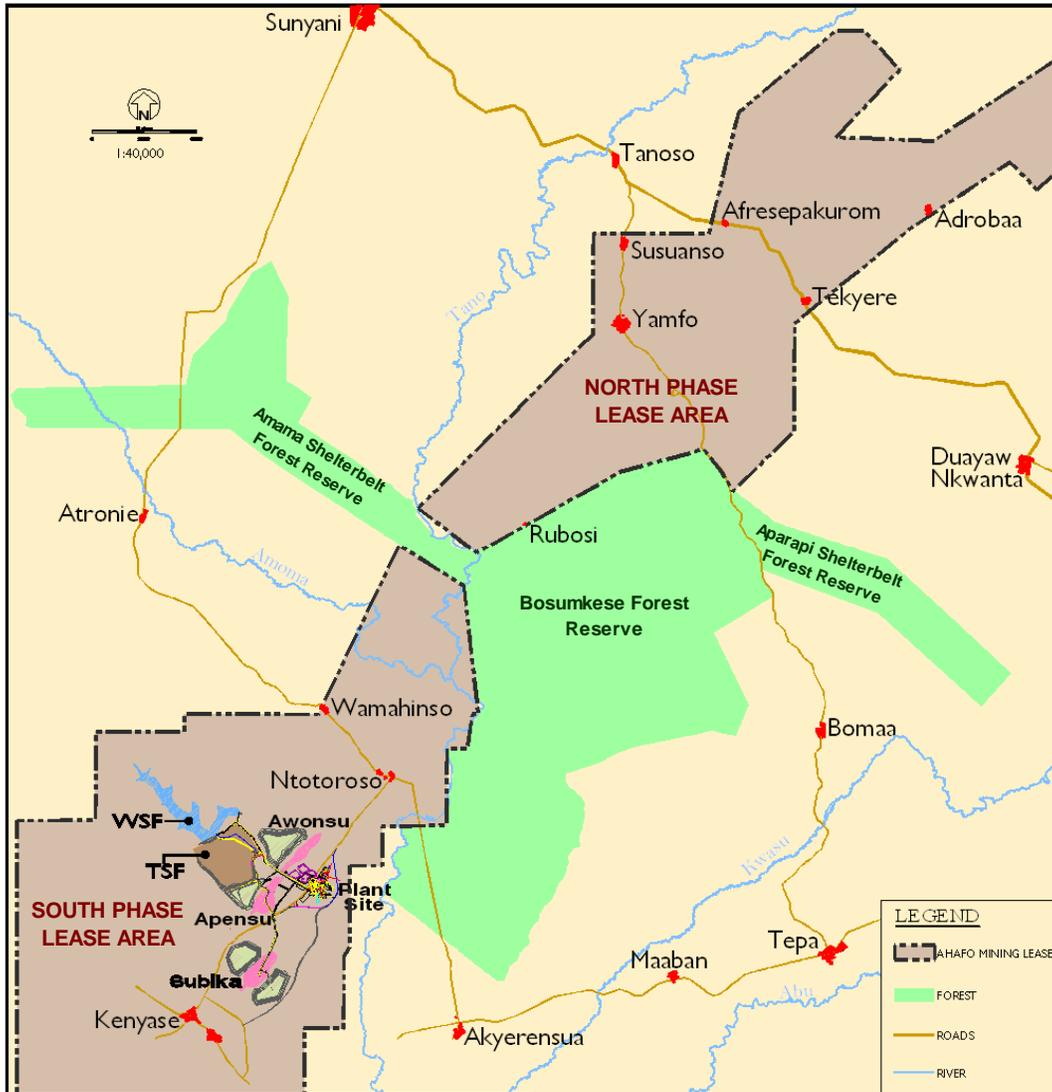


Figure 1.2 Map indicating the location of the lease areas and adjacent forest reserves

Ahafo South has been developed into a mine and the first gold pour was in July 2006. The Ahafo South Project currently consists of four open-cut mine pits (Subika, Apensu, Awonsu and Amoma) and associated facilities. Amoma is currently in development.

The initial development of these facilities impacted about 1700 households, 400 of which were resettled. The project, being part-funded by the IFC, is periodically reviewed by an independent assessment team since August 2005, and there have been eight such reviews, with the latest in November 2008. The review reports and other project documents are publicly available on the IFC and Newmont websites.

1.1 The Proposed Subika East Expansion Project

NGGL is currently planning to expand the Subika pit to meet requirements for the life of the mine. It is necessary to take 69.9 hectares of land in the Subika East area, which is in the stool lands of Kenyase II, for this expansion. It is too early to estimate households that will be directly affected by loss of access to land which present occupy. This will be determined through socio-economic, crop and building surveys which are being undertaken as part of the initial project baseline data gathering.

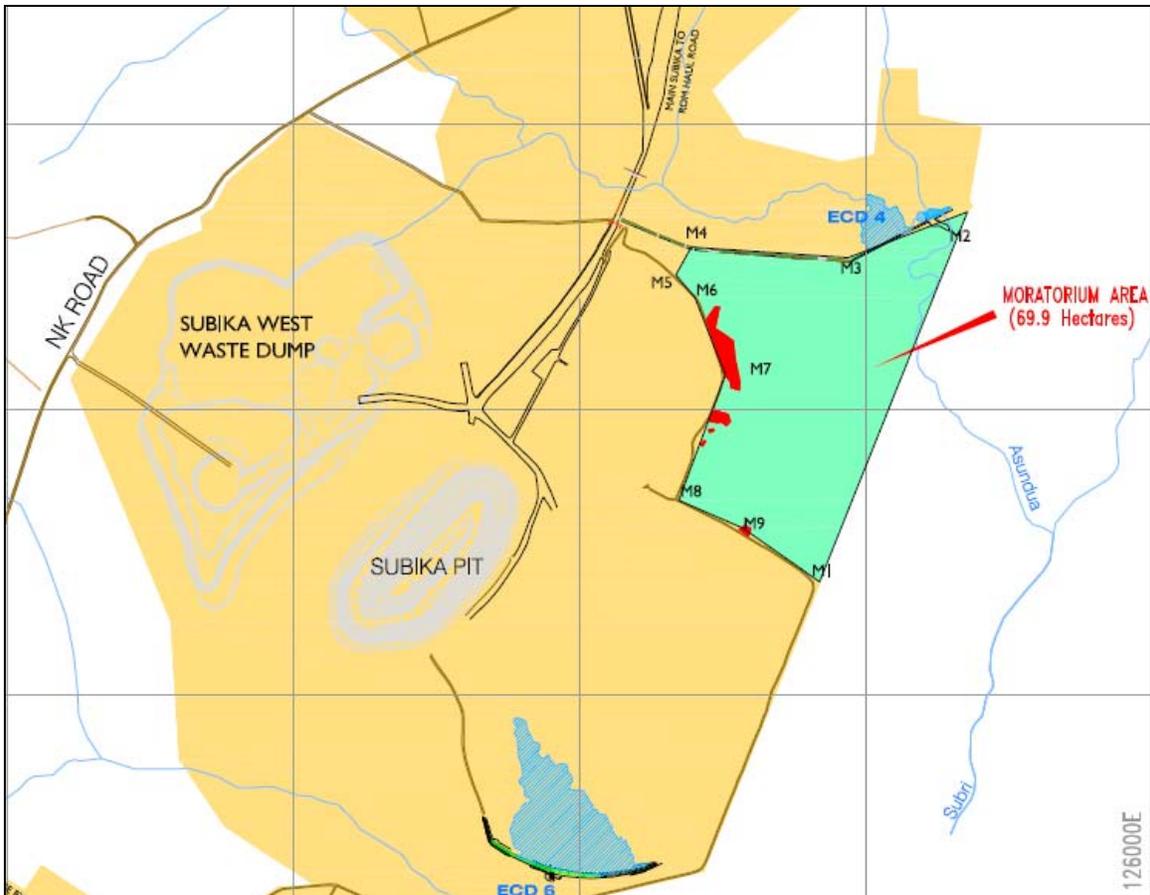


Figure 1.3 Location of Subika East Expansion Project

1.2 Purpose of the Public Consultation and Disclosure Plan

This PCDP is designed to ensure that NGGL identifies all relevant stakeholders with an interest in the Project and meaningfully consult them during the development and life of the project. To ensure proper and appropriate mine developments occur in Ghana,

NGGL, as a subsidiary of Newmont Mining Corporation, endorses the concept that communication with project stakeholders is an essential component of any project that has environmental and socio-economic effects on people.

The purpose of this strategy is to outline an approach that will implement best practice principles within this expansion project, prevent potential conflicts and build on the social trust and cooperation that NGGL has earned from its communities and stakeholders.

NGGL is committed to pro-active and ongoing communication with all agencies, organisations, and individuals with an interest in the development of the Project. As partners with the IFC, NGGL is committed to adhere to IFC's Policy and Performance Standards on Social and Environmental Sustainability for the Ahafo Project.

The goal of this Plan is to ensure adequate information is provided to project-affected people and other stakeholders in a clear and timely manner, and that these groups are provided sufficient opportunity to voice their concerns and opinions so that they can influence project decisions.

