

PRELIMINARY RESETTLEMENT ACTION PLAN

WATER STORAGE FACILITY PERIPHERAL IMPACT MANAGEMENT PROJECT

AHAFO, GHANA



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Glossary of Terms

Economic Displacement: Loss of income streams or means of livelihood resulting from land acquisition or obstructed access to resources (land, water, or forest) which results from the construction or operation of a project or its associated facilities.

Entitlements: The benefits set out in the Preliminary Resettlement Action Plan, including: financial compensation; the right to participate in livelihood re-establishment programs; housing, house sites and service provision; and, transport and other short-term assistance required to resettle or relocate.

IFC: International Finance Corporation, a division of the World Bank Group, which provides investment and advisory services to private sector projects in developing countries, with the goal of ensuring everyone benefits from economic growth.

Incomplete Structures: Buildings and structures missing any major construction elements such as walls, roofs, rammed earth or concrete floors, doors, and/or window openings.

Mining Area: The area declared by a mining entity and approved by the Minerals Commission of Ghana for mining operations, under the Minerals and Mining Act 2006.

NGGL: Newmont Ghana Gold Limited, a Ghanaian subsidiary of Newmont Mining Corporation, operating the Ahafo Mine in the Brong-Ahafo region of Ghana.

Occupied Structures: These are structures that have signs of regular and sustained human occupancy, for a period prior to the Entitlement Cut-Off Date.

Other Structures: Wells, toilets, kitchens, animal pens, etc, constructed within the Moratorium Area before the Entitlement Cut-Off Date.

Physical Displacement: Loss of shelter and assets resulting from the acquisition of land associated with a project that requires the affected person(s) to move to another location.

Physically-displaced Household: Households who normally live in the Project Area and who will lose access to shelter and assets resulting from the acquisition of land associated with the Project that requires them to move to another location.

Replacement Cost: The rate of compensation for lost assets must be calculated at full replacement cost, that is, the market value of the assets plus transaction costs.

Resident Household: A household (or individual) that is occupying a house in the Moratorium Area, built on or before the Entitlement Cut-off Date, as their primary or sole residence.

Unoccupied Structures: Structures which have no signs of regular and sustained human occupancy.

List of Abbreviations

AILAP:	Agricultural Improvement & Land Access Program
CRRC:	Crop Rate Review Committee
ESIA:	Environmental and Social Impact Assessment

FBAS:	Full Built Asset Survey
IFC:	International Finance Corporation
IMS:	Information Management System
LEEP:	Livelihood Enhancement & Community Empowerment Program
LVB:	Land Valuation Board (of Ghana)
Newmont:	Newmont Mining Corporation
NGGL:	Newmont Ghana Gold Limited
NGO:	Non-Governmental Organization
PAP:	Project-Affected Person
SEP:	Stakeholder Engagement Plan
PCDP:	Public Consultation & Disclosure Plan
RAP:	Resettlement Action Plan
RAS:	Rapid Asset Survey
RNC:	Resettlement Negotiation Committee
SIA:	Social Impact Assessment

Preamble

This Resettlement Action Plan (RAP) for the Ahafo Water Storage Facility Peripheral Impact Management Project has been prepared by Newmont Ghana Gold Limited (NGGL). The document contains a record of the procedures, actions and commitments being taken to resettle, relocate, and compensate the people and households impacted by the project, consistent with the laws of Ghana and in compliance with the International Finance Corporation's applicable policy on Involuntary Resettlement (performance Standard 5).

Proponent's Commitment

NGGL endorses the RAP presented in this document, and commits to its complete, timely and effective implementation. The RAP will be made public, along with NGGL's stated commitment to implement the RAP

1.0 INTRODUCTION

This document represents the Preliminary Resettlement Action Plan (RAP) for the Water Storage facility (WSF) Peripheral Impact management Project at Newmont Ghana Gold Limited's Ahafo Mine, Brong-Ahafo Region, Ghana.

1.1 Purpose of the RAP

The purpose of developing a RAP at this stage of the Project cycle is to outline the framework for execution of the Resettlement as early as possible in project development. This will allow for effective disclosure to key stakeholders, and subsequent feedback and inputs, prior to completion of resettlement negotiations and implementation.

A final Resettlement Action Plan will also be prepared and disclosed when the issues in this Resettlement Action Plan have been fully developed and agreed with community representatives and key government stakeholders, as per the Minerals and Mining Act 703 (2006), Legislative Instrument No. 2175 and IFC best practice

This initial RAP therefore outlines the approach to the Project and the framework for resettlement and compensation, while a final RAP, post-negotiations, will contain the final agreed compensation entitlements and implementation schedules, as agreed with the community and key stakeholders.

The main purpose of this RAP then is to illustrate the approach of the Project to:

- Community consultation, and how stakeholders are involved in decision making, resettlement planning, implementation and monitoring
- Data gathering, and how quantitative and qualitative data is being gathered and analyzed concerning demographic, socio-economic and land use matters
- Development of compensation frameworks and eligibility criteria
- Resettlement, relocation and compensation planning
- Development of livelihood restoration and development programs
- Budgeting and implementation of resettlement plans
- Organizational roles and responsibilities in implementation
- Grievance procedures
- Monitoring and evaluation of resettlement and land access impacts

The following key areas are covered in this Framework RAP:

1. Project Background
2. Institutional and Legal Framework
3. Baseline Data Collection and Analysis
4. Identification of Project Impacts

5. Public Consultation and Disclosure
6. Compensation Framework
7. Resettlement Package
8. Livelihood Restoration and Community Development Programs
9. Vulnerable Persons Program
10. Protection of Cultural Heritage
11. Organizational Framework
12. Grievance Mechanism
13. Monitoring and Evaluation

2.0 PROJECT BACKGROUND

Newmont Ghana Gold Limited's (NGGL's) Ahafo Mine is located in the Brong Ahafo Region of Ghana, West Africa. The Project Area is located approximately 300 km northwest of the capital city, Accra, 107 km northwest of Kumasi, and 55 km south of the regional capital of Sunyani (Figure 2-1).

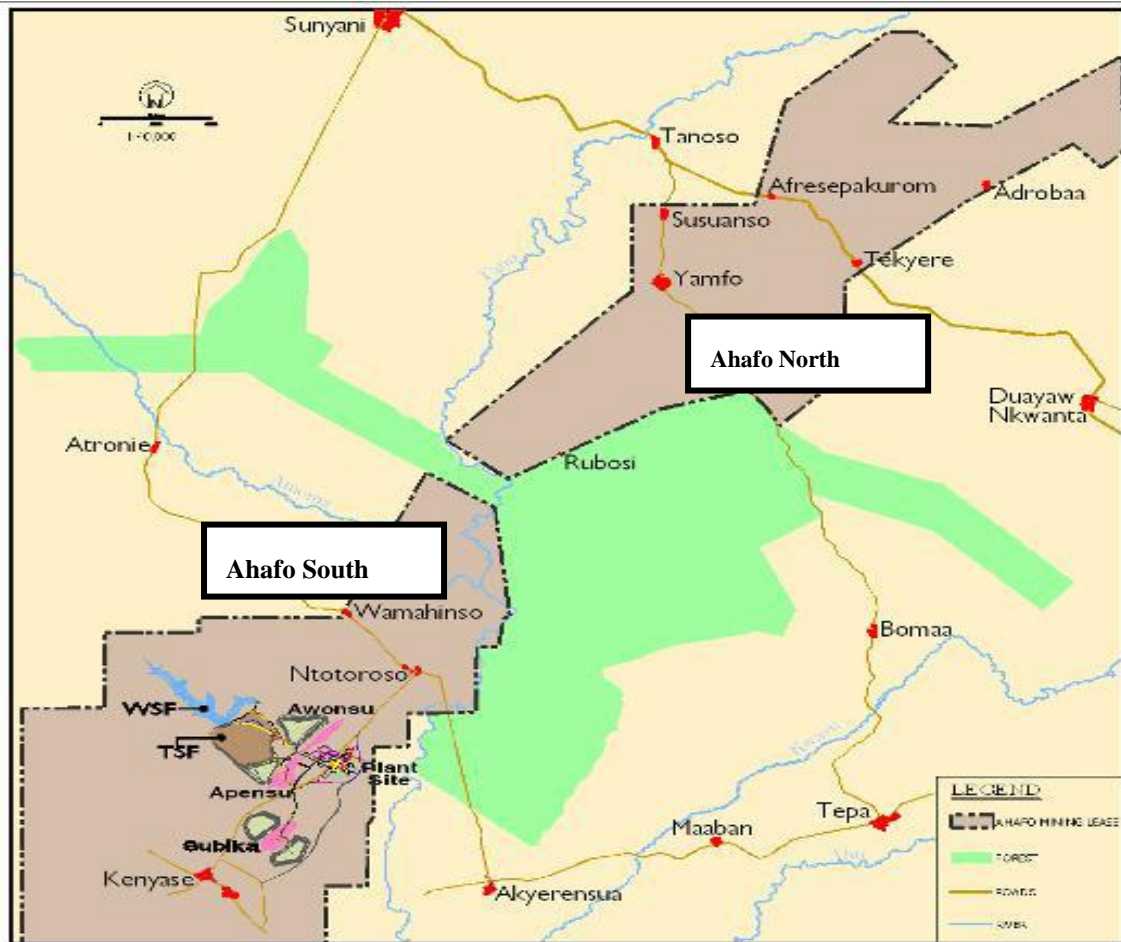


Figure 2-1: Ahafo Mine, showing North and South Areas

To date, the Ahafo Mine has undertaken four main phases of resettlement:

1. The Ahafo South was initiated in 2005 and impacted approximately 1,705 households farming 2,426 hectares of land and 862 completed structures. Newmont constructed 402 houses with improved quality and associated facilities, in two planned and permitted resettlement communities close to the two main towns in the project area; Kenyasi 2 and Ntotroso.
2. The Amoma Project was initiated in June 2008 to develop the fourth and final pit for the Ahafo South Project. The Amoma Project impacted 1,892 households; 1,538 households were compensated for loss of crops/land, 758 households were compensated for unoccupied structures at a replacement valuation rate, and 55 households were resettled at the Ntotroso resettlement community.

