



# Guide to Respecting Human Rights

FEBRUARY 2019

## Message from Dr. Elaine Dorward-King, Executive Vice President, Sustainability and External Relations

Respecting human rights is central to delivering on Newmont's purpose to create value and improve lives through sustainable and responsible mining. Our efforts to better understand human rights risks in our business include embedding human rights consideration into our policies, systems and programs and working toward better managing human rights risks throughout our global supply chain.

Respecting human rights requires a clear commitment from Newmont's leaders. As the Executive Vice President of Sustainability and External Relations, I have overall responsibility for human rights, and I report directly to the Chief Executive Officer, ensuring that human rights issues are visible at the highest level of the organization. Day-to-day management of human rights resides with one of my team members – the Vice President for External Relations and Social Responsibility.

As outlined in this guide, ownership and accountabilities for performance and compliance with our Human Rights Standard also reside in other functions and throughout our four operating regions. For example, our human resources department helps us deliver on our commitment to respect employees' rights to freedom of association and collective bargaining and implements the standards that prohibit the use of child, forced or bonded labor and enforce non-discriminatory treatment in employment. Our legal department is responsible for the contract clauses that manage supplier risk, and a range of other departments support our commitment to respecting the human rights outlined in the Universal Declaration of Human Rights, including the right to water.

Through training, we educate and raise awareness about each employee's responsibility with regards to human rights and, in 2018, over 3,000 employees voluntarily completed our online human rights training. This is in addition to training conducted on discrimination, harassment and retaliation topics which, between 2016 and 2017, reached over 6,000 employees through in-person sessions.

To further emphasize our commitment to human rights, it is one aspect of our annual incentives for employees. Safety, health and sustainability metrics represent around 25 percent of the corporate, regional or site performance bonus payout. The sustainability metrics include our score in



the Dow Jones Sustainability Index which incorporates a number of human rights indicators – we see these as a good proxy for human rights performance as assessed by an independent third party.

We have made significant progress on human rights in recent years. However, implementing the UN Guiding Principles on Business and Human Rights and expanding our understanding of how our activities can negatively and positively impact human rights is ongoing and will require continuous improvement in the way we manage human rights issues.

A handwritten signature in black ink, appearing to read 'E. Dorward-King'. The signature is stylized and written in a cursive-like font.



## Overview

We recognize our activities throughout the mine lifecycle have the potential to affect people's rights, and that the risks and impacts inherent to our business are increasingly framed in human rights terms.

Our commitment to managing these risks includes minimizing impacts while contributing toward strengthening and empowering employees, contractors, suppliers and host communities. We respect the rights, cultures, customs and values of the people and organizations living near our activities and working on our behalf, and those impacted by our activities.



### UNITED NATIONS GLOBAL COMPACT AND GUIDING PRINCIPLES ON BUSINESS AND HUMAN RIGHTS

Newmont is a participant in the United Nations Global Compact (UNGC), which promotes responsible corporate citizenship and a collaborative approach to forging a more sustainable and inclusive global economy.

The UN Guiding Principles on Business and Human Rights (the Guiding Principles) provide clarity on the first two principles of the UN Global Compact that address businesses' responsibility to respect human rights. Unanimously endorsed by the UN Human Rights Council in 2011, the Guiding Principles are a global standard that defines the duties of states to protect human rights and the responsibilities of companies to respect human rights.

Both states and business have obligations to provide adequate remedies if human rights abuses occur. Widely endorsed and adopted by governments, companies and NGOs, the Guiding Principles outline the standard for preventing and addressing human rights impacts linked to business activities.

In 2015, we elevated our commitment to human rights by becoming one of the first six global companies – and the first in the mining industry – to adopt the UN Guiding Principles Reporting Framework (the Reporting Framework). The first comprehensive guidance for companies to report on how they respect human rights in line with the Guiding Principles, the Reporting Framework drives improvements in our performance, which we disclose annually in our sustainability report, *Beyond the Mine*.