The PCDP seeks to define a technically and culturally appropriate approach to consultation and disclosure. The PCDP is a useful tool for managing communications between NGGL and stakeholders. The PCDP aims to improve and facilitate decision-making and create an atmosphere of understanding that actively involves individuals, groups, and organizations that can affect, or be affected by, development of the Project.

1.3 Structure of PCDP

In addition to this Introduction and Project Description, the PCDP contains the following sections:

Section 2 outlines current regulations and requirements governing preparation of a PCDP and consultation and disclosure efforts required by international and national law and guidelines concerning resettlement. Newmont Corporate policies concerning consultation and community engagement are also discussed.

Section 3 outlines previous public consultation & disclosure activities, in particular a review and evaluation of the previous PCDP and consultation activities for Ahafo South Stage 1 and Amoma Projects

Section 4 outlines public consultation & disclosure activities undertaken to date, ongoing, and those planned for the Subika East Expansion Project, including stakeholder identification, information disclosure and consultation methodologies and schedules.

Section 5 discusses implementation, including resources and responsibilities and grievance procedures.

Section 6 outlines future consultation activities in anticipation of further revisions of this PCDP.

2 Regulations & Requirements

Specific guidelines and requirements outlining a public participation process to address potential environmental and socio-economic impacts arising from mining development are not clearly defined in current legislation. Rather they have developed through implementation of other requirements or regulations, as well as international, particularly IFC, guidance.

To this end, NGGL has developed a comprehensive Public Consultation & Disclosure Plan that accords to best practice, to address these issues in a way that is culturally sensitive, transparent, provides timely, accurate information to Project-affected people and other stakeholders, and allows sufficient opportunity for stakeholder input and exchange.

This section includes an up to date listing and brief description of relevant Ghanaian and international requirements, as well as Newmont corporate policies that are being applied to the Subika East Expansion Project as any other NGGL project.

2.1 Environmental Regulations in Ghana

An Environmental Impact Assessment (EIA) for developments, projects or undertakings has been a requirement in Ghana since 1989. In June 1995, the Ghana Environmental Protection Agency (EPA) established new procedures for EIAs involving gradual phases depending on the nature, complexity and location of the undertaking (Ghana Environmental Impact Assessment Procedures, 1995). Between 1995 and 1999, the EPA reviewed and revised the aforementioned procedures. In June 1999, the revised procedures were adopted and passed by parliament as Legislative Instrument 1652 Environmental Assessment Regulations (L.I. 1652).

These procedures require that an Environmental Impact Statement (EIS) be submitted to the EPA for review and approval in order to obtain an Environmental Permit, which allows the Project to proceed on environmental grounds.

If there appears to be significant adverse public reaction to a proposed undertaking, or if the undertaking will involve the dislocation, relocation or resettlement of communities, the EPA will conduct a public hearing for which it will appoint a panel of between three and five persons, at least one-third of which are resident in the geographical area of the proposed undertaking. The panel makes recommendations to the EPA on the basis of submissions received. Following the public hearing, the EPA further reviews the draft EIS. The EPA may then issue an Environmental Permit, which allows the undertaking to proceed on environmental grounds. Alternatively, the EPA may instruct the applicant to revise the EIS or to conduct further studies.

Where resettlement will occur, a Resettlement Action Plan (RAP) in advance of, or accompanying, such a submission is best practice.

2.1.1 Minerals and Mining Act (MMA) 2006

The legislative framework for mining in Ghana is stated in the Minerals and Mining Act, 2006 (Act 703).

Within this legal framework, the State is the owner of all minerals occurring in their natural state within Ghana's land and sea territory, including its exclusive economic zone. All minerals in Ghana are invested in the President on behalf of and in trust for the people of Ghana. Thus, regardless of the land ownership upon or under which minerals are situated, the exercise of any mineral right requires, by law, a licence granted by the Minister of Lands, Forestry and Mines (the sector Minister) acting as an agent of the State for the exercise of powers relating to minerals.

Mineral rights are legally defined to include the rights to reconnoitre, prospect for, and mine minerals. The sector Minister is also authorized to exercise, within defined limits, powers relating to the transfer, amendment, renewal, cancellation and surrender of mineral rights. The powers conferred upon the Minister must be exercised contingent upon the advice of the Minerals Commission (MINCOM), which has the authority under the Constitution to regulate and manage the use of mineral resources and co-ordinate policies in relation to minerals.

Lawful occupants retain the right to use the land within lease areas (i.e. graze livestock, cultivate crops) provided such use does not interfere with mining operations. Occupants must obtain permission from the mining company to upgrade crops in a mining lease, or to erect any building or structure in the case of land covered by a mining area.

A mineral rights holder must compensate for any disturbance to the rights of owners or occupiers and for damage done to the surface of land, buildings, works or improvements, livestock, crops, or trees in the area of mining operations.

According to the Minerals and Mining Act, the amount of compensation, subject to the approval of the Land Valuation Board (LVB), is determined by agreement between the parties concerned. In practice, this agreement involves a broad section of stakeholders, including affected farmers and local traditional and political leaders. If an agreement cannot be reached, the Minister of Lands, Forestry and Mines arbitrates.

The Act states that mineral right holders should affect as little as possible the interest of any lawful occupier of land. Mining leases also state that a mining company shall, as long as it is safe to do so, not hinder or prevent members of the local population from exercising certain customary rights and privileges, such as hunting game, gathering firewood for domestic purposes, collecting snails, cultivating farms, and observing rites in respect of graves and other areas to be held sacred.

Section 111 of the MMA 703, 2006 enables the Lease Holder to declare a "Mining Area" which means the area designated from time to time by the holder of a mining lease with the approval of the Minerals Commission. Section 72 (4) of the MMA (2006) states that "In the case of a mining area, the owner or lawful occupier of the land within the mining area shall not erect a building or a structure without the consent of the holder of the mining lease, or if the consent is unreasonably withheld, without the consent of the Minister".

Section 72 (6) of the MMA (2006) states that "a lawful occupier of land shall not upgrade to a higher value crop without the written consent of the holder of the mining lease, or if the consent is unreasonably withheld, without the consent of the Minister".

Therefore, under the MMA (2006) the leaseholder declares a Moratorium Date over the part of the Mining Area to be developed for mining at that time and informs local communities of its rights under the MMA (2006) to control the development of crops and buildings in this defined area from that date. The leaseholder then proceeds to measure the building, crop and land assets in this defined area and negotiate resettlement/relocation and compensation for eligible assets with owners and lawful occupiers.

The Minerals and Mining Act provides that efforts should be made to settle disputes amicably. In the event that this fails, then arbitration will be the available dispute resolution mechanism. Such arbitration may be in accordance with the rules of procedure for arbitration of the United Nations Commission on International Trade Law; or within the framework of any bilateral or multilateral agreement on investment protection to which the Government and the USA are parties; or in accordance with any other international machinery for the settlement of investment disputes agreed to by the parties. In the event that none of the mechanisms are considered satisfactory, the judicial process may also be used.

2.1.2 Mining and Environmental Guidelines (1996)

According to the Mining and Environmental Guidelines (1996), mining houses must pay compensation for damage to land, land uses and structures according to a schedule of compensation rates, using LVB rates as a minimum. In practice these rates are only available if LVB is contracted to undertake the assessment.

The Mining and Environmental Guidelines also provide for resettlement:

“Any pre-existing settlement located close to mining operations where the pre-existing inhabitant’s public safety is at risk, or where the inhabitants are subjected to unreasonable nuisance, shall be resettled at a more distant site with at least an equal standard of accommodation and services at the cost of the company”

Other legislation and regulations relevant to the Project include:

- Environmental Protection Law
- EPA Act 490 (1994)
- Environmental Assessment Regulations (1999)
- National Development Planning Act (1994)
- Planning Standards for all Settlements in Ghana
- District Assembly and Local Planning Guidelines and Requirements
- Housing Standards and Building Codes

2.2 IFC Guidelines

The International Finance Corporation (IFC) has published policies and requirements regarding public consultation and disclosure to ensure projects are implemented in an environmental and socially responsible manner. The following IFC procedures, policies and practice manuals were reviewed and considered when developing this PCDP.

2.2.1 IFC Consultation Requirements

Consultation with Relevant Stakeholders: During the EIS process, NGGL should conduct consultations with affected groups, non-governmental organisations (NGOs), local authorities, and other interested parties about environmental and socio-economic aspects of the project, and consider stakeholders' views. Consultation should start as early as possible with information made available in advance. NGGL should consult with such stakeholders throughout project implementation as necessary; to address EIS related issues that affect them.

Public Consultation and Disclosure Plan: Consultations to be undertaken by NGGL during the construction and operation of the Project should be incorporated into the Public Consultation and Disclosure Plan.

EIS Summaries and Draft EIS Report: For the initial consultations NGGL should provide summaries of project objectives, descriptions and potential impacts. When the draft EIS is ready NGGL should present the findings of the EIS to the public. In both cases, the information should be disseminated among the project stakeholders proactively, and in the local language. After consultations have been held, NGGL adds details to the EIS report of the consultation conducted, and discusses measures on how public comments will be incorporated into project design and implementation.