3. The Subika Pit Expansion Project was initiated in May 2009 to extend the life of mine of the Ahafo Project. This expansion required an additional 69.9 hectares of land in the Subika East area. 196 farmers were compensated for loss of crops/land, 927 individuals were compensated for unoccupied structures at a replacement valuation rate, and 44 households were resettled in the Kenyasi 1 and Kenyasi 2 resettlement sites.
4. The Subika bypass Road Land Access and TSF Expansion Projects was initiated in February 2011 to also extend the life of mine of the Ahafo Project. The proposed Subika Bypass Road (SBR) was required to redirect traffic outside the mining zone and improve the quality of local transport links is currently undergoing Environmental permitting. An additional Tailings Storage Facility (TSF) space at Apensu North was required to improve the west embankment of the facility to support the increased storage capacity for waste from the project

These expansions required an additional 230.1 hectares and 65.5 hectares of land in the ECD 4 watershed area and the Apensu North area respectively. In all, 719 farmers were compensated for loss of crops/land, 350 individuals were compensated for unoccupied structures at a replacement valuation rate, and 45 households are currently being resettled in the Kenyasi 2 resettlement site.

The Company has been working with these resettlement communities to ensure that resettlement community infrastructure is maintained. The objective is to establish sustainable systems managed by the resettlement communities themselves and the District Assembly.

An independent assessment team representing the International Finance Corporation (IFC) reviews the Ahafo Resettlement Action Plan and its implementation periodically. The first review was undertaken in August 2005 and there have been ten reviews since. The review reports are publicly available on the IFC and Newmont websites.

2.1 The Proposed Water Storage Facility (WSF) Buffer land Access Project

The Ahafo Water Storage Facility (WSF) which is located on the northwest part of the mine area (figure 2.2 below) was constructed between 2004 and 2005 at the Company's mine facility at Ahafo in the Brong Ahafo Region of Ghana. The facility is a component of the larger complex that includes mine pits, processing facilities, a tailing Storage Facility (TSF) and auxiliary facilities. The WSF is used to provide fresh water to the processing facility located about 2.5km southeast of the WSF.

When the land access requirements for the Water Storage Facility (WSF) were determined in 2004, these requirements were based on the impacts assessed to exist at that time. Since the construction of the WSF in 2005, NGGL has been continuously evaluating the impacts on households living around the perimeter of the WSF. Along with the evaluation, the company has implemented various mitigation measures to address the impacts.

Even with the mitigation measures the hamlets living around the perimeter continued to lodge complaints to stakeholders especially the EPA cumulating into various independent

investigations and subsequent regulatory directives/recommendations. The recent recommendations issued by the Ministry of Environment Science and Technology (letter No. MEST/AD/18/V2 dated September 13, 2012 after the 2011 “Fish kill” investigations directed NGGL to resettle all household living within 500m buffer (1,594.96acres) of the WSF.

After evaluation of the potential interaction of people with the WSF, Newmont developed a containment strategy and then a Technical Memo to discuss its position on the resettlement directive and finally concluded with key stakeholders that inhabitants (households) living within the 200m buffer around the perimeter of the existing WSF mine take boundary are most affected people living around the WSF and as such need to be resettled. This analysis and conclusion is to comply with the Ministry Of Environment Science and Technology (MEST) directive given in September 2011 to resettle the most impacted inhabitants living around the WSF.

This project therefore seeks to undertake full Land Access including resettlement of inhabitants living 200m buffer around the WSF (approximately 291.7 hectares of land) and also to provide livelihood support to farmers living outside the 200m buffer but within 500m buffer of the facility (353.4 hectares of land)

The location of WSF and the required perimeter is illustrated in Figure 2.2 below:

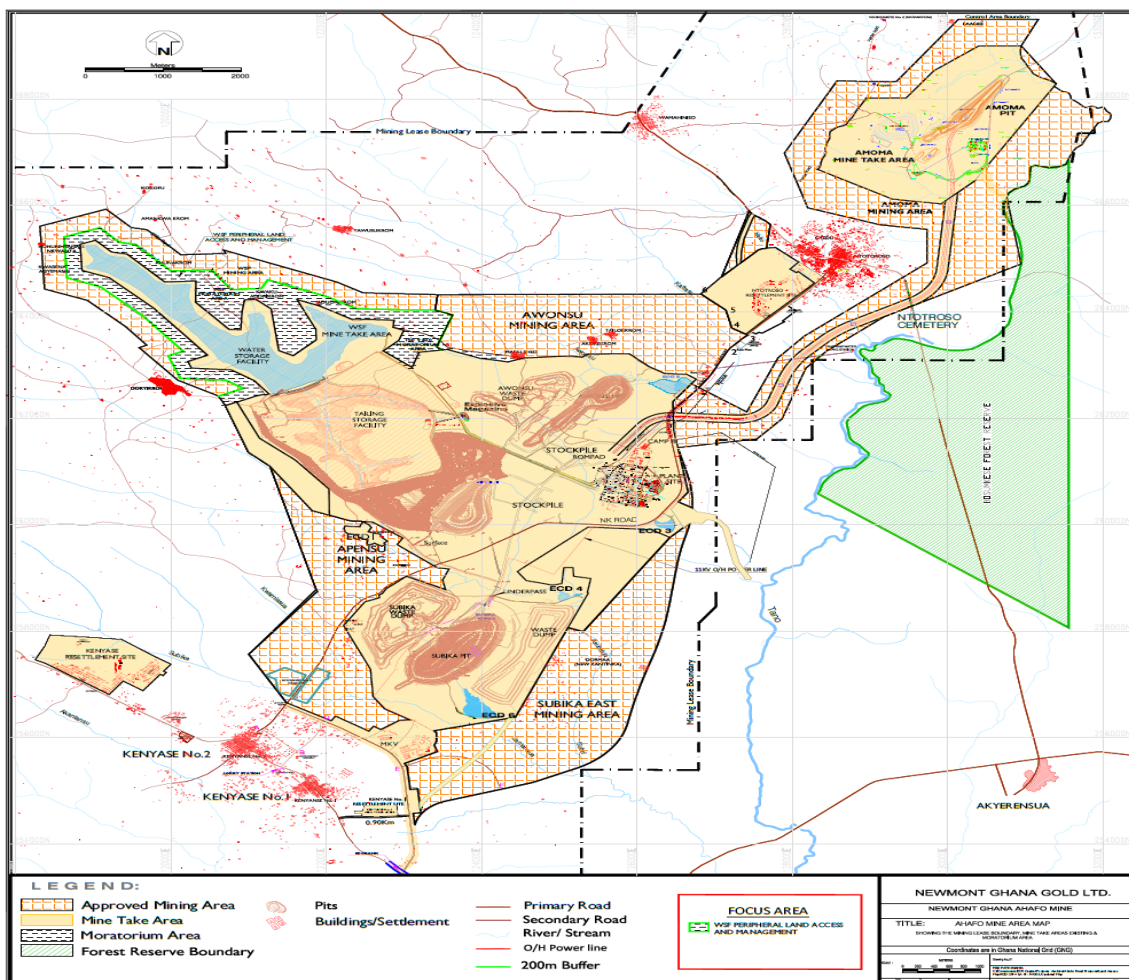


Figure 2-2: Location of WSF and 200m buffer

3.0 INSTITUTIONAL & LEGAL FRAMEWORK

In accordance with Ghanaian and international best practice, this section of the Resettlement Action Plan identifies all laws of the host country that are applicable to land acquisition and involuntary resettlement including relevant local customs and traditions that govern affected communities.

Additionally, where national legislation falls short of meeting the conditions prescribed by IFC Performance Standards, the project sponsor will ensure the project meets the Performance Standards. The sponsor will identify gaps between local law and IFC policy and propose a strategy to address those gaps, without infringing on issues of national sovereignty.

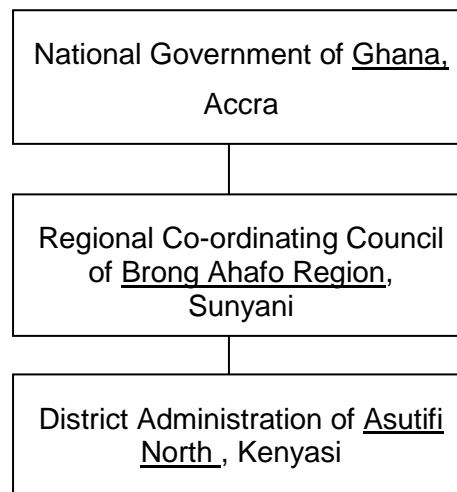
Accordingly, this section of the RAP outlines the following:

- 3.1 Ghana Institutional Framework
- 3.2 Ghana Legislation
- 3.3 Land Tenure & Transactions
- 3.4 International Standards & Guidance
- 3.5 Newmont Social Standards
- 3.6 IFC Guidance Gap Analysis of National Law and IFC Standards

3.1 Ghana Institutional Framework

3.1.1 Government Structures

Ghana has a three-tier system of Government, consisting of National, Regional and District levels. However, there is also direct interaction between central and district levels of government in some decision-making processes, including the direct appointment of District Chief Executives by the President. In relation to those entities with oversight of the Project Area, the various government entities are organized as follows:



The Brong Ahafo Region has 27 administrative districts, with the Project located within the Asutifi North District. The town of Kenyasi is the administrative capital of the District.

In addition, a level of sub-district administration exists, consisting of urban / town / area / zonal councils and unit committees. Urban / town / area / zonal councils are defined by population threshold. Unit Committees are the lowest level of administration. A unit covers a population of 500 to 1,000 people in rural areas and approximately 1,500 in urban areas.

Traditional Authorities

Traditional authorities possess deep institutional relevance, particularly in rural areas where they continue to command considerable respect. 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.

There are Paramount and Divisional Chieftaincy areas (or Autonomous Chieftaincies) located within the Ahafo South Project Area. These are the Paramount Chieftaincies of Kenyasi No. 1 and Kenyasi No. 2 and the Ahafo North Divisional Council, which is made up of the traditional areas and authorities of Ntotroso, Gyedu and Wamahinso. The Project Area falls completely within these three Traditional Areas.

Household Organization

In the Brong Ahafo Region, people typically have as their primary residence a homestead, which serves as the social and residential center of an extended family. The residents normally number some ten or more persons. Each extended family is typically composed of individuals from more than one related nuclear family, or household.

3.2 Ghana Legislation

The legal framework lays the foundation for four key elements of the Resettlement Action Plan:

- Approach to Land Access and Management
- Establishing rates of compensation
- Determining eligibility for compensation and resettlement assistance, including livelihood initiatives
- Establishing mechanisms to resolve grievances among affected persons related to compensation and eligibility.

The legal context of resettlement in Ghana is complex. As in many parts of Africa, dual, customary and titled ownership exist. The State has attempted to curtail customary ownership and regulate land administration by legislation, resulting in an often-conflicting legal landscape.

