



BARRICK GOLD CORPORATION

Human Rights Compliance Program

In late 2010, Barrick Gold Corporation began efforts to launch a standalone human rights compliance program.¹ The program was formally launched in mid-2011.

Background

Our human rights compliance program applies on a global basis to all of our employees and sites. Operating ethically and respecting our stakeholders are fundamental premises of our business. The human rights compliance program is grounded primarily in ensuring that those key corporate values are followed at all of our operating locations and at all times. On a philosophical level, the program is not, as a foremost matter, a risk mitigation effort but a reflection of the company's core values, and an outgrowth of our commitment to respect human rights.

In its execution, the program strives at all times to adhere to relevant best practices for compliance programs generally, and mining companies specifically, with a substantive foundation of human rights norms. The human rights program also attempts to maximize efficiencies with other company compliance programs and activities wherever possible, enabling a coherent company approach composed of a culture of compliance, clear human rights guidelines and requirements, and effective global operationalization. The program seeks to maintain consistency with the UN Guiding Principles on Business and Human Rights (GPs), though adherence to the GPs is not in itself our foremost goal; GPs adherence is instead a byproduct of seeking to implement an effective human rights compliance program that fulfills and exceeds our objective of respecting all internal and external stakeholders impacted by our operations.

A diagram of the program appears as follows:

¹ For clarity, Acacia Mining and the Porgera Joint Venture have their own human rights policy and program. This description does not include Acacia or the PJV within its scope. Aspects of the program also do not apply to Jabil Sayid, a project that Barrick does not operate, and which Barrick is a 50% owner.

The Principles of the Human Rights Compliance Program



Oversight & Approach

We believe that an important element of any effective global compliance program is programmatic oversight by a senior corporate official, who may report relevant issues and concerns directly to the Board of Directors. The Corporate Responsibility Committee of the Board of Directors has the express mandate in its charter to oversee our human rights program. In addition, our program is overseen by Barrick’s Senior Vice President and General Counsel with the support of designated counsel at the corporate, country and site level. We vest the human rights program within the Office of the General Counsel (OGC), and under the specific auspices of the General Counsel, for several reasons.

The General Counsel is a member of senior corporate management. His corporate seniority emphasizes the importance of the human rights program. In addition, he maintains a direct line of reporting to relevant committees of the Board of Directors on compliance-related issues, including with respect to human rights and investigations. He also oversees our anti-corruption program and maintains authority over other international regulatory requirements at the company, helping to ensure efficiencies with the human rights program.

Vesting the human rights program in the Office of the General Counsel is also consistent with the GPs, and how we view human rights. Principle 23(c) states that companies should “[t]reat the risk of causing or contributing to gross human rights abuses as a legal compliance issue

wherever they operate.” As that Principle indicates, we consider human rights norms to be legal requirements, and thus mandate their adherence in the same vein as we mandate compliance with other international and local regulatory requirements that apply to our business.

That said, every functional group, office, and site that Barrick operates plays a role in ensuring that we respect human rights. As Barrick has adjusted to a decentralized operating model, the OGC and country-level legal personnel work with the relevant functional groups to ensure that they are considering international human rights norms in their conduct, and in developing the policies and procedures for which they are responsible and accountable. While the OGC thus oversees the program, the program is largely implemented by the individual sites around the world, which maintain accountability for compliance at their relevant locations. In this way, we try to operationalize human rights in ways most relevant to each location where we operate, create substantive and geographic ownership, and maximize the manner in which human rights is integrated into our daily practices. At the same time, we undertake a risk tiered approach, placing emphasis and resources on those areas and locations where human rights risks may be most acute.

Tone from the Top

Another vital aspect of a global corporate compliance program is ensuring that senior management visibly emphasizes and reemphasizes the core principles covered by the program. That helps underscore the importance of the principles at issue, and ensure acceptance by all employees. It also helps create a culture of compliance, where employees strive to meet and not evade the requirements of the program. Indeed, it is hardly possible to provide training on every factual situation that may arise, and a culture of compliance assists in guaranteeing that employees will abide by the values governing the program, and interpret events consistent with it, even where there may be no training on the specific issue.

For the human rights program, we seek to achieve that tone from the top through several means. The CR Committee of the Board oversees our program. Our Human Rights Policy and Code of Business Conduct and Ethics, discussed below, were approved by our Board of Directors, demonstrating their significance to the company. The human rights compliance program itself was announced globally by the then-Chief Executive Officer, and is visibly championed by executive leaders internally and externally. Senior corporate management and mine general managers often attend and introduce training sessions. The program is treated as part of our internal governance structure, as progress on its implementation and major events associated with it are discussed during bi-weekly global meetings. We also have tied in the past certain aspects of the program to executive compensation. There is further frequent internal messaging regarding the values associated with the program, and compliance with the program itself, in company newsletters, in dedicated human rights posters that have been posted in all sites and projects, in flyers and handouts distributed related to the program, and through other means.

Key Documents

Critical to an effective compliance program is a clear substantive policy, and effective implementing documents. In 2011, we modified our Code of Business Conduct and Ethics to

include an explicit statement regarding our commitment to respecting human rights. Also in 2011, we adopted a standalone human rights policy, which contains the philosophical premise behind our human rights approach: that we will respect the human rights of all stakeholders impacted by our operations. It unequivocally states, “Barrick does not tolerate violations of human rights committed by its employees, affiliates, or any third parties acting on its behalf or related to any aspect of a Barrick operation.”