Releasing the EIS Report In-Country and to IFC InfoShop: The draft EIS report should be made readily available to the public in public places, and should contain responses to the public consultation process. A non-technical summary of the document should be made available in the local language to local stakeholders. The report can be made available to a wider public through IFC's Internet InfoShop website.

Ongoing Consultation, Annual Reporting, and Disclosure of Addenda after Release of EIS: Public consultation is an ongoing process and should continue throughout construction and operational phases.

IFC's Good Practice Manual Doing Better Business through Effective Public Consultation and Disclosure (IFC 1998)

IFC guidelines on best practice in public consultation and disclosure outline issues to consider while undertaking public consultation and disclosure, as follows:

- Written and oral communication in local languages and readily understandable formats
- Accessibility by relevant stakeholders to both written information and to the consultation process
- Use of oral or visual methods to explain information to non-literate people
- Respect for local traditions or discussion, reflection and decision-making
- Care in assuring groups being consulted are representative, with adequate representation of women, vulnerable groups, ethnic or religious minorities, and separate meetings for various groups where necessary

- Clear mechanisms to respond to people’s concerns, suggestions and grievances

Stakeholder Engagement: A Good Practice Handbook for Companies doing Business in Emerging Markets (IFC, 2007)

The Handbook confirms the shift to a broader, more inclusive and continuous process of engagement between companies and stakeholders, particularly project affected persons, which encompasses a range of approaches, throughout the entire life of the Project.

IFC Performance Standards

International best practice for private sector related resettlement is now guided by the IFC’s Performance Standards on Social and Environmental Sustainability, and particularly defined by the IFC’s Performance Standard 5: Land Acquisition & Involuntary Resettlement. A series of Performance Standards, designed to improve social and environmental outcomes, consist of the following:

- Performance Standard 1: Social and Environmental Assessment and Management System
- Performance Standard 2: Labour and Working Conditions
- Performance Standard 3: Pollution Prevention and Abatement
- Performance Standard 4: Community Health, Safety and Security
- Performance Standard 5: Land Acquisition and Involuntary Resettlement
- Performance Standard 6: Biodiversity Conservation and Sustainable Natural Resource Management
- Performance Standard 7: Indigenous Peoples
- Performance Standard 8: Cultural Heritage

The Objectives of Performance Standard 5 (PS 5) are:

- To avoid or at least minimize involuntary resettlement wherever feasible by exploring alternative project designs
- To mitigate adverse social and economic impacts from land acquisition or restrictions on affected persons’ use of land by: (i) providing compensation for loss of assets at replacement cost; and (ii) ensuring that resettlement activities are implemented with appropriate disclosure of information, consultation, and the informed participation of those affected
- To improve or at least restore the livelihoods and standards of living of displaced persons
- To improve living conditions among displaced persons through provision of adequate housing with security of tenure at resettlement sites

In particular, PS 5 notes that there should be consultation and informed participation of affected persons and communities in decision-making processes related to resettlement. A grievance mechanism should also be established to receive and address specific concerns about compensation and relocation.

IFC Disclosure Policy (1998)

IFC is open about its activities, and welcomes input from affected communities, interested members of the public, and business partners and will seek out opportunities to explain its work to the widest possible audience. This policy was developed in

recognition of the importance of accountability and transparency in the development process.

2.3 International Policies and Standards

Newmont is a founding member of the International Council on Mining and Metals (ICMM). As such, the Subika East Expansion Project will adhere to ICMM's Principles for Sustainable Development throughout the life of the Project. The ICMM Principles include:

- Implement and maintain ethical business practices and sound systems of corporate governance
- Integrate sustainable development considerations within the corporate decision-making process
- Uphold fundamental human rights and respect cultures, customs and values in dealing with employees and others who are affected by our activities
- Implement risk management strategies based on valid data and sound science
- Seek continued improvement of environmental, health and safety performance
- Contribute to conservation of biodiversity and integrated approaches to land use planning
- Facilitate and encourage responsible product design, use, re-use, recycling and disposal of products
- Contribute to social, economic and institutional development of communities in which we operate
- Implement effective and transparent engagement, communication and independently verified reporting arrangements with stakeholders

Newmont is a signatory to the International Cyanide Management Code (ICMC) and will comply with ICMC requirements. NGGL's Ahafo Mine was the first Mine in Ghana to be certified under the ICMC Requirements. In addition, Newmont is a signatory to the United Nation's Global Compact and will comply with World Bank group's (WBG) draft guidelines for Precious Metal Mines and applicable WBG policies and guidelines.

The Company is also a participant in and financial supporter of the Mining, Minerals and Sustainable Development (MMSD) North America initiative, a member of Business Action for Sustainable Development (BASD), and was an active participant in the World Summit on Sustainable Development (WSSD).

Equator Principles

The Equator Principles (EPs) represent an approach by 60 of the world's leading financial institutions to determine, assess and manage environmental and social risk in project financing. Adopting institutions undertake not to make loans directly to projects

where the borrower will not or is unable to comply with environmental and social policies and processes outlined in the Principles. Compliance with host country legislation and, for projects located in middle and low-income countries such as Ghana, relevant World Bank Safeguard Policies, including IFC Standards, is a pre-requisite. Public consultation and disclosure requirements are also stipulated in the Principles.

The Principles were revised in June 2006 to reflect current implementation experience including introduction of a public reporting requirement, as well as changes made by the International Finance Corporation (IFC) to its environmental and social standards. They continue to evolve as more sophisticated funding is undertaken. In 2007, of the US\$74.6 billion total debt tracked in emerging markets, US\$52.9 billion was subject to the EPs, representing about 71 per cent of total project finance debt in emerging market economies.

2.4 Newmont Corporate Policies

Newmont acknowledges that the Company's long-term success depends on creating value within communities and for shareholders. The Company's success is tied to the ability to develop, operate and close mines in a manner that improves the lives of the people in the surrounding communities, in a safe and environmentally responsible manner.

By maintaining high standards for protecting human health and the environment, and working in cooperation with our host communities, Newmont endeavours to create sustainable, long-term economic and social opportunities.

Newmont's vision is to become the Gold Company of Choice through industry leading performance. The Company is aware that support from the communities in which they operate is essential to long-term success. Throughout the mine life cycle, from the earliest exploration activity through to mine closure, Newmont strives to engage and consult with host communities and governments with respect and transparency.

Newmont's Environmental and Social Responsibility Committee is currently conducting a global review and evaluation of policies and practices relating to existing and future relationships with local communities, including aspects of potential conflict and opposition, in order to further improve relationships with host communities.

Newmont is now listed on the DOW Jones Sustainability Index. Launched in 1999, the Dow Jones Sustainability Indexes are the first global indexes tracking the financial performance of the leading sustainability-driven companies worldwide.

Newmont Corporate Social Responsibility Policy

The Newmont Corporate Social Responsibility Policy contains the following principles regarding stakeholder engagement:

- Partnering with stakeholders in appropriate community development programmes
- Consultation with stakeholders in matters that affect them
- Accurate, transparent and timely communication with regard to performance

- Understanding that the actions and conduct of every Newmont employee and contractor are the basis on which stakeholders will evaluate Newmont's commitment to achieving the highest standards of social responsibility
- Implementing the Social Responsibility Policy in conjunction with Newmont's Environment and Health and Safety Policies, since environmental, health and safety issues can affect the communities where a project operates.

Integrated Management System – Discipline Specific Standards

Newmont's in-house Integrated Management System with discipline specific standards, based on ISO 14001 principles, evaluates performance in the areas of Health, Safety, Loss Prevention and Environmental and Social Responsibility. The *Community and External Relations Standard* includes a number of standards that make explicit mention of public consultation and disclosure.

The Five Star Standards also includes (as Standard IMS 008) a set of criteria that are specifically focused on *External Stakeholder Engagement and Reporting*. Specific standards are highlighted below:

Identification of Stakeholders and Risks/Opportunities

Newmont facilities shall develop and implement a process to identify and document external stakeholders.

This shall include:

- An up-to-date stakeholder database that is periodically reviewed, but no less than annually
- A formal stakeholder mapping exercise that is kept current to ensure stakeholders and their relationships with each other are captured.
- Issues and impacts of each stakeholder

Newmont facilities shall utilize risk management processes (Risk & Opportunity Management Guidelines) to identify actual or potential stakeholder issues that could create community outrage and thereby pose risks to the facility.

Cultural and Social Knowledge of Stakeholders

Newmont facilities shall develop and implement a process for achieving a comprehensive understanding of the culture(s) and social structure(s) of impacted communities to ensure respectful and effective engagement.

Facilities shall utilize appropriately trained personnel to gain an understanding of the cultural norms, and identify and document existing local structures and positions within the local community.