Private sector land acquisition and resettlement related to mining activities is governed by the following:

- **The 1992 Constitution of Ghana**, which ensures protection of private property and establishes requirements for resettlement in the event of displacement from State acquisition
- **The State Lands Act of 1962**, which mandates compensation rates and sets procedures for public land acquisitions

- **The Minerals and Mining Amendment Act of 2006**, which allocates all mineral rights to the State and requires adequate compensation for loss of assets due to mineral operations.

State agencies oversee various land policies relating to land acquisition, resettlement and compensation. The main agency in this Project is the Land Valuation Division (LVD) of the Lands Commission, which oversees compensation regulations, and is the designated authority for settling disputes over property compensation in private sector projects.

3.2.1 The Constitution of Ghana (1992)

The Constitution of Ghana (1992) specifically requires resettlement (and not just cash compensation) where land is acquired in the public interest.

The Constitution also recognizes the right to private property and its protection by the State.

3.2.2. The State Lands Act (1962, and 2000 Amendment)

Section 6(1) of the State Lands Act of 1962, and the Amendment Act of 2000, provides that any person whose property is affected by a public project is entitled to compensation, and provides a mechanism by which people not satisfied with compensation may seek redress by notifying the Minister, who refers the case to a tribunal made up of three persons appointed by the President.

3.2.3. The Minerals and Mining Act, 2006 (Act 703)

The legal framework for mining in Ghana is the Minerals and Mining Act, 2006 (Act 703). Regardless of who owns the land in which minerals are situated, exercise of any mineral rights requires a license granted by the Minister for Mines, as the agent of the State for the exercise of powers relating to minerals. The powers of the Minister must be exercised with the advice of the Minerals Commission. This Commission has constitutional authority to regulate and manage the utilization of mineral resources and to co-ordinate policies in relation to minerals.

The Minerals and Mining Act requires mineral rights holders to affect as little as possible the interests of any lawful occupier of the land. All mining leases state that the lease holder shall not hinder nor prevent members of the local population from exercising certain customary rights and privileges such as hunting, gathering firewood for domestic purposes, collecting snails, grazing livestock, cultivating farms, and observing rites in respect of graves or other sacred areas. Lawful occupants retain these rights as long as their use does not interfere with mining operations.

In accordance with Section 111 of the Act a "Mining Area" may be designated from time to time by the holder of a mining lease, with the approval of the Minerals Commission.

Occupants within a Mining Area must ask permission from the leaseholder to erect any building or upgrade crops.

Specifically, Section 72 (4) 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".

Section 72 (6) states:

"An owner or 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".

Under Section 74 of the Act, a mineral right holder must compensate for any disturbance to the rights of owners or occupiers and for damage done to the surface of the land, buildings, works or improvements, or to livestock, crops or trees in the area of mineral operations and also compensate for the deprivation of the use or a particular use of the natural surface of the land or part of the land.

In accordance with Section 73, the Act requires that the amount of compensation be determined by agreement between the parties concerned, with the approval of the Land Valuation Board (now the Land Valuation Division). In practice, this agreement involves a broad cross-section of stakeholders, including affected farmers, and local traditional and political leaders. If an agreement cannot be reached, the Minister of Mines arbitrates.

The Legal Instrument (L.I. 2175) for the 2006 MMA came into effect on June 12th, 2012. This sets out the specific provisions for compensating and resettling affected people from mining leases. The LI contains the following sections:

1. Claims for compensation
2. Assessment of compensation
3. Compensation principles
4. Time for payment of compensation
5. Determination by High Court
6. Resettlement
7. Resettlement requirements
8. Matters to be addressed in resettlement plan
9. Plan formulation
10. Approval of resettlement plan
11. Implementation of resettlement plan
12. Resettlement Monitoring Committee
13. Surface rights
14. Exercise of surface rights of a mining lease area
15. Interpretation

These regulations do not apply to Newmont's projects where a mining area was declared prior to June 2012 but apply to all new resettlement projects going forward.

3.2.4. Additional Legislation and Regulations

Other legislation and regulations relevant to the resettlement process include those pertaining to environmental protection and assessment, and architecture and planning, particularly the Town and Country Planning Ordinance of 1945, the Local Government Act of 1993 and the **National Building Regulations 1996 (L.I. 1630)**. These stipulate detailed planning requirements for urban developments, consultations required, as well as mechanisms to ensure registration of land titles and allocation of plots with security of tenure.

The Mining and Environmental Guidelines (1986) 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”.

3.3 Land Tenure and Transactions

Broadly two types of land ownership exist in Ghana. These are:

- State or Public Lands
- Private Lands.

State or Public Lands refer to lands acquired by the State for public use through compulsory acquisition under relevant legislation. These are managed by the Lands Commission.

Private Lands are largely under customary ownership by stools, families/clans and individuals. They usually connote some form of communal ownership.

In between these two broad categories of land ownership are Vested Lands, in which there is a split in ownership between the State (through management of the lands) and the beneficiary, usually stool/skin.

In the project area customary ownership of Private Lands predominates. Within this type of ownership, the main categories of interests and rights identified are:

- **Stool Lands or Allodial Interest:** This is where the overall interest is vested in the chief, as occupant of the stool, for and on behalf of the community. The Chief may allocate land to members of the land owning community (indigene) and stranger/migrants for all land use purposes, including farming and building.
- **Family Land or Right of Usufruct:** This refers to the interest acquired by the indigene of the stool land area by virtue of being a member of the family/clan. It is inheritable and can be passed from generation to generation without consent from the custodian of the stool.
- **Freehold Land or Alienation Holder:** This interest arises where a person has purchased land outright from the stool or family; in which case he possesses the allodial title in land and thus holds the paramount interest in that land. This is usually held by migrant/settler farmers who came to live in the community many years ago. An alienation holder can use or allocate land (subject only to relevant national laws) without the consent of any authority.
- **Customary Law Leasehold or Tenancy/Sharecropping Interests (for agricultural purposes):** These are interests in land in which land owners and farmers agree to share proceeds of a crop in a predetermined ratio. 'Abunu' involves crop sharing into two (2) equal parts, while 'Abusa' is sharing into three (3) equal parts. In both cases, the farmer may continue to crop on the land for the life of the crop, or if fire engulfs the farm and the crops are destroyed; then the land reverts to the land owner. There could be a renegotiation for a fresh start or the farmer could leave without any obligation on both parties. However, where the farmer crops till the end of the life of the crop the land reverts to the land owner. Customary land transactions involving farm sharing does not transfer ownership in the land. When an agreement is made between a landlord and a farmer with respect to sharing a farm, without explicitly indicating an intention to transfer ownership it simple means to own and cultivate the land for the life of the crops (common with cash crops). Unless certain customary rites are performed to signify an actual transfer or gift of the land to another party, the sharing does not intend to transfer ownership rights on the land.
- **Customary Law Leasehold (for non-agricultural purposes):** These are interests acquired for other non-farm activities, e.g. for buildings. These may be acquired from stool, family or freehold lands. It is usually for a pre-determined number of years, and for a specific use.

3.3.1. Land Tenure Issues

The customary practice of land allocation by traditional authorities results in the provision of land to a variety of users through a range of mechanisms. Very often, being communal lands, other members of the wider community have lesser rights such as rights of access, and rights to collect mushrooms, snails and medicinal plants which have grown naturally. Customary land use rights are sometimes enshrined in writing, and sometimes left to the memory of responsible persons.

The Government of Ghana has at various times sought to formalize the process of land tenure, including the definition of land titling processes and the allocation of responsibility to a number of land administration institutions, including the Lands Commission, Land Title Registry, Survey and Mapping Department, Land Valuation Division, Department of Town and Country Planning, and Office of the Administrator of Stool Lands.

The government has now attempted to streamline land administration in the country by amalgamating the various land institutions (Lands Commission, Survey Department, Land Title Registry and Land Valuation Division) into a single umbrella body known as the Lands Commission.

3.4 International Good Practice

International good 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. The IFC has developed the following series of Performance Standards, designed to improve social and environmental outcomes:

Performance Standard 1:	Social and Environmental Assessment and Management System
Performance Standard 2:	Labor 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

3.5 Newmont Social Standards

Newmont has articulated a comprehensive set of Social Responsibility Standards, including SR-S.10 on Land Acquisition, and Involuntary Resettlement. Newmont is a member of global organizations including the International Council on Mining and Metals (ICMM) and the Global Compact whose aims are to promote responsible business practices.

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

The Company's commitment to meet Ghanaian legislation and international good practice contributes to maintaining a Social License to Operate. A Social License to Operate is the acceptance and belief by society and, specifically Newmont's local communities, in the value creation of the Company's activities, such that the Company is allowed to access and extract mineral resources.

The Company is committed to minimizing disruption to the local communities, sustaining existing livelihoods, supporting the Re-establishment or replacement of displaced livelihoods, and ensuring properly administered land transactions defined in consultation with stakeholders.

The Company is committed to minimizing disruption to the community, sustaining existing livelihoods and supporting the replacement of displaced livelihoods, as well as ensuring properly administered land transactions which are defined in consultation with the affected stakeholders. Policies and programs have been put in place to ensure the complete fulfillment of these commitments.

3.6 IFC Guidance

The IFC Guidelines state that "Effective resettlement planning requires regular consultation with a wide range of Project stakeholders. Early consultation helps to manage public expectations concerning impacts of a project and expected benefits. Subsequent consultations provide opportunities for the Project proponent and representatives of affected populations to negotiate compensation packages and eligibility requirements, resettlement assistance, and the timing of resettlement activities".

NGGL, as a subsidiary of Newmont Mining Corporation, endorses the concept that communication with project stakeholders is an essential component of any resettlement process.

NGGL is committed to pro-active and ongoing communication with all agencies, organizations, and individuals with an interest in the development of the Project.

3.6.1 Stakeholder Engagement Plan

A Stakeholder Engagement Plan (SEP) will be developed at the outset of the project, in accordance with IFC guidelines. The SEP outlines and documents Newmont Ghana Gold Limited's (NGGL's) consultation and disclosure practices which will be implemented for the WSF Peripheral Impact management Project.