## Approach

There are several key principles that underpin how we manage human rights issues across the business. These include:

- *A cross-functional approach:* responsibility for respecting human rights does not sit neatly in one department – human rights are cross-cutting and have relevance for numerous departments. To support a company-wide understanding, accountability and ownership, a cross-functional approach is at the heart of how we manage human rights issues. In addition to a cross-functional human rights working group at the corporate level, our regions/sites are required to form cross-functional working groups to implement human rights management plans.
- *Responsive systems:* we recognize that our standards and processes have to respond to international frameworks and expectations as well as the local realities in the countries where we operate.
- *Fit-for-purpose commitments:* we pilot tested a draft version of our human rights standard and consulted widely with our operating regions to ensure we met expectations and produced something operationally relevant.
- *Integrated procedures:* we followed the ICMM approach in this regard. Recognizing that we already have robust assessment processes, risk management processes and grievance mechanisms in place, we seek to incorporate human rights into these rather than create duplicate requirements.





## Advancing Our Human Rights Mindset

Establishing strong governance and progressively strengthening our approach are essential in order to fulfill our commitments.

### POLICY FRAMEWORK

In line with the Guiding Principles, our **Code of Conduct** – which states our commitment to respect and promote the human rights of all people – serves as the foundation of a governance framework that supports implementation of the strategy.

In 2014, we began to formalize our approach to human rights with an explicit commitment in our **Sustainability and Stakeholder Engagement Policy** to respect the dignity, wellbeing and human rights of employees and the communities in which we operate, as well as others affected by our operations. Since then, we have aligned our commitment with international standards.

### HUMAN RIGHTS AND OTHER RELATED STANDARDS

Supporting this commitment is our Human Rights Standard, which details the minimum requirements that all of our sites must achieve. It includes mechanisms for monitoring our performance related to human rights risks. A number of other Newmont global standards address human rights risks in areas such as the protection of cultural resources, security at our operations, engagement with indigenous peoples, relocation, and disruption of livelihoods.

Our Human Rights Standard was first published in 2014 following consultation with a targeted group of external stakeholders; a pilot of the standard in two of our operating regions – Ghana and Peru; and an extensive internal review and approval process across regions, functions and management levels, including the executive leadership team, with targeted input from our Board of Directors. In 2018, we updated the standard to incorporate lessons learned since implementing the standard and to reflect key international developments in the human rights space.

The updated standard is available on both our internal and external websites, making it accessible to employees and external stakeholders, including community members who reside near our operations and activities.

In addition to our Human Rights Standard, we have other standards and strategies that address specific stakeholders who may be especially vulnerable to mining activities. For example, indigenous peoples have unique rights, culture, and history and may have distinct interests and concerns that differ from, or are in addition to, those of other stakeholder groups. For this reason, we have an Indigenous Peoples Standard that outlines our commitments in this area.

Another potentially vulnerable group is human rights defenders who have gained international attention given the increasing number of attacks against them in recent years. Our core values of integrity and responsibility support our commitment to respect human rights defenders, and we do not condone any form of attack against them or anyone who opposes our activities. We also expect our business partners to condemn such attacks as well. While we do not always agree with positions taken by human rights defenders, we believe an active and open civil society, supported by the rule of law, is essential.



## HUMAN RIGHTS RISKS

All sites must maintain processes to identify, integrate and manage human rights risks on an ongoing basis. For new projects or significant changes to existing operations, sites shall integrate an evaluation of human rights into their assessments (social impact assessments, risk assessments, etc.) and should consider undertaking standalone human rights impact assessments under certain circumstances (as outlined in our Human Rights Standard).

In line with our Social Baseline and Impact Assessment Standard, social impact assessments (SIAs) at each operating site will be updated no less than every five years and include human rights considerations. Newmont built human rights into our global Integrated Management System, which provides a common platform for all sites to track complaints, community engagements, events and risks.

## SUPPLY CHAIN RISKS

Our vast, complex global supply chain provides goods and services throughout the mine lifecycle. We recognize that this complexity exposes us to certain risks – including those with the potential to impact human rights. To manage these risks, we set out clear expectations for our suppliers in our Supplier Code of Conduct which is publicly available on our website, and supplier contracts include language requesting suppliers' acknowledgement of the Code.