Proactive Engagement with Stakeholders

Newmont managed facilities shall develop, implement and maintain an external stakeholder engagement process to reduce the potential for "outrage" identified through the risk assessment process, including:

- Methods to ensure community awareness of the operation's activities and risks/opportunities

- Methods for ensuring that the facility knows and understands external stakeholders' issues and concerns
- Methods for proactively engaging stakeholders to build relationships
- Methods for anticipating and proactively addressing stakeholder issues and concerns
- Involving stakeholders in the decision-making process on issues that impact them
- Dispute resolution and grievance mechanisms

Facilities shall formally communicate to external stakeholders the following:

- Actual or potential stakeholder issues that could create community outrage and thereby pose risks to the facility
- Emergency information (in accordance with Rapid Response Program)

Stakeholder Engagement Documentation and Records

Facilities shall document their Stakeholder Engagement process that incorporates the following:

- Stakeholder engagement plans or procedures that are approved by facility management
- Descriptions of methods used for identifying stakeholder issues and concerns
- Description of methods used for ensuring that the community and other stakeholders are aware of the operations' activities
- Written materials available to stakeholders
- Clear allocation of responsibilities for ensuring that agreed tasks are undertaken
- Risk assessment outcomes documented in the facility risk register
- Records of engagements with stakeholders
- Controls to mitigate the risk to/by stakeholders

Monitoring, Review and Update

Facilities shall monitor the above processes, and review and update the plan no less than annually.

Newmont SIA Best Practice Guidelines

Newmont is developing a set of management procedures to deal with the social issues around their mines. A component of these management procedures is a set of guidelines to undertake a social Impact Assessment (SIA) at a particular mine site. These guidelines include a number of principles pertaining to public consultation and disclosure.

For example, it is stated that:

- Public consultation should adhere to the principles of flexibility (in terms of being adaptive to changing conditions), inclusiveness (in terms of effectively engaging the entire spectrum of stakeholders), and a thorough understanding of social, cultural and political dynamics
- A broad definition of "community" should be adopted, incorporating not only communities based on location, but also social and cultural communities, communities around politics, economic communities and communities of issues

- One of the initial steps in preparation of an SIA and a public consultation process is a *social scan*, which involves identifying stakeholders, building the first “picture” of the social setting and identifying aspects that will influence subsequent public consultation.

All stakeholders should have the opportunity to access the project information, ask questions about the project and provide the project team with the key issues facing the project and the community.

3 Previous Public Consultation & Disclosure

The PCDP is developed from previous Public Consultation & Disclosure Plans developed for the various phases of the Ahafo Project by rePlan Mining Consultants namely: Ahafo South Project, August 2005, first and second editions of the Amoma Project, June 2008 and February 2009 respectively, and that developed for Ahafo Project Stage 2 by Golders Associates in November 2006 (1st Edition).

The PCDP for Ahafo Stage 1 and the ESIA Public Consultation Comment Response Document provide a summary and evaluation of activities undertaken for the Ahafo South lease area. A communications plan was also compiled for the proposed realignment of the Kenyase-Ntotroso Road.

As part of project evaluation by the IFC, and to ensure transparency, all the above mentioned project and associated supplementary documents have been published on the InfoShop of the World Bank website (www.worldbank.org/infoShop) and also on the company's international website: <http://www.newmont.com/africa/ahafo-ghana/public-disclosure-documents> and the Newmont Ghana website: <http://newmontghana.com>.

A review and evaluation of previous PCDPs shows that a great deal of communication and consultation has been achieved. NGGL continues to proactively engage a large pool of stakeholders in its operations. The formal outreach efforts focused on specific communities, and established groups and organizations located in and around the Project area. The Public Consultation and Disclosure process began in 2003 and is still continuing.

Key aspects of the consultation and disclosure process includes:

- Engagement of project stakeholders, including individuals, groups and organisations with an interest in the project or that may be affected by the project
- The provision of workshops, briefings and educational programmes on the project to local community groups, government agencies (international, national and local), environmental groups, human rights groups, NGOs and media organisations
- Specific engagements involving local stakeholders in the crop and resettlement negotiations process, as well as in public hearings to discuss issues related to the environmental impact assessment
- Release of project-related information at community information centres and notice boards: Information included Newmont policies, project details, answers to frequently asked questions and rights and responsibilities of affected people
- Articulation of messages from key personnel to stakeholders and project affected people, ensuring that community workers were aware of Newmont's position regarding the Project and were capable of responding to questions/comments appropriately
- Consultation in both Twi and English
- Regular meetings and forums by Newmont community workers to present project-related information, answer questions and assuage concerns
- Establishment of multi-stakeholder committees, including Chairpersons / moderators acceptable to all parties, to discuss and make decisions regarding project impacts and community concerns

- Maintaining an open-door policy such that stakeholders felt comfortable approaching community workers directly to ask questions and raise concerns
- Community meetings in impacted communities
- Stakeholder meetings with national, district, and local officials
- Meetings with Chiefs, Elders and Project Affected People (including farmers)
- Ensuring public involvement in resettlement and compensation processes and agreements, as well as resolving issues resulting from implementation of these processes and agreements

Table 3.1 Stakeholder Committees and Forums utilised by Newmont for ongoing stakeholder engagement

Committee Name	Members	Objectives
Resettlement Negotiation Committee (RNC)	Approximately 65 members. Traditional authorities, local community representatives, Government. NGOs as observers but may join discussions if requested by committee members	To negotiate and make recommendations concerning resettlement
Site Selection Committee (SSC)	Subcommittee of the RNC. Members nominated by RNC, consisting of some chiefs, affected landlords, district assembly members, regulatory agencies	Investigating and agreeing on the various sites at which resettlement houses were to be built. Also to approve house designs and decide if people qualify for relocation in lieu of resettlement
Water/ Dam Committee	22 members: 17 residents near the Water Storage Facility (WSF) plus Chiefs representing Ntotroso and Kenyase 2	To deal with issues relating to the dam, e.g. access to fields on the other side of the dam, access to potable water from the dam and safety measures
Water and Sanitation Committees (WATSAN)	In each of the resettlement sites and some larger towns, representation by inhabitants.	To sustainably manage water and sanitation facilities in the resettlement villages, including raising revenue through sale of water to maintain facilities

Committee Name	Members	Objectives
Vulnerables Committee	2 traditional council representatives from Kenyase 2 and Ntotroso, 5 representatives of NGOs, 2 representatives of the resettlement sites, 2 representatives from the Department of Social Welfare, 1 representative from the District Assembly, 2 Newmont representatives	To verify and approve households as being vulnerable or not. Also, to assist Newmont with the facilitation of education for the vulnerable as part of the implementation of the Livelihoods Enhancement and Empowerment Program (LEEP)
Crop Rate Review Committee (CRRC)	Approximately 70 members. Committee has a mandate for one year but are eligible for re-election. Representation by Farmers, Assembly members and Traditional Councils. NGOs and regulatory agencies act as observers and provide advice	To review existing crop compensation rates, suggest adjustment based on economic conditions, negotiate level of adjustment and agree on crop rates acceptable to farmers and Newmont
Land Access Review Committee (LARC)	Each LARC has between 7 and 10 members. There are two LARCs – one in Ntotroso and the other in Kenyase Number 2	To verify and ultimately approve the households that may gain access to land via the Agricultural Improvements and Land Access Program (AILAP).
Social Responsibility Forum (SRF)	Partly a community initiative. The forum itself decided who would be representatives, including Chiefs, MPs, Regional Minister, DCEs, Women’s group members, Farmers, Youth and NGO’s	Negotiated Social Responsibility Agreements covering relationship, employment and formation of a Social Responsibility Foundation with Newmont in regard to distribution of benefits from the Newmont commitment of US\$1 / ounce and 1% of net profit. into a Community Development Fund managed by the Foundation,.
Women’s Consultative Committee (WCC)	Committee established as part of Newmont’s Gender Plan, with over 70 members from across the Lease Area. Moderated by a local woman, native of one of the communities	To act as a platform for women’s voices to be heard

4 Identification of Stakeholders for Subika East Expansion

A very wide variety of stakeholders, people, agencies, and organisations that could be directly or indirectly affected (positively or negatively) by the Ahafo South Project or that could influence the Project (positively or negatively) have been identified and a list has been developed and is presented as **Appendix 1**. This continues to grow as additional stakeholders are identified or they identify themselves.

In order to develop effective stakeholder engagement, stakeholders have been identified through local knowledge, particularly on-going engagement with key groups such as traditional leaders, landowners, farmers and knowledgeable community members.

Stakeholders in the local communities will continue to be identified through comprehensive crops/farms, land, built assets and socio-economic survey, which are also gathering concerns and issues surrounding the project development. Additional stakeholders will continue to be added to the register as they are identified or identify themselves. Stakeholders' contact details will be incorporated in the existing NGGL Stakeholder Database.

Currently the following stakeholder groups have been identified:

Local Communities

The local populations that may be affected by a proposed activity is a priority target group and it is especially important to involve such communities in public dialogue to identify concerns, views, needs and preferences, and to assist in the process of finding solutions to identified problems. The planned public involvement activities will focus on such affected local people. The Subika Pit Expansion Project will directly impact these people, some of who will need to be resettled or relocated, while others will also need alternative access to farmland or livelihoods. These communities include:

- Kentinka village
- Moro hamlet
- Farmers from Kenyase I and II

Government Agencies

Departments and Agencies of Ghanaian Government such as Lands Forestry and Mines, and the EPA, influence the Project through a regulatory process of monitoring for compliance, issuing licences and permits. Agencies of Brong Ahafo Region and the Asutifi District provide regulation and services to local residents and are responsible for future planning of the area.