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

Key Objectives of the SEP are:

- Inform stakeholders regarding NGGL activities
- Consult with and educate stakeholders on all aspects of the Project

- Collect community inputs which can be incorporated into the Project's design and development
- Generate and document broad community support for the Project
- Improve communications among interested parties
- Document the development of formal public consultation
- Describe formal complaint submittal and resolution mechanisms
- Disclosure of project documents

Key aspects of the consultation and disclosure process include:

- Regular release of Project-related information, including NGGL policies, Project details, periodic progress reports, answers to frequently asked questions, and the rights and responsibilities of affected people, are presented as required in a manner consistent with local cultural norms of the area and of Ghana
- Articulation and delivery of clear, consistent messages from key staff to the public and stakeholders, ensuring that community workers and staff are aware of NGGL's position regarding the project and are capable of responding to questions/comments appropriately
- Verbal communications which are undertaken in both Twi and English as are all key written communications such as selected posters and the final Resettlement Negotiation Committee (RNC) agreements which are translated into both Twi and English
- Regular meetings and forums will be conducted and documented by NGGL community workers to present Project-related information, answer questions, and address concerns
- Development of the Ahafo South Resettlement Negotiations Committee (RNC), to include additional members acceptable to all parties, to discuss and make decisions regarding specific Project impacts and community concerns
- An open-door policy for interaction with Community Relations Officers, such that stakeholders feel comfortable approaching them directly to ask questions, discuss matters, and raise concerns
- Management of a responsive grievance and complaints procedure for recording and responding to comments and concerns in a constructive and timely manner

The SEP will be updated and reviewed regularly at key points during Project development.

3.6.2 Community Representation

The Ahafo South Area Resettlement Negotiations Committee and NGGL introduced the concept of elected representation during 2005. This means that stakeholder groups should elect individuals as their representatives to assure stakeholders of a consultative and

collaborative approach to conflict resolution free from coercion and based on informed consent.

Representatives of various stakeholder committees are elected during community gatherings and group meetings, and subject to community verification. NGGL and a group of community leaders observed these meetings to ensure that the election of representatives was conducted in a fair, transparent, and informed manner, and that the election process had widespread public support. After the selection and presentation of representatives, NGGL requested that the stakeholder groups confirm that their representatives are genuine advocates of the views of their members. NGGL issued and received signed forms (Authorization for Representation Forms), which members of each group signed and submitted to NGGL.

3.6.3 The Resettlement Negotiation Committee (RNC)

A Resettlement Negotiation Committee (RNC) was established for the initial Ahafo South Area development and consisted of community representatives from the Ahafo South Area. The existing RNC currently acts as an ongoing consultative committee for issues surrounding resettlement projects, particularly for handover issues and ongoing resettlement and land access activities.

In introducing the WSF Project to the existing RNC, the issue of adequate representation for Project Area residents have been discussed and agreed that six representatives from the impacted area are elected to join the RNC.

4.0 BASELINE DATA COLLECTION & ANALYSIS

4.1 The Ghanaian Laws and IFC Guidance

The Minerals and Mining Act (2006) Act 703 through the legislative Instrument LI 2175 (Compensation and Resettlement) 2012 and the IFC Guidelines on preparing a Resettlement Action Plan outline the following important aspects of data collection which are required to inform a successful RAP.

4.1.1 Asset Survey

NGGL consultants will undertake asset surveys in the project area following the moratorium declaration.

The Asset Survey will be conducted by qualified surveyors to measure all houses and annexes in the area and collect information on house materials and quality to determine resettlement eligibility and cash compensation (where applicable).

The surveyors will collect the following information:

- Collection of basic demographic data (Number of persons per household)
- Structure survey (internal & external measurements, recording of all materials for valuation)
- Reconfirmation of GPS coordinates
- Detailed structure sketches
- Photographic records
- Sign-off by relevant owners and witnesses

Each Survey Team will include a Newmont Community Relations Officer, to communicate the implications of the survey and compensation processes, and a Community Task Force member, employed by NGGL and drawn from the local communities, to guide the team at the site.

The survey process will be overseen by representatives of the Resettlement Negotiation Committee (RNC), and by representatives of the Land Valuation Division of the Lands Commission to verify that the survey is undertaken in accordance with government regulations.

4.1.2 Crop Survey

NGGL consultants will undertake a detailed survey of all crops in the project area following the declaration of the moratorium in order to determine the compensation due to impacted farmers. Crops planted subsequent to this survey will be considered post moratorium and not eligible for compensation.

The following information will be gathered by the independent crop survey consultants:

- Basic Owner/Occupier information
- Farm boundaries
- Basic crop information

- Ownership interests in the land
- Dated photographs of farmer and GPS coordinates and photos of the farm
- Sign-off by relevant farmers/owners and witnesses
- Each Crop Survey Team will include a Community Liaison Officer and Community Task Force member.

The survey process will be overseen by the following key people:

- A senior community representative, usually the Chief Farmer to witness that the survey was carried out in a fair and transparent manner
- A representative of the Land Valuation Division (LVD) of the Lands Commission to verify that the survey is undertaken according to government regulations.

4.1.3 Crop Assessment

An NGGL crop assessor will visit the farm once the survey information is checked and processed, to verify the survey data and the crops eligible for compensation and issue a compensation chit to the owner, which is overseen by the Chief Farmer and a representative from LVD.

Rates of crop compensation for the Ahafo Project are agreed annually by the Crop Rate Negotiation Committee (CRNC), which is made up of elected representatives of all mine affected communities, relevant regional and district government representatives, Ministry of Food & Agriculture directors, local NGOs, and NGGL.

Farmers are notified by NGGL when compensation will be paid and payment is issued by a check. The payment is accompanied by the opportunity to attend a money management training program which is made available to all compensation recipients. Recipients are strongly encouraged to take advantage of this opportunity to gain important money management skills as a way to help them maximize long term benefits from the compensation payments.

4.1.4 Land Survey

NGGL consultants will also undertake a land survey of the project area to gather information on the non-cropped areas in the Moratorium Area in order to determine compensation for land based on the concept of deprivation of use of land as provided for in section 74(1a) of the Minerals and Mining Act (2006) Act 703.

The following information will be gathered by the Land Survey team:

- Basic owner/occupier information (if applicable)
- Farm boundaries (if applicable)
- Ownership interest in the land (if applicable)
- Basic description of the area (grassland, secondary forest, marshland, etc)
- Photographs of owners and details of the general land type and GPS coordinates

- Sign-off by relevant owners and witnesses

The Land Survey will be implemented by the same teams who carried out the Crop Survey. As nearly all land in the Project Area cropped, the Land Survey was very limited. The process will be as in the Crop Survey, witnessed by a senior community representative and an LVD representative.

4.1.5 Socio-Economic Survey

A socio-economic survey will be undertaken within the project area. The field data collection will commence immediately after the declaration of moratorium and will be conducted in the project area with the town of Bechem, as a control community that is located outside the footprint of the Ahafo Mine but with comparable and similar socio-cultural and agricultural characteristics as the area affected by the proposed project. Secondary data records from NGGL and the district assembly will also be used.

The survey will gather information on current living standards, incomes, and livelihoods in order to identify potential adverse impacts and potentially vulnerable people and households; refine livelihood supports; and as a baseline to measure effectiveness of resettlement plans and mitigation measures.

4.2 Analysis of Baseline Data

The analysis of the data collected will serve three main purposes:

1. It will provide information needed to establish the entitlement matrix for household and community level compensation, and planning and design of resettlement sites,
2. It will yield basic social and economic information needed to develop appropriate livelihood development packages, and
3. It will provide quantifiable baseline data for future monitoring and evaluation of Resettlement Action Plan implementation.

3.2.2 Analysis of Secondary Data Sources

Several sources of secondary data relevant to the project will be available, as outlined above. However, the most up-to-date source is the Asutifi District Medium Term Development Plan 2010-2013. This will be used to provide an overview of the District and salient socio-economic characteristics.

5.0 IDENTIFICATION OF PROJECT IMPACTS

The Minerals and Mining Act through the legislative Instrument and the IFC Guidance note that “*resettlement planning involves more than simple cadastral surveys or inventories of affected assets*”. A key initial task in planning resettlement is to “*identify a project’s adverse impacts and the populations that will be affected*”.

5.1 Identifying Project Impacts

This Preliminary Resettlement Action Plan attempts to identify all people to be affected by the project and all adverse impacts on their livelihoods associated with the project’s land acquisition.

These projected effects include:

- Loss of dwellings
- Loss of farm buildings, and other structures (wells, boreholes, fish ponds)
- Loss of agricultural land, trees, and standing crops
- Impeded or lost access to community resources including forest and woodland
- Reduced income resulting from these losses

For the purposes of designing the resettlement program, a distinction is drawn between Resident Households, Non-resident Households, and Economically-affected Households in the Project Area, defined as follows:

Physically Displaced Households are those occupying a house in the Moratorium Area, built on or before the Entitlement Cut-off Date, as their primary or sole residence. These households will have to move from the Project Area (physical displacement), and will almost always have their livelihoods impacted by the Project (economic displacement).

Economically Displaced Households are those whose livelihoods are impacted by the Project. This can include both resident households, and people living outside the Project Area but having land, crops, non-resident structures, businesses or various usage rights there.

During Project development, consideration will be given to minimizing the scope of physical and economic displacement associated with the Project.

6.0 COMPENSATION FRAMEWORK

The Resettlement Action Plan Compensation Framework, according to the Ghanaian laws and IFC guidance, should specify “all forms of asset ownership or use rights among the population affected by the project and the project’s strategy for compensating them for the partial or complete loss of those assets.”

This final Compensation Framework for the Project will result from negotiations with the Resettlement Negotiation Committee and the Crop Rates Negotiation Committee

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This section addresses the following main topics:

- Objectives with respect to the Project and resettlement measures
- Compensation and Assistance Eligibility – i.e. the types of impacts that will be eligible for compensation and assistance under the Resettlement Action Plan
- Compensation and Assistance Entitlements – i.e. the form of compensation and assistance available for eligible impacts

6.1 Objectives of the Compensation

The project objectives specifically related to the resettlement include:

- Conduct discussions and negotiations in an open and transparent manner consistent with Ghanaian law and international good practice
- Define compensation policies and procedures in a comprehensive manner, combining social, economic and environmental considerations
- Promote sustainable livelihoods and enterprise in local communities, which will remain after mine closure
- Develop a tripartite working relationship between the Asutifi District Assembly, local communities and the Company
- Define compensation procedures through discussion and negotiation with representatives of impacted peoples, households and communities
- Provide project-affected people and households with a choice between acceptable, fair and equitable alternatives for compensation
- Provide fair and timely compensation
- Re-establish and improve the livelihoods and welfare of project-affected peoples, households, and communities such that they are equal to, or better off than before the Project impact
- Reward self-reliance, encourage self-help and respect, and build upon the socio-economic strategies of the District.

The Resettlement Action Plan Compensation Framework will specify all forms of asset ownership or user rights among the population affected by the project and the project's strategy for compensating them for the partial or complete loss of those assets.

The strategy will be finalized in consultation with representatives of the affected communities in the Resettlement Negotiations Committee.