We are also implementing a robust Supplier Risk Management program, which integrates human rights risk evaluations and considerations into key stages of the supplier lifecycle including pre-qualification, scope of work risk assessments, ongoing supplier management and closeout. We have developed a supplier human rights training program, and we will roll out a supplier human rights audit program beginning in 2019. In 2018, we published our first Modern Slavery Statement, which details the actions we are taking to address modern slavery risks in our own operations and our supply chain.

**FOR MORE INFORMATION ABOUT OUR SUPPLIER CODE OF CONDUCT, SUPPLIER RISK MANAGEMENT PROGRAM AND MODERN SLAVERY STATEMENT, PLEASE VISIT OUR WEBSITE.**



### GRIEVANCES AND REMEDIATION

There are three primary ways that internal and external stakeholders can raise issues related to human rights:

1. Internal discussions with human resources – an internal process for workers to file grievances and complaints either through their manager or a human resources representative;
2. Complaints and grievances (C&G) mechanism and registers – an operational-level mechanism that is required at all sites to address external stakeholder concerns in a timely and effective manner to avoid conflict and build trust; and
3. The **Ethics Solutions Tool** – a confidential channel for workers and external stakeholders to report any concern about compliance with our Code of Conduct, including potential human rights issues.

In line with the Guiding Principles, we continuously incorporate feedback and input into our site-level C&G mechanism and registers from those who experience the mechanism firsthand. While the overall design of the mechanism is set forth in our standards, each site must adapt the mechanism to its specific cultural and social context to ensure the mechanism is available and responsive to local communities.

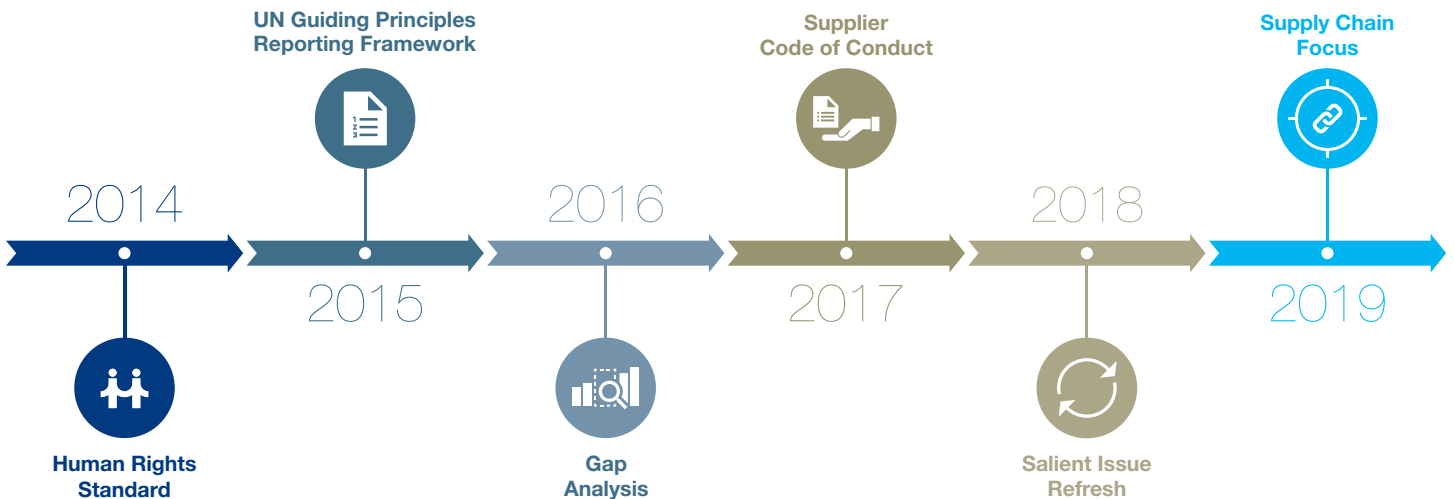
Newmont’s three-tier grievance mechanism provides complainants with a communication pathway to the Company, and ensures that stakeholders have access to other mechanisms via third-party facilitators or judicial means.

### ACCOUNTABILITY

Accountability for our human rights performance ultimately resides with our executive leadership team, with oversight and strategic input provided by our Board of Directors. Regional vice presidents, as well as general managers at each operation, ensure sites operate in a manner that respects human rights and complies with all laws, regulations, policies and standards related to human rights. Our cross-functional human rights working groups at the corporate and regional/ site levels monitor compliance with the human rights standard and implementation of the human rights management plans. All regions are required to have working groups with cross-functional accountability for human rights risk management.