Traditional Authorities

Paramount and Divisional Chieftaincy areas (or Autonomous Chieftaincies) are located within the area of Ahafo South. These are the Paramount Chieftaincies of Kenyase No. 1 and No. 2 and the Ahafo North Divisional Council, which is made up of the Traditional areas and authorities of Ntotroso, Gyedu and Wamahinso. The Subika East Expansion Project area falls completely within the Kenyase No.2 Traditional Area.

Paramount and Divisional chiefs exert control over various sub-chiefs, who represent communities within their respective stools (chiefdoms), and village chiefs, who represent

smaller communities. At the settlement level, sub-chiefs or village chiefs, in consultation with elders, typically resolve disputes. Chiefs also play an important role in allocating land within their stool.

Special Interest Groups

Farmers are the primary special interest group in the Project area. Women as a group constitute a significant vulnerable stakeholder because project such as this have relatively much effects on them but remain largely invisible because of socio-cultural marginalisation. A Women's Consultative Committee (WCC) has been put in place since November 2006, as part of NGGL's Gender Plan. The Committee provides a platform for women to freely express their views about NGGL operations. Two additional representatives from the Subika East Expansion area will be elected to the WCC.

Youth groups will be particularly interested in additional employment opportunities.

Non-Governmental Organisations

Mining projects throughout the world are under increasing scrutiny due to the large scale and potential impacts to mostly rural groups of people. NGGL actively engages with NGOs within the Project area, as well as within the Region and Nationally. The Coalition of NGOs in the District has a representation on the RNC.

Newmont Employees & Contractors

There are a large number of locals employed at Ahafo Mine, some of whom may be from Subika East Expansion Area. In addition, many Newmont employees may have contact with project-affected persons over the life of the Project. Regular monthly briefings, by notice and email, will be given to employees, outlining project progress, and ensuring consistent messages and information disclosure regarding the project, so as to avoid misinformation or any subsequent anxiety caused.

Media

The Media are key stakeholders and are seen as partners for the successful development of the project. As major stakeholders to the project, the company will constantly engage and brief them on Project activities.

5 Public Consultation and Disclosure Plan for Subika East Expansion

The main objective of this PCDP is to allow stakeholders to be familiar with and express opinions about planned expansion, in order that all suggestions and criticisms can be considered during the project's planning and implementation stages.

NGGL believes that public consultation and disclosure is an ongoing process and plans to continue existing consultation efforts through out the life of the Project.

5.1 Initial Consultation and Disclosure Activities

The moratorium was formally declared to the RNC on the 28th of May, 2009. Much of the initial engagement with key stakeholders and community groups has concerned information and education on the moratorium, asset surveys, aerial photographs and more recently consultations concerning resettlement negotiations and resettlement planning.

Aerial Photographs and Poster Exhibits

An aerial photograph of the whole Subika East area was taken on the moratorium day and posted on notice boards to inform all stakeholders that all existing farms and structures on or before the moratorium day had been captured and there was no need for people to put up speculative structures or plant new crops with the aim of getting compensation from the company.



Figure 5.1 Panorama of Kentika and Moro villages in the Subika East area

Table 5.1 Table of posters and notices exhibited

Poster	Where displayed
Aerial photographs	Copies put up on notice boards around the area.
Moratorium notice	Copies put up on NGGL community notice boards in the communities
Boundary line demarcation notice	Along the boundary line
Survey notice	On all structures to be surveyed in the area
Full built asset survey notice	Copies put up on all NGGL community notice boards in the communities

Radio Announcement

Announcements were made twice a day on the local community information centre public address system for five days in Kenyase No. 1 and 2 informing the general public of the declaration of moratorium and survey process. After these initial announcements, there have been a series of local radio announcements informing farmers and the public on the project specifically implication of the moratorium, when and where survey teams are working and the grievance system.

Site Tours

The RNC was taken on a site tour of the Subika East area on the day of the declaration of the moratorium. The objective of this tour was to acquaint the RNC, as the main representative resettlement negotiating body in the Ahafo South Project area, with the area, and discuss any issues with residents and farmers in Kentinka and Moro villages. The company took the opportunity to formally inform the residents of the moratorium.



Figure 5.2 Members of the RNC on a Site tour of the Subika East area

The project also receives visitors that represent various groups and stakeholders. Such visits typically entail a presentation on project update and visits to project sites. Visits to Subika East area include those of the Minister for Lands, Forestry and Mines, Honourable Collins Dauda on 4th June 2009.



Figure 5.3 The NGGL External Affairs Manager Making a Presentation During the Minister of Lands, Forestry and Mine's Visit to Ahafo

On the 11th of June, 2009, Members of the Brong Ahafo Regional Security Council and representatives of Regional Ministries, Departments and Agencies (MMDAs) also undertook a site visit to familiarize themselves with the area.

Information and Briefing to Key Stakeholders

A series of meetings have been held with various stakeholders such as traditional leaders, religious leaders, Youth leaders, Women’s Consultative Committee (WCC), and community members. The purpose of these meetings has been to inform them of the proposed expansion project, explain the land access process, outline the moratorium and surveying procedures, gain their support for the project and understand any queries or concerns.



Meeting with the Chief, Sub-chiefs and elders of Kenyase No.1



Meeting with Chief, sub-chiefs and elders of Kenyase No.2



Community meeting with residents of the area



Meeting with executive members of United Youth in Mine Affected Communities (UYMAC) on 1st June, 2009.



Meeting with WCC on 9th June, 2009.



Meeting with religious leaders from Kenyase No.1 and 2



Meeting with the Youth and structure owners on 9th June, 2009



Meeting at the Chief's house in Kenyase 1

Figure 5.4 Formal Engagements with various Subika Project Stakeholders

The Ahafo South Resettlement Negotiation Committee (RNC)

A Resettlement Negotiation Committee (RNC) has already been established for the Ahafo South Project containing community representatives from the Ahafo South Area. This RNC currently acts as an ongoing Consultative Committee for issues surrounding the first resettlement and particularly handover issues, as well as negotiating on the Amoma Project land access and resettlement issues.

The RNC has discussed the Subika East Expansion project and has agreed to expand their members to include four representatives of the area. Election of representatives for the Subika East area has been conducted and the four elected representatives (two women and two men) have been accepted by the RNC. The RNC will be the chief conduit and representative body for communities affected by the Subika East Expansion Project.

This expanded Ahafo South RNC is negotiating on all aspects of the Subika East Expansion Project.



Figure 5.5 Election of community representatives to RNC

Table 5.2 Public Consultation Activities (Since 28th May, 2009)

Date	Subject	Format	Categories of stakeholder
28/05/09	Discussion on moratorium notice with Community Relations staff (NGGL)	Meeting	Community Relations Staff
28/05/09	Moratorium declaration	RNC Meeting	RNC members
28/05/09	Information regarding moratorium notice and cut-off date, discussion on Control Area concept	RNC Meeting	RNC Members
28/05/09	Field visits and education on moratorium	Site Visit	RNC Members visited Kentika and Moro Villages and discussion with residents and farmers
28/05/09	Aerial photographs of the whole moratorium area taken and posted on notice boards	Notice boards	Farmers and residents in Subika East area
28/05/09	Education on moratorium at Subika East area	Public meetings	Kentika and Moro villages
28/05/09 to date	Notice of moratorium at Subika east area	Notice board	Farmers and residents in Subika East area
1/06/09	Notice on Asset surveys	Notice board	Farmers and

Date	Subject	Format	Categories of stakeholder
			residents in Subika East area Kenyase 1&2,
1/06/09	Briefing on moratorium declaration and surveys at Subika East area	Focus group Meeting	UYMAC
2/06/09	Briefing on moratorium declaration and surveys at Subika East area	Meeting	Chiefs and Elders of Kenyase No. 2
2/06/09	Briefing on moratorium declaration and surveys at Subika East area	Meeting	Chiefs and Elders of Kenyase No.1
3/06/09	Briefing on moratorium declaration and surveys at Subika East area	Focus group meetings	Religious Leaders in Kenyase No.1 &2
9/06/09	Briefing on moratorium declaration and surveys at Subika East area	WCC meeting	Women Consultative Committee(WCC)
9/06/09	Briefing on moratorium declaration and surveys at Subika East area	Public meeting	Youth and structure owners
10/06/09	Election of community representatives to the RNC	Community Durbar	Residents, farmers and landowners of the Subika East area
11/06/09	Briefing on moratorium declaration and surveys at Subika East area	Site Visit	Regional Security Council

5.2 Ongoing and Future Public Consultation Activities

NGGL believes that public consultation is an ongoing process and plans to continue the stakeholder efforts throughout this expansion project to ensure that all stakeholders are properly informed and their respective interests are taken into account in a balanced way, and that a continuous channel for exchange of information is established. As such much of the following ongoing consultation and disclosure that has become a permanent component of the Ahafo South project will continue.

RNC Meetings and Feedback Sessions

As referred to above, the Resettlement Negotiation Committee (RNC) will continue to meet and deliberate on all aspect of resettlement and compensation issues concerning land access for new projects development in the Ahafo South Area.