6.2 Eligibility

This section outlines the proposed Eligibility Framework for the Project, which will form the basis for negotiations with the Resettlement Negotiation Committee.

The impacts identified as eligible for compensation are:

- Loss of Land
- Loss of Crops
- Loss of Livelihoods
- Loss of Structures

6.2.1. Eligibility for Compensation and Assistance

Project-affected households are eligible for compensation and other assistance if they have a "legitimate interest" in respect of "immoveable assets" in the Project Area that are in place (i.e. established, in the case of crops or constructed, in the case of buildings) at the time of the Entitlement Cut-Off Date, which would be declared prior to undertaking the asset, crop, land and socio-economic surveys.

Note that "Legitimate Interest" is not synonymous with ownership. Even those project-affected persons/households/communities with no recognizable legal right or claim to the assets they are occupying or using are considered eligible for resettlement assistance.

Immoveable assets comprise:

- Land and Crops

Immoveable Structures – Structures used for living, sleeping, cooking and storage, and other structures such as latrines and wells; institutional structures such as churches, mosques, schools; business structures such as restaurants, kiosks etc, other structures including fish ponds etc

- Roads – all government recognized roads

Immoveable Assets that are planted (in the case of crops) or constructed (in the case of buildings) *after the Entitlement Cut-Off Date* will not be eligible to be included in compensation calculations.

6.2.2. Determination of Eligible Assets

The Company will inventory all immoveable assets located in the Project Area as of the Entitlement Cut-Off Date through the use of independent consultants who will undertake the following surveys (as outlined in Section 5):

- Asset Survey

- Crop Survey
- Land Survey
- Socio-Economic Survey

The inventory of immovable assets will form the basis for compensation of project-affected people/households. In conjunction with compensation rates, which will be negotiated with the Project Affected People at the Resettlement Negotiation Committee (RNC), the inventory will be used to determine the compensation entitlement for each project-affected person/household.

6.2.3. Entitlements

In tandem with the development of the inventory of immovable assets and compensation rates, the Company has developed a broad range of mitigation measures in the form of appropriate and fair compensation and assistance for eligible impacts.

This information will be included in a comprehensive “Entitlement Matrix” which will identify the following:

- All categories of affected people
- All types of loss associated with each category
- All types of compensation and assistance to which each category is entitled
- All of the proposed provisions will be discussed and finalized with the Resettlement Negotiation Committee.

7.0 RESETTLEMENT PACKAGE

7.1 The Ghanaian Laws and IFC Guidance

The Minerals and Mining Act through the legislative Instrument and the IFC recommend that project sponsors undertake the following actions on behalf of Project-Affected People:

“Inform affected people of their options and rights concerning resettlement; provide technically and economically feasible options for resettlement based on consultation with affected people; provide assistance with relocation expenses, transitional financial support; and provide affected people with development assistance”.

7.2 Resettlement Policy

NGGL’s resettlement policy indicates that, in the case of residential structures which are deemed to be primary or principal residences, compensation must include the provision of a replacement residential structure, where possible, in a resettlement community located within the jurisdictional area of their traditional authority. Owners of Eligible Structures who will be physically displaced may be eligible for resettlement in certain circumstances.

Eligible owners and their spouses will be entitled to choose a replacement residential structure (“resettlement house”) and plot within the resettlement community, from the agreed designs, as compensation for the loss of residential structures that were in place as of the Entitlement Cut-off Date.

7.2.1 Resettlement Community and Infrastructure

Owners of Eligible Structures who are physically displaced will be eligible for resettlement in certain circumstances.

Eligible owners and their spouses will be entitled to choose a replacement residential structure (“resettlement house”) and plot within the resettlement community as compensation for the loss of residential structures that were in place as of the Entitlement Cut-off Date (Moratorium Date).

As part of the resettlement planning for the Ahafo South Area, three resettlement communities were constructed at Ntotroso, Kenyasi No. 1, and Kenyasi No. 2 (OLA). Households affected by the project development were resettled in one of the three sites/communities depending on which stool they hold allegiance to.

These three Resettlement Community were planned and designed so that further plots could be added, thereby completing the community when further resettlement was required as part of the expansion of the Ahafo Mine. The Resettlement Negotiation Committee, the Asutifi North District Planning Authorities, the Brong-Ahafo Regional Town and Country Planning Department, and other government regulating agencies have approved the final subdivision plans for the resettlement community.

NGGL, in close consultation with Regional and District Town and Country planners and the then Site Selection Committee (a Sub-Committee of the RNC), designed resettlement community infrastructure to conform to Government of Ghana standards. The infrastructure plan has been approved by the responsible government regulating agencies.

The Project will offer a range of house designs for selection by resettling households.

Criteria that have guided house design include:

- Legislative requirements – all design must adhere to the relevant planning legislation and building standards
- Familiarity and simplicity – materials, technology and design are familiar to local contractors and residents, meet socio-cultural requirements and are easy to maintain
- Availability – building materials and appropriate construction competence are available locally
- High performance – materials are carefully selected in terms of sustainability and performance, together with good design, providing for a good quality of life
- Flexibility – designs provide for residents to change uses over time (e.g. change in function of rooms)
- Potential for expansion – designs and plot layout provide the potential to add new rooms, as residents' needs and economic situation change.
- Affordability – construction costs are affordable for the Project, and maintenance costs are affordable for residents

7.2.2 Size of Resettlement Houses

Final house designs and the detailed eligibility criteria for each house size will be discussed and agreed with the Resettlement Negotiation Committee. In the previous project NGGL agreed with the Ahafo RNC that houses will be replaced in the resettlement site equivalent to the size of the original house with the addition of a kitchen. This also ensures that there is no room loss from the original house.

Resettling households selected their own resettlement house from a series of standard designs, dependent on the size of their existing residence. All houses will be built with the same materials and finishes, with the exception of exterior and interior paint colors, which can be custom selected by each household.

Figure 7-1-3 below illustrates a view of the existing resettlement communities in Ahafo. The locations of the three resettlement sites in relation to the existing mine area, are shown in **figure 7.4**



Figure 7-1: View of Kenyasi No.2 Resettlement Community



Figure 7- 2: Ntotroso Resettlement Community



Figure 7-3 Kenyasi No. 1 Resettlement Community

The three Resettlement Communities were planned and designed so further plots could be added, thereby completing the community when further resettlement will be required as part of the expansion of the Ahafo Mine. The PAPs from the WSF land access project will be resettled in any of the sites depending on their tribal allegiance so that they remain on their **traditional lands** as shown in Figure 7.4 below.

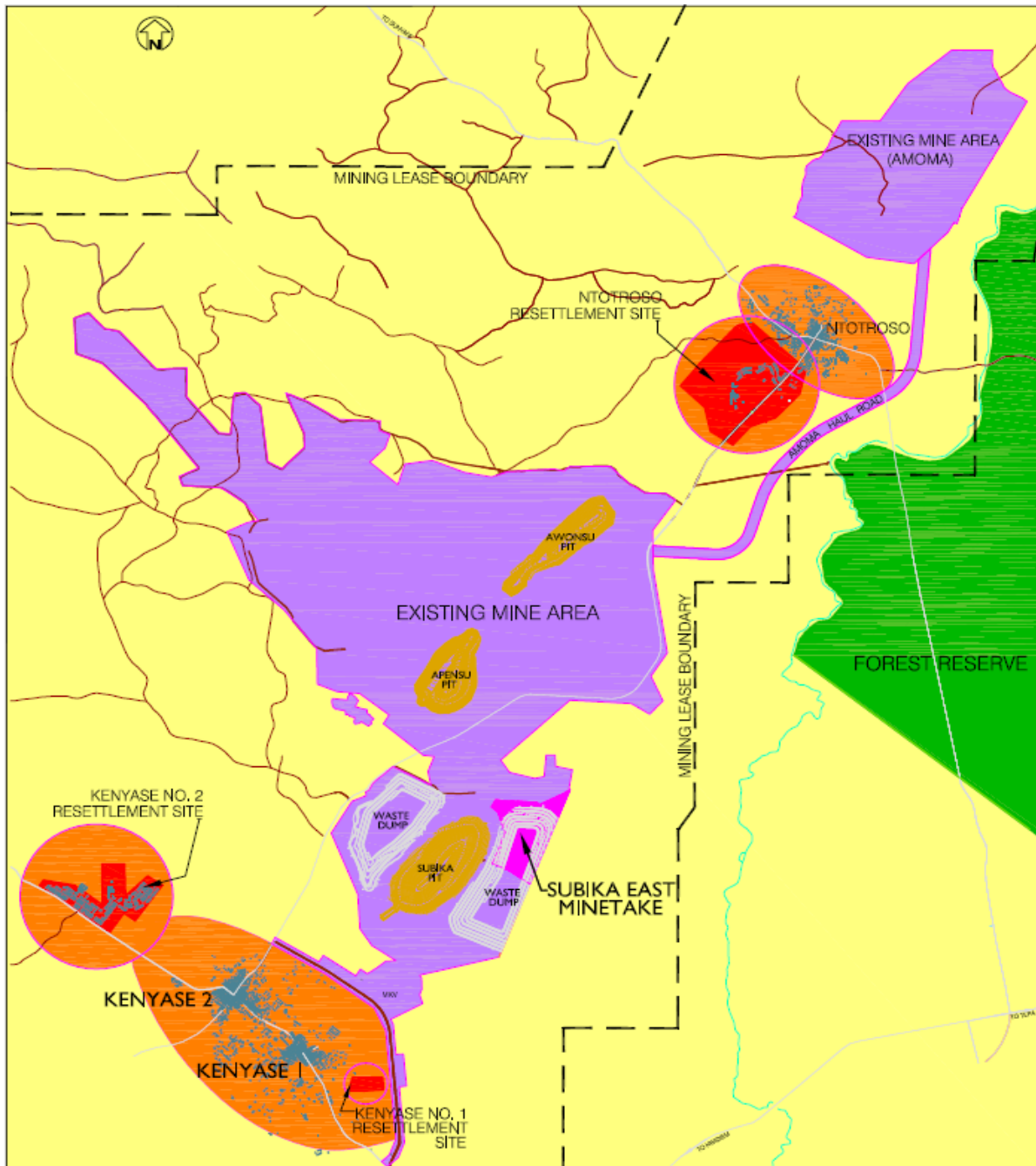


Figure 7-4: Resettlement Community Sites - Location Plan

As required by Ghanaian Planning Standards, the subdivision plan for each resettlement community includes adequate physical space for non-residential land uses, including community, institutional, commercial and industrial uses.

The infrastructure plans for the Resettlement sites have been approved by the responsible government regulating agencies.