In 2016, we integrated human rights due diligence into our risk management approach so leaders and the Board’s Safety and Sustainability Committee are updated as often as needed on key risks. Senior management and the Safety and Sustainability Committee regularly review and discuss human rights topics, such as compliance with global standards, training and escalated complaints – including land disputes, security forces, community interactions and others – with potential human rights implications.

## REPORTING



*We recognize human rights as an area where continuous improvement is needed and we are committed to constant review of our activities and supporting systems and processes.*

# Salient Human Rights Risks

As early adopters of the UN Guiding Principles Reporting Framework, in 2015 we engaged internally across regions and functions and externally with human rights experts and key stakeholders to identify our top salient human rights issues. We held a cross-functional corporate workshop to identify an initial set of potential human rights issues, which was followed by sessions with regional and site teams to determine the severity and likelihood for each issue.

In 2018, we reviewed and refreshed our salient human rights issues. We discuss this review in more detail in our annual sustainability report ([www.beyondthemine.com](http://www.beyondthemine.com)) where we also discuss our performance and approach to managing

each of these risks. Some examples of how our salient issues relate to impacted stakeholders and the measures we have in place are provided below.

NEWMONT'S SALIENT HUMAN RIGHTS RISKS	DESCRIPTION	POTENTIALLY IMPACTED RIGHTS HOLDERS				RELEVANT POLICIES/ STANDARDS	LEAD FUNCTIONS	EXAMPLES OF ACTIONS TAKEN TO PREVENT/ MITIGATE IMPACTS	STAKEHOLDER ENGAGEMENT ON EACH SALIENT ISSUE
		EMPLOYEES	SUPPLIERS/ CONTRACTORS	LOCAL COMMUNITIES	VULNERABLE/ MARGINALIZED GROUPS				
Right to life	Entails the right not to be deprived of life arbitrarily or unlawfully, and the right to have one's life protected.	●	●	●	●	<ul style="list-style-type: none"> <li>Health and Safety Policy</li> <li>Fatality Risk Management standards</li> <li>Emergency Preparedness and Response Standard</li> <li>Tailings and Heap Leach Management Standard</li> <li>Cyanide Code</li> <li>Water Management Standard</li> </ul>	All functions	<ul style="list-style-type: none"> <li>Critical controls</li> <li>Health and safety audits</li> <li>Performance management system</li> <li>Risk management process</li> <li>Occupational health and safety training</li> <li>Voluntary Principles training for security providers</li> <li>Ethics hotline</li> <li>Tailings and water management plans</li> <li>Rapid Response System</li> </ul>	<ul style="list-style-type: none"> <li>Participation and leadership in industry initiatives around zero harm and zero fatalities</li> <li>Training and exercises to look at emergency response during hypothetical failure situations (cyanide and tailings)</li> </ul>