Table 5.3: Details of RNC Meetings and Issues Discussed to Date

Date	Venue	Subjects Discussed	Attendance	Outcome
28/5/09	Asutifi District Assembly Hall	Reading and review of agreement on Housing, Declaration of moratorium at Subika, RNC visit Subika East moratorium area	56	Declaration of Moratorium at Subika East
5/6/09	Asutifi District Assembly Hall	Signing of Housing agreement, Report on Resettlement eligibility sub-committee, Subika land access program	53	Signing of Amoma Housing agreement
11/6/09	Asutifi District Assembly Hall	Feedback on Community Valuer, Report on Sub-committee on eligibility, Update on election and presentation of new reps from Subika, Update on Subika East Crops & asset survey	56	Introduction of community new members from Subika East
17/6/09	Asutifi District Assembly Hall	Update on Resettlement Entitlement processing, Formation of Sub-committee to induct new members from Subika East Area into the committee; Subika East crops and full built assets survey	52	
25/6/09	Asutifi District Assembly Hall	Update on Subika surveys	54	
8/7/09	Asutifi District Assembly Hall	Update on Resettlement Entitlement processing, Update induction of new members from Subika East Area into the RNC; Subika East crops and full built assets survey	58	
24/7/09	Asutifi District Assembly Hall	Update on Deprivation of Land use Subika East crops and assets survey	54	
31/7/09	Asutifi District Assembly Hall	Presentations by both company and community valuers on deprivation of land use Update on Subika East crops and assets survey	58	
8/8/09	Asutifi District Assembly Hall	Signing of reconciled land valuation by both valuers on deprivation of land use Presentation on Subika resettlement housing	58	Agreement signed on reconciled values
13/8/09	Asutifi District Assembly Hall	Signing of Subika Housing Design Agreement Update on deprivation of land use Update on Subika Resettlement Eligibility and Entitlement	55	Signing of Subika Housing Design Agreement

RNC Community Feedback

The Resettlement Negotiations Committee was established to ensure that all of the impacted communities were represented and participated in the negotiations on resettlement and compensation with NGGL. Part of their responsibility is also to ensure that their constituents are kept informed of RNC deliberations and ensure that they are in agreement with the decisions that their representatives are making at the RNC. NGGL organized a workshop in communications and negotiations for the RNC members to assist them to improve their communications skills.

The RNC members hold regular feedback sessions in their communities to inform them of decisions and also collate their views to aid negotiation and decision making. These sessions are facilitated by Community Liaison Officers (CLOs).

The Land Access & Resettlement Team are also available to assist the RNC members where requested to clarify any technical issues to the communities.

The Survey Taskforce Teams

These teams consist of Community Relations Officers from NGGL, selected RNC members and youth task force chosen directly from the affected communities. The roles of the teams are three-fold. Firstly, they ensure ongoing information disclosure regarding the project, and education of project affected persons regarding building and cropping rights in the mining area, and where they can go for additional information or to address grievances. Secondly, they accompany any technical personnel in the project Area, such as survey contractors, to ensure a smooth interface with communities and consistent messages are conveyed regarding project progress and purpose. Thirdly, they monitor for any unauthorised building or crop speculation in the mining area, and educate persons appropriately about their rights, and the procedures for ensuring building and cropping is compliant. These teams will continue to assist project development when needed.

Informal Stakeholder Consultations

These interactions will occur as presently happens, when NGGL representatives undertake their daily tasks. Informal consultations may take place with Community Liaison Officers, but also other members of the Project team, such as surveyors and technical personnel.

All NGGL employees and contractors will be regularly updated on the project, to ensure consistent messaging and disclosure of information. All technical personnel working directly on the Project will be briefed on community relations, and accompanied in the field by Community Liaison Officers. Any instance of informal consultation where a concern has been raised is recorded and presented to the Community Relations Supervisors for appropriate action.

Progress Reports & Briefings

NGGL have devised a regular Progress Report for key stakeholders at the local, regional and national government levels. These briefings consist of a summary of activities undertaken (consultations, data gathering etc) in the community and planned activities. Briefings have been undertaken via formal meetings and the provision of progress reports to stakeholders at all levels.

The project also receives visitors that represent various groups and stakeholders. Such visits typically entail a presentation on project update. One such visit was received from the Brong Ahafo Regional Minister, Honourable Nyamekye Marfo on 20th March, 2009.

This approach aims to ensure key government stakeholders feel well informed and involved in the project development, and more inclined towards closer cooperation.

As the Project develops, briefings will also be given to international, national and local environmental and human rights organizations and media as required.

Public Meetings

A series of Public meetings have been held, open to all members of the public, Traditional Authorities, Assemblymen and local opinion leaders.

The purpose of initial public meetings has been to:

- Announce the declaration of moratorium
- Explain the land access and control process
- Gain trust and support for the process
- Outline the surveying procedures

Further meetings will:

- Detail project progress
- Confirm any agreements and consensus reached
- Obtain feedback to inform resettlement negotiations

Broad concerns and comments of stakeholders are also gathered in these meetings, but not as a substitute for more focused stakeholder consultation methods.

Focus group sessions have taken place for open discussion of concerns relevant to specific groups, as well as Committees including the RNC and WCC. The following types of focus group have been identified:

- Key Informants/Opinion Leaders
- Traditional Authorities
- Religious leaders
- Women
- Youth (men and women)
- Farmers
- Landowners

Interviews with Key Informants

Key influential people identified in the Subika East Area are interviewed on a regular basis in order to ascertain the support for the Project, and any concerns that may not have been openly raised in other forums. They are also given regular up-date about the Project development.

Demographic, Socio-Economic & Asset Surveys

Comprehensive surveys will be undertaken as part of the resettlement planning process. The survey results will provide detailed individual feedback on stakeholder comments and concerns, outside of the group format.

A **Rapid Built Asset Survey (RAS)** was conducted to record all buildings which were in the Subika East Expansion Project Mining Area on the date that the moratorium was declared.

A **Full Built Assets Survey (FBAS)** was also conducted to collect information such as basic demographic data, detailed building sketches for validation purposes, photographic records, reconfirmation of GPS coordinates and sign-off by relevant owners and witnesses.

The **Socio-Economic Survey** will gather detailed data at the household and individual level. The survey will gather information on current living standards, income, and livelihoods, to identify potential adverse impacts and potentially vulnerable people; refine livelihood supports; and also serve as a baseline to measure effectiveness of resettlement plans and mitigation measures.

Financial Management Training

Opportunities Industrialization Centre International (OICI), a development-oriented NGO which has been which the Ahafo Project since 2004 and responsible for building the capacity of project-affected person to be resilient will continue to build the capacity of affected farmers in managing the resettlement effects. They organize sessions where farmers are given training in money and financial management, negotiation skills, as well as business and entrepreneurship training. The purpose of these training is to enable farmers to adapt and manage their compensation effectively.

Information Centres & Noticeboards

The NGGL Community Information Centres at Kenyase No. 1 and No. 2 will be the central points concerning community interaction on the Subika East Expansion Project, and provides Project Affected Persons ease of access to Community Liaison Officers (CLOs) and Project and Company information, facilitating an open-door approach for information disclosure and consultation.

The NGGL Community Information Centres also provide access point for logging of complaints and concerns with the NGGL Grievance Procedure, and access to relevant project documents. There will also be public records of EPA and EIA correspondence and reports, and posters informing the community on aspects of the resettlement process.

Company notice boards will continue to be used to disseminate information and advertise consultation activities. To this end, two additional notice boards have been mounted at strategic locations in the Subika East Expansion area. Samples of public notices displayed during the declaration of moratorium and full-built assets survey are shown at **Appendix 2**.

As mentioned above, Newmont Employees will also continue to receive regular project information through Company notice boards on site.

Explanatory Posters

Posters on key project topics and issues will be developed, and made available at information centers and meetings, in order to facilitate written and visual information dissemination.

Media Broadcasts

Messages will continue to be broadcasted on local community information centers and other local available media (Public Address System, Gong-gong etc) to inform project affected persons and key stakeholders of planned community meetings and outlining key project dates such as socio-economic surveys and the asset data verification process,, and later to educate and inform on mitigation programs and resettlement plans.

6 Implementation of the PCDP

6.1 Resources & Responsibilities

As Project sponsor NGGL has overall responsibility for stakeholder consultation and involvement. The NGGL External Affairs Department is responsible, with the assistance of the Project Team from rePlan Mining Consultants Ltd, for implementing the PCDP.

The Newmont Corporate Vice-President for External Affairs is responsible for communicating with international stakeholders.

NGGL's Community Relations Department supported by the Communications Department undertake the formal and informal stakeholder engagement exercises, maintenance of the Grievance Log, stakeholder engagement register, contact reports and feedback systems. NGGL will consistently track issues of concern among community constituents including the media, regulatory agencies, government, traditional authorities, youth groups, various social groups and NGO's in relation to the project. Also, NGGL employees will be presented with consistent key messages, speaking points, and Frequently Asked Questions on various issues related to Project.