The level of service adopted was based on:

- Existing level of service in the host communities (i.e. Ntotroso, Kenyasi 1 & 2)
- Standards and guidelines of various Ghanaian government agencies
- IFC and other applicable international standards / guidelines

The level of service exceeds that available to rural homesteads and communities in the Mine Area.

Resettling households will select their own resettlement house from a series of standard designs, shown in **Figure 7:5-7**, dependent on the size of their existing residence. All houses are built with the same materials and finishes, with the exception of exterior and interior paint colors, which can be custom selected by each household.



Figure 7-5: Typical Resettlement House type A

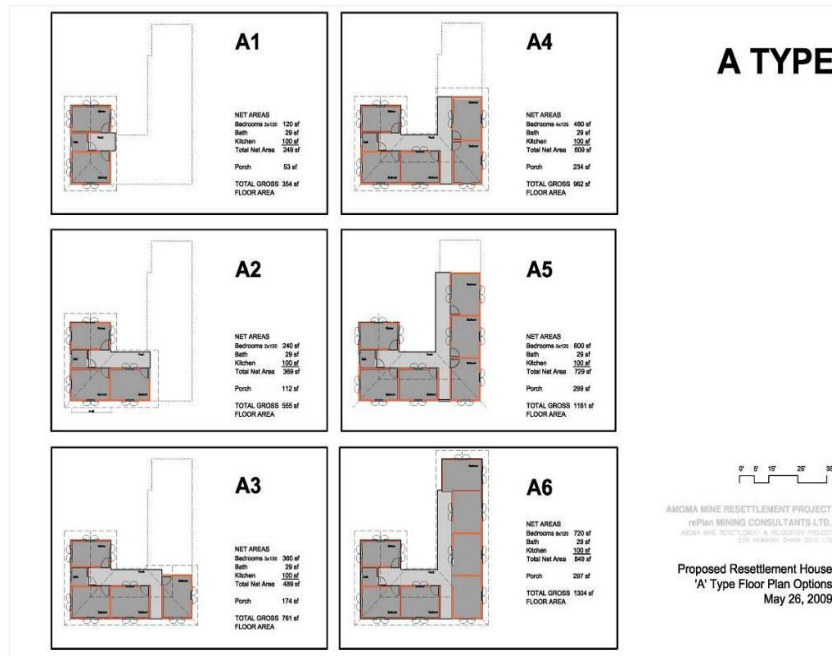


Figure 7-6: Typical Resettlement House type B

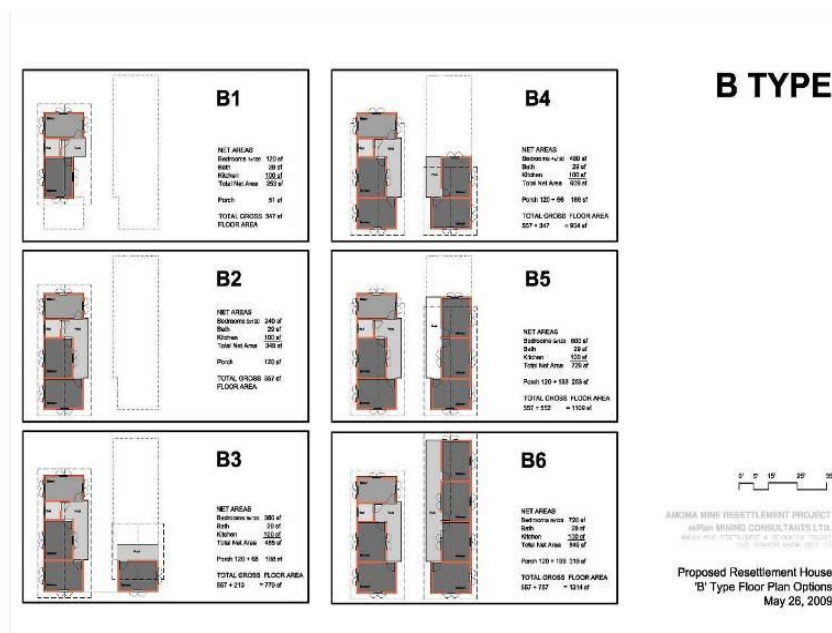




Figure 7-7: Resettlement House Designs type C

The resettlement house and KVIP specifications are outlined in **Table 7.1**

Table 7. 1: Resettlement House and KVIP Latrine Specifications

Structure	Building Material
Walls	5" solid sandcrete substructure and superstructure block walls
Footings	17" x 19" plain in-situ concrete (1:2:4) poured against faces of excavation
Floor	4" plain in-situ concrete (1:2:4) laid on compacted hardcore with monolithic trowel finish
Roof	0.35 mm gauge Industrial Deep Trough (IDT) aluzinc roofing sheets
Ceiling	¼" redcore plywood painted ceiling in the bedrooms and kitchens only
Windows	Fixed louvered wooden windows provided with framed, hinged mosquito netting
Doors	Wooden panel doors with mortise lock
Baths	Same wall finishing as the rest of the building Non-slip monolithic trowel finish to in-situ concrete All baths are to have a 48" x 48" deep lined soakaway at the back
KVIP Latrine	Double-pit on-plot KVIP latrine with 5" solid sandcrete substructure and superstructure block walls Superstructure wall plastered and painted on both sides Metal roof covering

Resettlement houses do not include any plumbing or electrical fixtures, given that there are none in existing buildings. However, infrastructure is provided to the resettlement community such that resettling households can easily connect to water and electricity in the future. This will be a subject of negotiations with the RNC for this project

7.2.3 Resettlement Plots

Residential plots within the Resettlement Communities will be allocated to resettling households by lottery. Families, neighbors and social networks can request to be kept together. The use of a lottery to achieve fairness has previously been endorsed by the Resettlement Negotiation Committee as part of the Ahafo South negotiations. Plot titles are awarded through the Lands Commission based on a 99 year lease.

Design objectives that guided resettlement plot design are:

- Plots should conform to planning standards
- Plots should be large enough to provide for a kitchen garden
- Plots should provide space for future expansion of the house
- Plots should conform to the typical size of rural homestead compounds

The Company defined two plot sizes as follows:

- 18 meters x 30 meters (540 square meters)
- 27 meters x 30 meters (810 **square meters**)

Resettlement houses with up to three bedrooms are assigned a 540 square meter plot, which also allows space for extension of the building to accommodate up to six bedrooms. Resettlement houses with four to six bedrooms are assigned the larger plot size (810 square meters), allowing extensions of up to nine bedrooms.

Each plot will accommodate a latrine (KVIP), garden, as well as the space for future building expansion, and will be landscaped with fruit and shade trees. An example of a plot layout is shown in **Figure 7.8**.

Building setbacks are five meters from the front plotline and three meters from side plotlines.

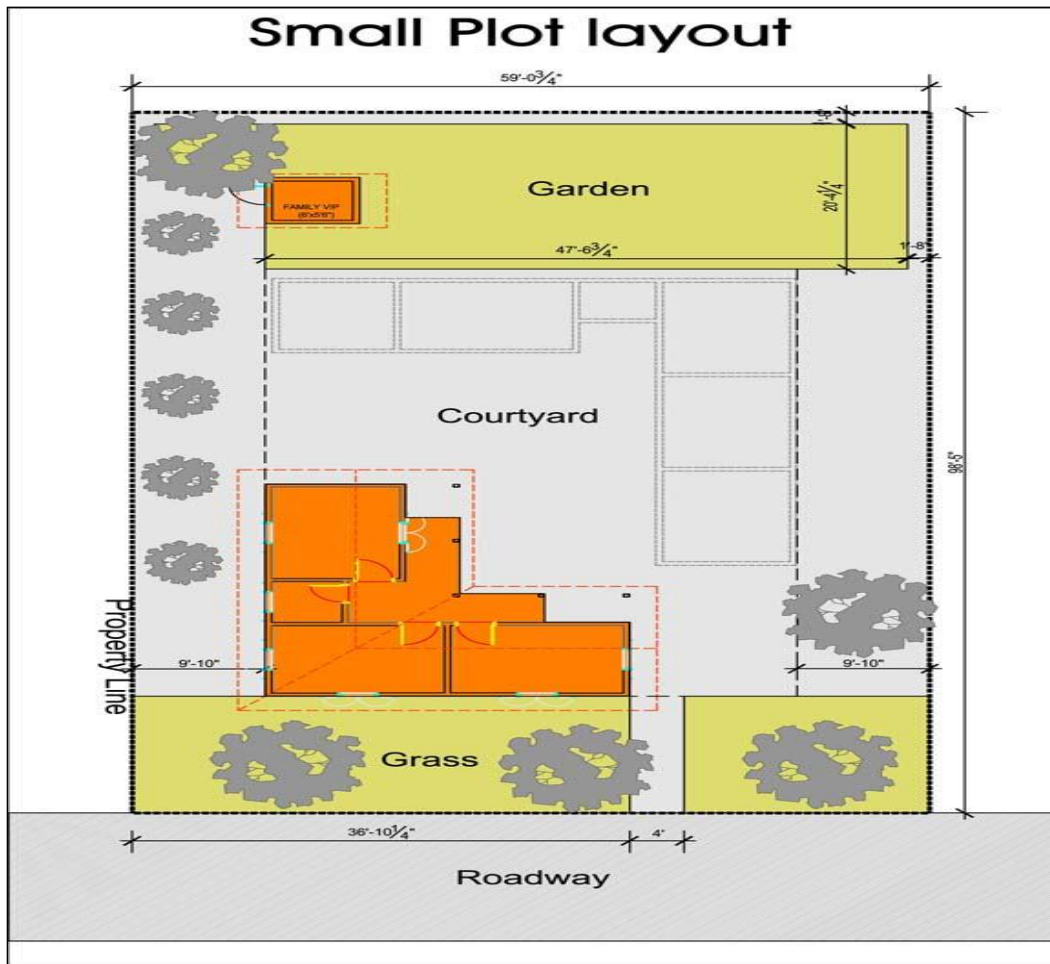


Figure 7-8: Typical Resettlement Plot Layout

7.2.4 Relocation & Compensation Packages

Owners of structures that are physically displaced may be, subject to certain conditions, eligible for either relocation or cash compensation.

All assets within the Project Area will be surveyed and valued by an independent valuer, on the basis of full replacement rates, at market value, inclusive of labor costs, and exclusive of depreciation. The eligibility criteria for entitlement to relocation or cash compensation, and the methodology for valuation, have been the subject of discussion and agreement with the Resettlement Negotiation Committee.

Allowances made to relocating owners include a transportation allowance, and a mobilization allowance. Details of these allowances will be discussed and be part of an agreement with the Resettlement Negotiation Committee.