*(table continues on next page)*



# Salient Human Rights Risks (TABLE CONTINUED)

NEWMONT'S SALIENT HUMAN RIGHTS RISKS	DESCRIPTION	POTENTIALLY IMPACTED RIGHTS HOLDERS				RELEVANT POLICIES/ STANDARDS	LEAD FUNCTIONS	EXAMPLES OF ACTIONS TAKEN TO PREVENT/ MITIGATE IMPACTS	STAKEHOLDER ENGAGEMENT ON EACH SALIENT ISSUE
		EMPLOYEES	SUPPLIERS/ CONTRACTORS	LOCAL COMMUNITIES	VULNERABLE/ MARGINALIZED GROUPS				
Right to water and sanitation	Recognized as a separate right in 2010. Requires that water supply for each person is: sufficient to meet basic needs, safe and acceptable (all water facilities and services must be culturally appropriate and sensitive to gender, lifecycle and privacy requirements), physically accessible and affordable.	●	●	●	●	<ul style="list-style-type: none"> <li>Sustainability and Stakeholder Engagement Policy</li> <li>Water Management Standard</li> <li>Global Water Strategy</li> <li>Climate Adaptation Guidance</li> </ul>	Environment	<ul style="list-style-type: none"> <li>Environmental baseline studies and impact mitigation plans</li> <li>Social mitigation plans</li> <li>Spill prevention and control</li> <li>Engineering water management controls (diversion channels, water treatment, sediment control structures)</li> <li>Climate adaptation action plans</li> <li>Water management plan, site charters and action plans</li> </ul>	<ul style="list-style-type: none"> <li>Local and national government on community water programs</li> <li>Stakeholders within direct area of influence</li> <li>ICMM engagement on water issues for the industry</li> <li>Partnership with Project WET</li> <li>Engagement with watershed management forums</li> </ul>
Right to adequate standard of living	Includes adequate food, clothing, housing and continuous improvement of living conditions.	●	●	●	●	<ul style="list-style-type: none"> <li>Sustainability and Stakeholder Engagement Policy</li> <li>Employment Standard</li> <li>Compensation &amp; Benefits Standard</li> <li>Non-Discrimination Standard</li> <li>Local Procurement and Employment Standard</li> </ul>	Sustainability & External Relations/ Human Resources	<ul style="list-style-type: none"> <li>Environmental, health, and social baseline and impact assessments</li> <li>Local and indigenous employment and procurement targets</li> <li>Community investment strategies</li> <li>Community commitment process</li> <li>Community foundations</li> <li>Complaints and grievances mechanism</li> </ul>	<ul style="list-style-type: none"> <li>Engagement with local governments</li> <li>Engagement with community stakeholders</li> <li>Engagement with watershed management forums</li> </ul>

*(table continues on next page)*

# Salient Human Rights Risks (TABLE CONTINUED)

NEWMONT'S SALIENT HUMAN RIGHTS RISKS	DESCRIPTION	POTENTIALLY IMPACTED RIGHTS HOLDERS				RELEVANT POLICIES/ STANDARDS	LEAD FUNCTIONS	EXAMPLES OF ACTIONS TAKEN TO PREVENT/ MITIGATE IMPACTS	STAKEHOLDER ENGAGEMENT ON EACH SALIENT ISSUE
		EMPLOYEES	SUPPLIERS/ CONTRACTORS	LOCAL COMMUNITIES	VULNERABLE/ MARGINALIZED GROUPS				
Right to enjoy just and favorable conditions of work	Remuneration must be enough to provide workers with a decent living for themselves and their families. This includes a right to healthy and safe conditions of work, a right to equality of opportunity for promotion, and a right to rest, leisure and holidays as part of conditions at work.	●	●			<ul style="list-style-type: none"> <li>Health and Safety Policy</li> <li>Fatality Risk Management standards</li> </ul>	Health and Safety	<ul style="list-style-type: none"> <li>Safety Leadership Coaching program</li> <li>Vital Behaviors program</li> <li>Personal safety plans</li> <li>Chemical management plans</li> <li>On-site healthcare clinics</li> <li>Lagging/leading indicators</li> <li>Occupational health and safety training</li> <li>Ethics hotline</li> </ul>	<ul style="list-style-type: none"> <li>ICMM's Mining Safety Roundtable</li> <li>Health and Safety forums</li> <li>United States National Mining Association's regional health and safety programs</li> <li>Engagement with regional associations</li> </ul>
Discrimination in employment/ occupation	Discrimination in employment and occupation means treating people differently and less favorably because of characteristics that are not related to their merit or the requirements of the job.	●	●			<ul style="list-style-type: none"> <li>Code of Conduct</li> <li>People Policy</li> <li>Employment Standard</li> <li>Standard of Conduct and Non-Discriminatory Treatment in Employment Standard</li> <li>Supplier Code of Conduct</li> </ul>	Human Resources/ Legal	<ul style="list-style-type: none"> <li>Ethics hotline</li> <li>Online ethics trainings</li> <li>In-person trainings on discrimination, harassment and retaliation topics</li> </ul>	<ul style="list-style-type: none"> <li>Engagement with employees through annual training requirements</li> <li>Engagement with suppliers on anti-discrimination requirements</li> </ul>