The Ahafo Communication Department will be responsible for communicating with local and regional media.

The teams will employ a variety of innovative communication techniques and tactics for the Project, including interactive use of traditional channels of communication, and local media. These approaches are focused on ensuring that audiences at varying literacy levels can understand and participate in discourse about project-related activities.

Community Liaison Officers (CLOs) will accompany Project team members into the Project area, introduce them to community leaders and members, and assist them to behave in a culturally appropriate way. CLOs in addition will maintain an ongoing liaison in their respective communities, and ensure that Newmont is aware of and can act upon community concerns. They also assist in arranging meetings locally, in presenting project details to their communities, and in maintaining the Newmont notice boards.

NGGL Responsibilities

- Responding to the concerns and issues expressed during public consultations
- Effective disclosure of information
- Allocating sufficient funds to implement a viable PCDP
- Effective consultation with all stakeholders
- Ensuring that all public consultation and information disclosed is documented
- Incorporating results of consultations in project planning
- Maintaining an effective grievance procedure
- Disclosure of key project documents

rePlan Mining Consultants Ltd, an independent Canadian consulting firm specializing in resettlement planning, is responsible for preparing this PCDP in consultation with NGGL. RePlan will also develop the resettlement planning and compensation

framework, and prepare and negotiate a Resettlement Action Plan (RAP) for Subika East Expansion with NGGL.

rePlan prepared the PCDP and RAP for the Ahafo South, requiring extensive proactive interaction with Project stakeholders, and an intimate knowledge of local socio-economic and cultural issues.

A comprehensive approach to the Subika East Expansion resettlement planning means there is close cooperation between community-level project stakeholders, communications experts and rePlan's planning and technical team members. rePlan has overall responsibility for baseline surveys and consultations, right through to resettlement negotiations.

This ensures that community inputs will be incorporated into all aspects of project planning, from inception to completion.

Opportunities Industrialization Centre International (OICI) is a non-profit, non-governmental organization (NGO) headquartered in the United States. An affiliate, OICI Ghana, currently operates four centres in Ghana at Tamale (Northern Region), Kumasi (Ashanti Region), Takoradi (Western Region) and Accra (Greater Accra Region). OICI manage the Livelihood Enhancement and Community Empowerment Programme (LEEP) which involves Company-targeted assistance in the near-term for impacted households to ensure the establishment of sustainable livelihoods and in the long-term for households, communities, and traditional councils in the Project Area to establish social programs and infrastructure to improve quality of life and promote community empowerment. OICI also provide support to NGGL's Vulnerables Program.

6.2 Reporting & Evaluation

Ongoing public consultation, meeting minutes, and reports will be submitted to the NGGL Subika East Expansion Project Manager. NGGL maintains an active file regarding all public consultation and disclosure documentation collected throughout the Project, which are available for public review upon request.

The outcome of the public consultation and disclosure plan will be evaluated against the following sets of criteria:

- The Discipline Specific Standards of the Newmont Integrated Management System especially:
 - The Community and External Relations Standards
 - The Discipline Specific Standard on External Stakeholder Engagement and Reporting
- The principles in the SIA Best Practice Guideline that are relevant to public consultation
- Indicators in the IFC Guidance Notes on public consultation and disclosure

Evaluation will be qualitative as well as quantitative, using interviews and focus groups as well as questionnaires and desktop reviews, and will take place on a regular basis as well as at project milestones. Regular evaluations will be undertaken by Newmont's Evaluation and Monitoring Unit (NEAMU) as well as evaluations by external independent

evaluators. The results of ongoing evaluation will be made available to stakeholders by various means, and will be used as a basis for revising the PCDP where necessary.

Newmont will employ independent social assessors to conduct monitoring and evaluation. In addition to the public consultation and disclosure programme, monitoring and evaluation will also focus on the LEEP, resettlement activities, implementation of the community development plan and other social investment programmes such as Vulnerable and AILAP.

6.3 Record Keeping

Record keeping will take the following form:

- Developing an electronic and hard copy filing system for all external relations activities
- Recording issues raised at meetings and distributing the report to attendees for verification at regular intervals (an IFC requirement as well as a good-practice principle)
- Attendance registers completed at all meetings and as far as possible taking digital photographs and/or video recordings at meetings as required.
- Keeping a comprehensive record for reporting purposes of:
 - All meetings (dates, venues, attendees, objectives, etc.)
 - All events such as launches, open days etc (dates, venues, attendees, objectives, outcomes)
 - All comments, compliments, grievances and responses to these
- Times and content of media advertisements, radio broadcasts

6.4 Consultation and Disclosure of Project Documents

NGGL will initiate a specific public consultation and disclosure process for project related documents, in accordance with best practice. The following consultation and disclosure activities are in addition to those previously outlined in the PCDP, which include community outreach, participation and engagement activities with traditional authorities, community members, institutions and government agencies. The following specifically details consultation and disclosure activities, which will be conducted during a period of 60 days from initial public notifications.

Documents for Disclosure

The following documents will be disclosed at the initiation of the 60-day consultation and disclosure period. These documents are considered to be primary project documents, which form the basis for project evaluation from both a social and environmental perspective.

Primary Project Related Documents

Document No. 1: Resettlement Action Plan – Subika East Expansion Project, rePlan, 2009

Document No. 2: Public Consultation and Disclosure Plan – Subika East Expansion Project, rePlan, 2009

Additionally, NGGL will disclose secondary project related documents, which are considered of interest to local stakeholders related to both current and future activities of NGGL in Subika East Expansion area. NGGL's intent is to demonstrate transparency, stakeholder engagement, and feedback related to the company's activities.

Secondary Project Related Documents

Document No. 3: Summary Resettlement Action Plan – Subika East Expansion Project, rePlan, 2009 (translation into *Twi*)

Consultation and Disclosure Implementation

The following details the consultation and disclosure implementation plan indicating the various activities which will occur. NGGL will maintain an open door policy at both Accra and Kenyase offices to meet with interested stakeholders and community members to receive and document comments and respond to questions or information inquiries.

Any stakeholder or member of the public who has a question concerning the above-mentioned documents being disclosed should please contact the following personnel for information:

Newmont Mining Corporation

Director of Social Responsibility and Sustainable Development
Colorado, USA Telephone + (1) 303 – 837 – 5215

Newmont Ghana Gold Limited

Director External Affairs – Europe and Africa
Ghana Telephone + (233) 21 – 7011852
Or by visiting Newmont Ghana Gold limited Accra Office at 825 / 26 Lagos Avenue, East Legon, Accra, Ghana

Newmont Ghana Gold Limited

Communication Manager
Ghana Telephone + (233) 21 – 7011852 Extension 50044
Or by visiting Newmont Ghana Gold limited Accra Office at 825 / 26 Lagos Avenue, East Legon, Accra, Ghana

Newmont Ghana Gold Limited

External Affairs Manager
Ahafo Project
Ghana Telephone + (233) 21 – 7011852 Extension 51758
Or by visiting Newmont Ghana Gold Limited office in Kenyase No. 2, Asutifi District of Brong Ahafo District

A website has been developed to provide information on Newmont projects being developed in Ghana: <http://newmontghana.com>

The focus of the website is to provide information on environmental and social impacts and mitigations and allow visitors to review environmental documents, resettlement planning documents, and livelihood enhancement and community development plans.

Comments and / or questions may be forwarded to:

NGGL.AhafoComments@Newmont.com.

6.5 Grievance Mechanism

NGGL has put in-place a Standard Operating Procedure (SOP) that seeks to manage complaints in a planned and systematic manner. This is to facilitate the speedy resolution of disputes and grievances, and also to promote trust and build a positive rapport between NGGL and its external stakeholders.

A Grievance Office and Complaints & Grievances Committee (CGC) forms an integral part of the procedure for resolving all complaints and grievances reported by individuals, groups and other stakeholders who may have been adversely affected by mining activities.

First Order Mechanism: The first order mechanism is a face-to-face discussion with a Complaints & Grievance Officer. Most grievances are heard and resolved in the presence of family members or other witnesses. Agreement is normally reached or 'proved' without the complainant continuing into another forum.

Except in complex cases where additional investigation or involvement of third parties is required NGGL responds to written grievances within thirty days. Responses generally include a settlement proposal.

NGGL staff routinely seeks advice and, where appropriate, intervention of traditional authorities and members of the RNC, to assist in resolving disputes. Grievances of a legal nature are forwarded to NGGL's Legal Department in Accra for redress. Responses/settlements are coordinated through the on-site management team. If unable to resolve the complaint in a face-to face discussion the Complaint and Grievance Officer will refer the case to a Resolving Officer. A Resolving Officer is a staff member from the External Affairs or Human Resources department at Ahafo or from the Legal Department in Accra assigned to respond to a grievance or complaint.

Second Order Mechanism: Where complaints and grievances cannot be resolved by Officers, the complaint is referred to the Complaints & Grievances Committee.

The committee is mandated to:

- Take over complaints that Resolving Officers are not able to resolve.
- Manage new complaints that are above the precedent and authority level of Resolving Officers.
- Play an advisory role to the Complaints & Grievance Officers.