8.0 LIVELIHOOD AND COMMUNITY DEVELOPMENT PROGRAMS

The Minerals and Mining Act through the legislative Instrument (LI 2175) and the IFC Guidance note that “simple restoration of livelihood may be insufficient to protect affected populations from adverse project impacts, especially induced effects such as competition for resources and employment, inflation, and the breakdown of social support networks. For this reason, IFC seeks to promote the improvement of the living standards of people affected by the project”.

8.1 NGGL Approach

NGGL has developed a comprehensive and well-established series of livelihood and community development measures associated with the Ahafo South Area development. These measures are aimed at enhancing livelihoods and economic well-being, particularly targeting those affected by land acquisition, and also contributing to general community-wide development. These programs undergo regular monitoring, evaluation and review. The summaries of these current programs are discussed below.

8.1.1 Employment

The Company has a well-established proactive local recruitment policy, with a complementary skills training program. This policy is integral to the operation of the Company’s Human Resources Department.

Any mention of Employment Agreement by the Ahafo Social responsibility Forum? I would think that it is part of our local recruitment policy.

A Local Supplier and Contractor Development Unit has been established and which seeks to increase services and contracts sourced from local suppliers. The unit facilitates training and mentoring support to local entrepreneurs and vendors. The NGGL Local Procurement Program and its Director have been recognized as being among the very best in the African Region.

8.1.2 Money Management

NGGL’s NGO community development partner (Opportunity Industrialization Center International-OICI) delivers a comprehensive money management course to all project-affected persons/households. The course is designed to help impacted persons apply compensation payments appropriately in support of sustainable livelihoods.

A series of money management and micro-enterprise development training courses have also been run in every one of the mine’s catchment communities.

8.1.3 Skills Development for Income Improvement Program (SDIIP)

SDIIP is an ongoing community development initiative, currently implemented by OICI, and funded solely by NGGL. Partners in the implementation of SDIIP include the Asutifi North District Assembly and the District Office of the Ministry of Food and Agriculture.

- Program Goal

The goal of SDIIP is to improve the livelihood, security and quality of life of all project-affected households in the Ahafo project area with a special focus on non-farming income generation activities.

- Program Objectives

The Program seeks to improve the livelihoods of households resettled or relocated due to the Company's operations, through enhancing households' capacities in various income producing activities, thereby improving quality of life of household members.

- Current Components

Activities undertaken by PAPs under the ongoing SDIIP program include Animal production (Sheep, Pig, Poultry), Microenterprise Development (Soap making, Baking, Mushroom production, Gari processing, Vegetable production) and vocational and Technical Training. Other trainings include money and financial management, credit management, entrepreneurial and Business Management services, Group sustainability and development.

OICI on its own is supporting beneficiaries through the establishment of a micro-credit scheme.

8.1.4 Agricultural Improvement and Land Access Program (AILAP)

AILAP was established to assist farmers affected by land acquisition and resettlement activities. NGGL works in partnership with the Ministry of Food & Agriculture (MoFA), OICI, the Asutifi District Assembly, Community Chiefs, and Chief Farmers in implementing the Program.

- Program Goal

The goal of AILAP is to facilitate and incentivize access to agricultural land for farmers as a result of mine activities, and to increase levels of production, crop yields, and market access, as well as developing crop diversity.

- Program Objective

To effectively distribute agricultural assistance to compensated farmers directly impacted by land acquisition activities in the Mine Take Area.

- Process

- Compensated farmers are registered and receive business training
- Farmers receive cash inputs for land acquisition and clearance
- Farming inputs are distributed with extension support from MoFA agricultural extension officers
- Further cash assistance is provided for weeding (managing weeds)
- Farms are monitored regularly

8.1.5 Vulnerable Persons Program

Vulnerability may be viewed in the context of two stages:

- Pre-existing vulnerability
- Transitional hardship vulnerability, caused by project related physical and economic displacement

Pre-existing vulnerability is vulnerability that occurs, with or without the Project development, whilst transitional hardship vulnerability occurs as a result of those directly affected by the Project being unable to adjust to new conditions due to shock or stress related to project activities.

Involuntary resettlement, if not managed well, may increase impoverishment, vulnerable households being particularly susceptible to the adverse effects of land acquisition and resettlement activities. The main hazards leading to impoverishment as a direct result of the resettlement process are:

- Landlessness – irreplaceable loss of land assets, including common property
- Joblessness – loss of workplaces
- Homelessness – loss of shelter
- General economic set-back
- Increased rates of crime, disease and mortality
- Food insecurity and malnutrition
- Loss of access to common assets
- Social disorganization

In resettlement projects several of these hazards, such as loss of land, employment and housing, are often realized simultaneously. This may further exacerbate vulnerability of households.

Vulnerability in the Project Area

According to the Fourth Ghana Living Standards Survey (GLSS 4), the Asutifi North District is poor by Ghanaian standards. The area has a high proportion of migrant food producers and a high proportion of unskilled persons seeking employment.

The most prominent categories of vulnerable persons in the Project Area are:

- Caretakers/sharecroppers with no buildings or fields of their own, or who are losing the land they work
- Poor female headed households without extended family support
- Elderly poor, especially those without extended family support

While the primary NGGL livelihood programs, particularly AILAP and SDIIP, largely seek to address issues of landlessness, homelessness and joblessness as a result of resettlement activities, the Vulnerable Peoples Program has been developed to target those households identified as requiring additional supports.

The Vulnerable Program was established in January 2006, focused on directly-impacted households living within the mine area and particularly in the resettlement communities.

- Program Goal

The goal of NGGL's Vulnerable Program is to provide a safety net until identified vulnerable households can become self-sufficient and resilient to economic stresses.

- Program Objective

The objective is to identify, assess, support, remediate, and monitor project-affected households experiencing severe hardship. Each household should have a place to live, means of income, access to medical care, and the ability to feed itself.

- Process

NGGL sponsors a local NGO, Guards of the Earth and the Vulnerable (GEV), together with OICI, to implement the Vulnerable Program. Other partners include Traditional Authorities, Regional & District Social Welfare Representatives, the Asutifi District Assembly, the Asutifi District Health Directorate, and members of the affected-households.

A Livelihoods Committee made up of the above partners meets regularly to determine vulnerable households, as defined by the Program.

For the purposes of the Vulnerable Program, the identification of vulnerable households is determined having regard to the following factors:

- Predisposition to economic vulnerability
- Proportion of household who are aged, disabled, single mothers, or infirm
- No regular source of income generation, arable land or food security
- A lack of social support

- Program Assistance

There are a number of specific interventions which may be undertaken to support those households identified as falling into the category of "Vulnerable". For any given vulnerable household, this would include some or all of the following elements as appropriate:

- Household food basket

- Finance and money management training
- Agricultural improvement training
- Vocational training in trades at local college
- Alternative livelihoods training
- Registration in the Ghana National Health Insurance Scheme
- Educational scholarships
- Counseling services

8.1.6 Special Livelihoods enhancement Support

The area around the WSF has been approved by the Minerals Commission as a mining area and is generally 500meters from the existing Mine Take boundary of the WSF. NGGL has declared this mining area and conducted rapid assets survey to know all inhabitants living within that area as well as all structural assets.

NGGL seeks to maintain and continuously improve the relationship with the inhabitants and farmers within the mining area but outside the most impacted area around the WSF (outside the 200m buffer).

As part of NGGL engagement with the EPA, the company committed to assist farmers /households living within 200m to 500m buffer of the WSF with an agricultural improvement support program to assist with improving livelihoods.

To ensure that the programs have the maximum impact, the following eligibility criteria in order of priority will apply;

1. First Priority will be given to households who are physically living (inhabitants) and farming within the 200m-500m mining area buffer
2. Second Priority will be given to those who own unoccupied structures and also own farm within the 200m-500m buffer
3. Third Priority will be given to those who own farms within the 200m-500m mining area buffer but physically living outside the mining area buffer.

The program content will be in two folds; Crop improvement support and livestock support;

The crop support will be a mass support to farmers who own cash crops within the zone with a package which includes; mass spraying of farms, application of organic fertilizers, supply of old supplementary seedlings (improved variety) and organic weedicides. This is informed by the fact that about 60% of the farms within the target area are cash crops with Cocoa being the major crop.

Eligible farmers who are expanding their farms will be supported with Plantain suckers as cover crops for their supplementary seedlings.

With respect to the livestock support, eligible households or individual farmers (those already in animal husbandry will be given priority) will choose between sheep package (3 female and 1 male) or poultry (8 female and 2 male) depending on which type of livestock they were already rearing at the time of assessment.

9.0 PROTECTION OF CULTURAL HERITAGE

9.1 Cultural Resources Management Plan

NGGL recognizes the importance of preserving cultural heritage for current and future generations and, consistent with the Convention Concerning the Protection of the World Cultural and Natural Heritage, aims to protect irreplaceable cultural heritage in the course of the development and operation of NGGL projects.

NGGL has developed a Draft Cultural Resources Management Plan (February 2008), covering the entire Ahafo Project, consistent with IFC Performance Standard 8 on Cultural Heritage.

The Draft Cultural Resources Management Plan (CRMP) has been guided by archaeological surveys undertaken in 2005 (Ahafo South area), 2007 (Ahafo North area) and 2008 (entire project area).

The CRMP also outlines the following protocols to ensure protection of cultural heritage:

- Prior to any ground-disturbing activities, an inventory of all cultural heritage sites will be taken, supported by GPS positioning and photography, and recorded in a database.
- If a cultural resource cannot be avoided, a plan will be developed to mitigate any adverse effects, in consultation with traditional authorities, local communities and local or national cultural resource experts.
- If excavation in the course of the project cannot be avoided, cultural heritage and archaeological professionals will be consulted to conduct excavations, relocations or other activities in line with internationally recognized practices.
- In the event of an inadvertent discovery, work will stop immediately, the site will be protected, and appropriate measures implemented.

9.2 Significant Cultural Sites

An Archaeological investigation covering the Ahafo Lease has been carried out, including the Project Area and no sites of archaeological significance have been identified.

10.0 ORGANIZATIONAL FRAMEWORK

NGGL is responsible for the planning and implementation of the Resettlement Action Plan, in consultation with the Resettlement Negotiation Committee, and with the cooperation of government agencies at the district, regional and national levels.

The Project Resettlement Team consists of the following:

- Newmont Ghana Gold Limited
- Ghanaian experts in survey and valuation
- Opportunities Industrialization Centers International (OICI) – International experts in community development programs
- Asutifi North District Assembly
- The District Directorate of the Ministry of Food and Agriculture
- Selected local NGOs to support the Vulnerable's Program

There is close cooperation between community-level project stakeholders, Senior Company Management, Communications experts and the planning and technical team members.