*(table continues on next page)*

# Salient Human Rights Risks (TABLE CONTINUED)

NEWMONT'S SALIENT HUMAN RIGHTS RISKS	DESCRIPTION	POTENTIALLY IMPACTED RIGHTS HOLDERS				RELEVANT POLICIES/ STANDARDS	LEAD FUNCTIONS	EXAMPLES OF ACTIONS TAKEN TO PREVENT/ MITIGATE IMPACTS	STAKEHOLDER ENGAGEMENT ON EACH SALIENT ISSUE
		EMPLOYEES	SUPPLIERS/ CONTRACTORS	LOCAL COMMUNITIES	VULNERABLE/ MARGINALIZED GROUPS				
Right to health	Refers to the right to the highest attainable standard of physical and mental health. People must have access to the underlying building blocks of good health, such as adequate nutrition, housing, safe and potable water, adequate sanitation, medical supplies, healthy working conditions and a healthy environment.	●	●	●	●	<ul style="list-style-type: none"> <li>Occupational Health and Wellness Standard</li> </ul>	Health and Safety/ Human Resources	<ul style="list-style-type: none"> <li>Health risk assessments</li> <li>Critical control management plans</li> <li>Nutrition and exercise education</li> <li>“Fit-for-duty” programs</li> <li>On-site healthcare clinics</li> <li>Health impact assessments</li> <li>Partnership with Project C.U.R.E.</li> <li>Wellness programs</li> </ul>	<ul style="list-style-type: none"> <li>Engagement with communities on health issues</li> <li>Engagement with government on improving local health services</li> <li>Engagement with local healthcare providers around Project C.U.R.E. deliveries and assessments</li> </ul>
Right not to be subject to slavery or forced labor	Slavery occurs when one human being effectively owns another. The right to freedom from servitude covers other forms of dominance, egregious economic exploitation, and degradation of human beings.		●	●	●	<ul style="list-style-type: none"> <li>Code of Conduct</li> <li>People Policy</li> <li>Human Rights Standard</li> <li>Employment Standard</li> <li>Supplier Code of Conduct</li> </ul>	Supply Chain /Legal	<ul style="list-style-type: none"> <li>Supplier Risk Management program</li> <li>Impact and risk assessments</li> <li>Complaints and grievances mechanism</li> <li>Supplier contract clauses on human rights</li> </ul>	<ul style="list-style-type: none"> <li>Participation in cross-industry initiatives on human rights (e.g., BSR)</li> <li>Engagement with suppliers on Supplier Code of Conduct</li> <li>Engagement with external experts on Modern Slavery Statement</li> </ul>

*(table continues on next page)*



## Salient Human Rights Risks (TABLE CONTINUED)

NEWMONT'S SALIENT HUMAN RIGHTS RISKS	DESCRIPTION	POTENTIALLY IMPACTED RIGHTS HOLDERS				RELEVANT POLICIES/ STANDARDS	LEAD FUNCTIONS	EXAMPLES OF ACTIONS TAKEN TO PREVENT/ MITIGATE IMPACTS	STAKEHOLDER ENGAGEMENT ON EACH SALIENT ISSUE
		EMPLOYEES	SUPPLIERS/ CONTRACTORS	LOCAL COMMUNITIES	VULNERABLE/ MARGINALIZED GROUPS				
Right to self-determination	Includes the right of peoples to develop and progress in social, economic and cultural terms, to dispose of their land's natural resources and wealth, and not to be deprived of their own means of subsistence.			●	●	<ul style="list-style-type: none"> <li>• Sustainability and Stakeholder Engagement Policy</li> <li>• Indigenous Peoples Standard</li> <li>• Land Acquisition and Involuntary Resettlement Standard</li> <li>• Cultural Resource Management Standard</li> </ul>	Sustainability & External Relations	<ul style="list-style-type: none"> <li>• Cultural resource management</li> <li>• Impact assessments</li> <li>• Complaints and grievances mechanism</li> </ul>	<ul style="list-style-type: none"> <li>• Engagement with indigenous groups</li> <li>• Companies, NGOs and community leaders</li> <li>• Expert advisory panels (i.e., to inform FPIC practices)</li> <li>• Community members to establish cooperation agreements (i.e., in Suriname)</li> </ul>