The committee is expected to:

- Determine the way forward in resolving complaints considered to be an issue (if the same complaint keeps reoccurring by at least ten [10] complainants) within a period of 1 Month.
- Manage all new complaints considered to be above the precedent and authority levels of Resolving Officers
- Review the resolution procedures adopted by the Resolving Officer(s) in all appealed Complaints, to see its merits and come out with alternative resolution
- Seek to resolve all outstanding unresolved complaints received over a year

- Examine other alternatives to resolve complaints considered to be resolved (by Resolving Officer(s)) of which the complainant(s) refuse to sign the Terms of Resolution because of dissatisfaction with the resolution
- Ensure that decisions or recommendations taken/made in the resolution process conform to NGGL's Complaints & Grievances Standard Operation Procedures and explain deviations
- Refer all unresolved complaints that are above the precedent and authority level of the Committee to the External Affairs Management for review
- Document Committee's resolution procedures to serve as a guide to future resolutions

The composition of the Complaints & Grievances Committee is as follows:

- Community Relations Superintendents
- Senior Communication Officer
- Community Development Superintendent
- Monitoring & Evaluation Unit Manager
- Administrator
- Grievance Officers
- Monitoring & Evaluation Officers responsible for the Complaints & Grievances Domain

Independent third party organizations/groups such as NGOs, Commission on Human Rights & Administrative Justice (CHRAJ), Traditional Authorities, and the District Assembly shall be involved in the work of the Complaints & Grievances Committee to resolve complaints and grievances where applicable.

The committee meets bi-weekly or less frequently according to demand from the Grievance Officers. The duration for a sitting is a maximum of four (4) hours.

For appealed cases, two-thirds of the Committee members may sit but for new cases any four of the members, in addition to Grievance Officers, may sit.

The Committee shall not spend more than two (2) weeks on any complaint (both appealed and new) that goes before it for resolution. In a situation where an independent third party is involved in the resolution process the case may last for three (3) weeks. All complaints that go before the Committee shall be resolved in a maximum of two sittings.

In instances where the Committee is not able to resolve complaint within the stated sittings, it shall record the reasons for its inability to do so.

Third Order Mechanism

Court Action: Ghanaian citizens and legal entities have access to court recourse in conformance with applicable laws.

APPENDIX 1

LIST OF STAKEHOLDERS

The Subika Expansion Project has a wide variety of Stakeholders, people, agencies or organisations that could be directly or indirectly affected (positively or negatively) by the Project, or that could influence the project (positively or negatively). Not all stakeholders are represented in every consultation activity; consultation activities are tailored to specific needs and interests of respective stakeholders.

Project Proponents

Newmont Mining Corporation
Newmont Ghana Gold Ltd
International Finance Corporation

Government of Ghana

Ministry of Agriculture
Ministry of Environment, Science and Technology
Environmental Protection Agency
Town & Country Planning
Ministry of Lands, Forestry, and Mines
Lands Commission
Land Valuation Board
Stool Lands Administration
Minerals Commission
Inspectorate Division of Minerals Commission (Mines Department)
Ministry of Finance and Economic Planning
National Development Planning Commission
Ministry of Local Government and Rural Development
Ministry of Manpower Development & Social Welfare
Ministry of Health
Ghana Health Service

University of Ghana

Regional Government of Brong-Ahafo

Office of the Minister for Brong-Ahafo
Regional Coordinating Council
Regional Ministry of Environment, Science & Technology
Environmental Protection Agency
Town and Country Planning
Regional Forestry Department
Lands Commission
Land Valuation Board
Stool Lands Administration
Regional Co-ordinating Council
Regional Department of Social Welfare and Community Development
Regional Youth Council
Labour Department
Regional Health Directorate

District Government of Asutifi

Asutifi District Assembly with Decentralized Departments such as below:

Central Administration
Ghana Education Service
District Health Directorate
District Agriculture Department Unit
Forestry Department
Department of Social Welfare and Community Development
Physical Planning Department
Works Department
Commission for Human Right and Administrative Justice
Industry and Trade Department
Department of Co-operative

Traditional Leadership in Area

Kenyase No.1
Kenyase No.2

Social Groups and Associations

Landowners Farmers' Association
Women's Consultative Committee
United Youth of Mine affected Communities (UYMAC)

Settlements

Kenyase 1 & 2
Kentinka village - Subika East Area
Moro village - Subika East Area

Persons Directly or Indirectly Affected by Resettlement or Relocation Efforts

1. People who have custodial rights to the land, or who own other assets that would be affected by the Ahafo South Project including chiefs, traditional and district authorities, house and property owners/users
2. People who don't own lands but are using agricultural lands that would be affected by the project, including settler/tenant farmers
3. People living in resettlement site of Ntotroso (i.e., host community for those being resettled)
4. People who own culturally significant sites.
5. Highly and likely disadvantaged groups, including vulnerable populations of the poor and women
6. People who own businesses that would be impacted by the Project.

Non-Governmental Organizations

Opportunities Industrialization Centres International, Ghana
Guards of the Earth and Vulnerable (GEV)
Livelihood and Environment Ghana (LEG)
Network of Non-Governmental Organizations
Brong Ahafo Network of NGO's

Media

Local Radio Stations (BAR, Nananom FM, Space FM, etc.)

Ghana Printed Press (Daily Graphic, Times, etc.)

APPENDIX 2

SELECTION OF PUBLIC NOTICES ISSUED



ATTENTION

MORATORIUM!

NEWMONT has today, **THURSDAY, 28th MAY, 2009** officially
declared a Moratorium on development at the at **SUBIKA EAST**
AREA

1



Newmont Mining Corporation
Accra, Ghana

Dear Owner/Occupier

28th May 2009

Re: Notice of Moratorium on Building at Subika East

Declaration of Moratorium Area

Newmont has been granted approval for a Mining Area at Subika East by the Minerals Commission giving the company the right to control development in the declared area as per the Minerals and Mining Act (2006). An area of 70 hectares to the east of the Subika Pit area marks the Moratorium Area which is the buffer required to ensure no one will be affected by mining as and when Subika Pit is expanded. No one can live in this area. This area will also be marked clearly on the ground, with a cut line and notice boards.

Your structure is within the Moratorium Area.

Entitlement Cut-Off Date – 28th May 2009

A Moratorium Area is one where no further building is allowed. All existing structure owners will be entitled to compensation provided their building was in existence before the Moratorium Area was declared. This is known as the "Entitlement Cut-Off Date", which in this case is **28th May 2009**.

This means that from 28TH MAY 2009, you cannot build or erect any structures within the moratorium area, including extending your existing structures. If you do erect any structures they will not be eligible for compensation and NGGL will be notifying you to remove the structure.

Minerals & Mining Act 2006

Section 72(4) of the Minerals and Mining Act 703, 2006 states:

"In the case of a mining area, the owner or lawful occupier of the land within the mining area shall not erect a building or a structure without the consent of the holder of the mining lease, or if the consent is unreasonably withheld, without the consent of the Minister".

Recording of Existing Immoveable Structures

A survey team will record your existing structures. A detailed survey will follow which will record your name and undertake detailed measurements of your building.

Aerial photography has recorded all buildings in existence in the Moratorium Area at the Cut-Off Date of 28th May 2009.

The structure surveys will be used to determine a replacement value of the building.

Relocation from the Moratorium Area

It is the intention of NGGL to negotiate with the Community for the relocation of all inhabitants from the Moratorium Area.

For you, this may mean resettlement or cash compensation, depending on the nature of your existing structure and circumstances, as well as compensation for crops and deprivation of use of land.

Further consultation will be held with all members of the community, through public meetings and individual surveys, to ensure involvement of all persons in the process.

Relocation of people from the Moratorium Area will be negotiated with the Ahafo South Resettlement Negotiation Committee

If you have any further concerns at present, you may register these with the NGGL Community Relations team, Survey team, or visit the NGGL InfoCentre at Kenyasi for further information.

SUBIKA EAST MORATORIUM AREA
FULL BUILT ASSET VALUATION SURVEY

The Rapid Assets Survey to identify buildings which were in existence on or before the moratorium date of May 28, 2009 is completed.

Full Built Asset Valuation Surveys will commence on **Tuesday, 9th June, 2009.**

During this survey, the following information will be recorded:

- internal measurements of the structures
- Demographic information of the structure owners
- Photographs of structure owners with their buildings

Structure owners must be personally present and have with them, personal identification such as Voter ID, NHIS ID, Passport or Driver's License

REMEMBER THAT STRUCTURES NOT RECORDED BY THE RAPID ASSETS SURVEY WILL NOT BE SURVEYED.

NGGL Community Liaison Officers (CLOs) will be announcing the schedule for the surveys. Visit the Newmont Community Information Offices for any information and assistance.

1

REFERENCES

1. Newmont Ghana Gold Limited, **Public Consultation & Disclosure Plan, Ahafo South Project**, August 2005
2. Newmont Ghana Gold Limited, **Public Consultation & Disclosure Plan, Ahafo Project Stage 2**, 1st Edition, November 2006
3. Newmont Ghana Gold Limited, **Public Consultation & Disclosure Plan, Amoma Project** 2nd Edition, February, 2009