11.0 COMPLAINTS AND GRIEVANCE PROCEDURES

NGGL has put in place a Standard Operating Procedure (SOP) that seeks to manage complaints in a planned and systematic manner as presented in Figure 11-1. 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.

An Office of Grievances and Complaints and the Community Consultative Committees (CCC) sub-committee on Complaints and Grievance are integral components of the procedure for resolving all complaints and grievances which may be reported by individuals, groups and/or other stakeholders who may have been adversely affected by mining activities.

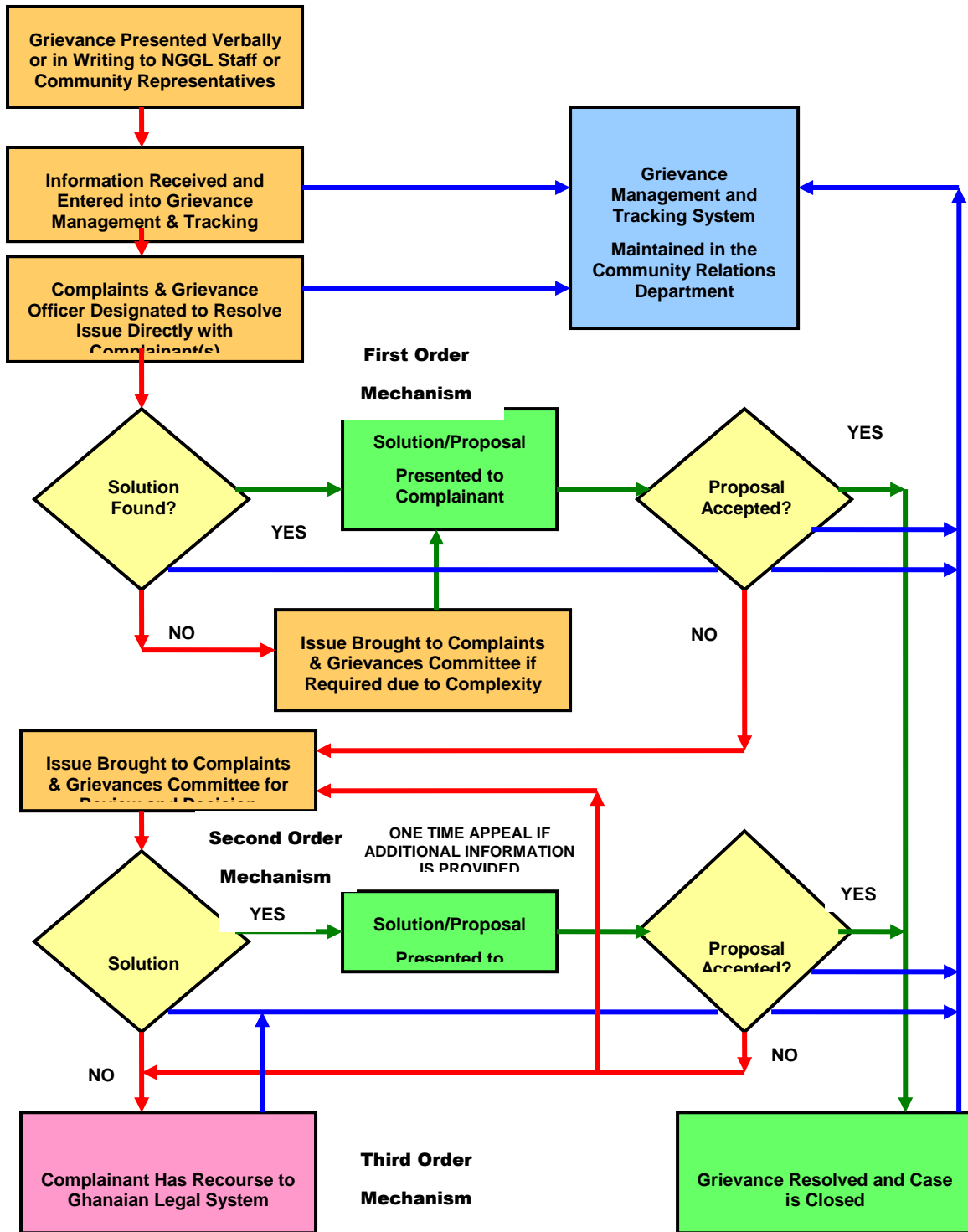


Figure 11-1: NGGL Grievance Management Process

12.0 MONITORING, EVALUATION AND REPORTING

The IFC requires project sponsors to *“monitor and report on the effectiveness of Resettlement Action Plan implementation. The objective should be to provide the Company with feedback and to identify problems and successes as early as possible to allow timely adjustment to implementation arrangements”*.

Monitoring and evaluation activities should be *“integrated into the overall project management process, and the Resettlement Action Plan must provide a coherent monitoring plan that identifies the organizational responsibilities, methodology, and the schedule for monitoring and reporting”*.

The Project will carry out regular monitoring and evaluation activities to track the implementation of the Resettlement Action Plan. The monitoring and evaluation activities will pay particular attention to the project-affected communities, especially the most vulnerable groups; including female headed households, sharecroppers, and caretakers. External monitoring will be carried out by both the IFC and an independent consultant who will work closely with the project-affected persons and households. Monitoring activities will also be conducted internally by the Company to assess the program’s impacts and identify potential difficulties and problem areas.

Monitoring and evaluation have the following general objectives:

- Monitoring specific situations or difficulties arising from the implementation and compliance with objectives and methods set out in the Resettlement Action Plan
- Evaluating emergent, mid-and long-term impacts of the Project on the welfare of impacted households, communities, and local government

13.0 RESETTLEMENT IMPLEMENTATION SCHEDULE AND BUDGET

A detailed budget and schedule can only be developed following the outcome of community negotiations and development of the final Entitlement Matrix for the Project.

This will be presented in the final RAP, which will be prepared following conclusion of resettlement negotiations.

Newmont is proposing to begin the land access and resettlement process in May 2013 with the initiation application for mining area approval from Minerals Commission, stakeholder consultations and survey work. The negotiations with the Resettlement Negotiation Committee (RNC) will also be initiated in July 2013 with the inclusion of representatives of the WSF Area in the RNC. It is envisaged that the resettlement houses would be constructed from November 2013 to March 2014 with the final households being resettled in April 2014. The livelihood support programs would be rolled out from June 2013 and would be completed in July 2015 to allow the farmers to begin reestablishing their farms during the main growing season. Detailed schedule and Budget are shown in Table 13.1 and Table 13.2 respectively

Table 13.1: RAP Preliminary Implementation Schedule (September 2015)

	TASK NAME	DURATION	START	FINISH
A	LAND ACCESS AND LIVELIHOODS RE-ESTABLISHMENT	700d	Tue 10/30/12	Mon 7/6/15
1	Preparation for Permitting	10d	Mon 10/15/12	Fri 10/26/12
2	Preparation of Documentation for Submission to MINCOM	10d	Mon 10/15/12	Fri 10/26/12
3	Submission of Documentation to MINCOM	1d	Mon 10/29/12	Mon 10/29/12
4	Prepare Stakeholder Engagement Plan	70d	Tue 10/30/12	Mon 2/4/13
5	Approval of Documentation by MINCOM	97d	Tue 10/30/12	Wed 3/13/13
6	Internal Stakeholder Planning and Information	260d	Tue 10/30/12	Mon 10/28/13
B	Moratorium and Compensation processing and Payment	215d	Mon 5/27/13	Fri 3/21/14
7	Declaration of Moratorium to Public	1d	Thu 5/30/13	Thu 5/30/13
8	Demarcation of Boundary	14d	Fri 5/31/13	Wed 6/19/13
9	Stakeholder Consultation	317d	Fri 5/31/13	Tue 11/18/14
0	RNC Negotiations	120d	Fri 5/31/13	Thu 11/14/13
10	Ongoing RNC Review and Complaints Resolution	160d	Fri 5/31/13	Thu 1/9/14
11	Resettlement Household Consultation	43d	Mon 11/11/13	Wed 1/8/14
12	Full Built Asset Survey	30d	Fri 5/31/13	Thu 7/11/13
13	Crop & Land Survey	45d	Fri 5/31/13	Thu 8/1/13
14	Secure LVB	3d	Fri 5/31/13	Tue 6/4/13
15	Data Verification and validation by PAPs	50d	Fri 7/12/13	Thu 9/19/13
16	Payment Procedure & Processing	100d	Fri 8/2/13	Thu 12/19/13
17	Secure Consultant for Socio-economic Survey	60d	Fri 8/2/13	Thu 10/24/13
18	Socio - Economic Survey and Reporting	60d	Fri 10/25/13	Thu 1/16/14
19	RAP Preparation and continuous review	341d	Thu 3/14/13	Thu 7/3/14
20	SEP Preparation and continuous updates	300d	Thu 3/14/13	Wed 5/7/14
21	Resettlement Houses Construction	90d	Fri 11/15/13	Thu 3/20/14
22	Movement of Resettlees to new houses	20d	Fri 3/21/14	Thu 4/17/14
C	Livelihoods Re-establishment programes	503d	Fri 8/2/13	Tue 7/7/15
23	Money and Financial Management Training	60d	Fri 8/2/13	Thu 10/24/13
24	Vulnerable Peoples Program	464d	Fri 5/31/13	Wed 3/11/15
25	Skill Development for Income Improvement Program (SDIIP)	120d	Fri 11/15/13	Thu 5/1/14
26	Agricultural Support to 200m to 500m buffer farmers	503d	Fri 11/15/13	Tue 10/20/15
27	Agriculture Improvement and Land Access Program (AILAP)	465d	Fri 8/2/13	Thu 5/14/15
28	Clearing of 200m boundary with Dozer	30d	Fri 4/18/14	Thu 5/29/14

Table 13.2 - Resettlement Summary Implementation Budget

WSF Peripheral Impact Management Project Land Acquisition & Resettlement Project Master Budget		
No	ITEM	US\$ TOTAL (000's)
1	Resettlement Package	\$ 4,042K
2	Buildings - Cash Only Package	\$ 707K
3	Crops and Land Compensation	\$ 5,962K
4	Livelihoods re-establishment and Community Development Programs	\$ 3,573K
5	Information Disclosure, Consultation, Consultancy cost, Negotiations and other fixed cost	\$ 3,270K
6	Project Management (NGGL Cost)	\$ 878K
7	Other Costs	\$ 878K
TOTAL COSTS		\$ 19,309K