The Policy applies to Barrick corporate offices, and to every aspect of the mines and projects that Barrick operates – to all employees (on or off duty) and third-party contractors. It further declares that under the Policy, a human right is one recognized by the International Bill of Human Rights, and mandates adherence to the International Labour Organization’s Declaration on Fundamental Principles and Rights at Work.

The Policy itself contains numerous specific requirements, including training of employees and third parties, due diligence for employees, suppliers and sites, contract provisions regarding human rights, investigations of allegations, and remediation. However, consistent with our functional approach, the Policy is supported by and incorporates numerous function-specific policies. These include: the Supplier Code of Ethics, the Policy with Respect to the Declaration of Fundamental Principles and Rights at Work, the Security Management System, the Community Relations Management System (CRMS), the Anti-Bribery and Anti-Corruption Policy, the Safety and Health Management System, and the Environmental Management System.

Another critical facet for an effective compliance program is clear procedures and standards implementing a core policy. At Barrick, a number of dedicated procedures and standards implement the Human Rights Policy. These include a global internal procedure that requires immediate reporting and escalation of information related to potential negative human rights impacts. As we emphasize, all information of potential human rights violations must be reported, regardless of whether it seems credible to the employee, or the amount of detail that the employee might know. The procedure also contains details on how information should be reported, and includes an anti-retaliation provision. Likewise, for external stakeholders, securing and maintaining our license to operate depends on our ability to listen actively and respond in a timely manner to issues of material importance to our key stakeholders. A priority in Barrick’s CRMS, overseen by the Corporate Social Responsibility functional group, has been to ensure that all operations have an effective grievance mechanism in place. Through the CRMS, all communities where we operate will have access to a simple and culturally sensitive process through which they can provide feedback and seek resolution to legitimate concerns.

Another key procedure relates to investigating human rights-related allegations. As that procedure indicates, we require that all allegations of negative human rights investigations must be investigated, though the nature and extent of the investigation may vary depending on the circumstances. Typically, for serious potential human rights breaches, we strive to ensure independence in our investigations. That may be through external investigators that we retain. It also may be through our corporate investigations unit, which is housed at corporate headquarters; the group is jointly supervised by the Office of General Counsel and Vice President, Asset Protection and Risk Management, and the results are reported to a committee of the board of directors.

Where negative human rights impacts are identified, we strive to take a culturally appropriate and thoughtful approach to remediation (discussed below).

Employee Diligence & Education

Important for any compliance program is screening potential employees whose background suggests they pose risks to the substantive principles at issue, and educating employees on the program itself. At Barrick, we try to convey our human rights expectations before an individual enters employment. All potential employees receive pre-screening questions that could result in disqualification for employment based on past human rights violations, and background checks are conducted for employees in positions of trust, and positions that by their function that can potentially cause significant negative impacts on human rights. In addition, job applications and/or accepted employment letters and agreements contain statements expressing our human rights expectations. Certain employees and third parties also are required to sign annual certifications stating that they are not aware of any potential unreported human rights violations, which serves as a reminder of the importance of the program, and as another reporting vehicle.

In addition, human rights training of differing formats, substance and length is being provided or in development for all employees. In excess of 7,500 employees received human rights training in some format in 2013. Employees are to receive basic human rights training at induction, and certain relevant employees receive annual refresher training and focused live human rights training pertaining to their areas. A human rights component also is included in Barrick's existing Code of Conduct e-training that is provided to many employees. Barrick further has developed extensive internal "train the trainer" materials and conducts related workshops, allowing country-level employees to implement our training program and deliver knowledgeable and effective human rights training.

Third Parties

Another significant aspect of a compliance program involves the management of relevant third parties. Human rights violations commonly occur not at the hands of company personnel themselves, but relevant third party actors.

At Barrick, we expect consistently ethical behavior from our suppliers. As with potential employees, we seek to educate potential suppliers on our human right expectations before we enter into a relationship with them. Human rights considerations are present in our global Onboarding Standard and continue to be enhanced, and before engaging a supplier, we require them to agree to abide by a Supplier Code of Ethics, which incorporates the 10 Principles of the UN Global Compact and key concepts in of Barrick's Human Rights Policy. Where we believe it is appropriate, we conduct due diligence on prospective suppliers related to human rights before engaging them. Once Barrick agrees to do business with a supplier, relevant contracts may contain human rights compliance provisions, and we may provide focused training to certain suppliers. Under our Human Rights Policy, suppliers are expected to report human rights issues of which they become aware, and we may ask suppliers to periodically provide certifications that they are not aware of any unreported human rights allegations in their work. Where appropriate, we investigate the behavior of existing suppliers and business related to human rights issues.

In addition, for public security providers – who, as agents of sovereign states, operate outside of our control – we strive to abide by the provisions of the Voluntary Principles on Security and Human Rights (VPs). The VPs speak to numerous aspects of corporate engagement with public (and private) security providers, including with respect to training, investigations, reporting, and support agreements. In furtherance of that, we have helped arranged for an independent observer of public security operations at one location, facilitated human rights training for public security at several locations, reported human rights incidents related to public security to appropriate authorities and urged investigations, and otherwise attempted to meet the principles within the VPs.

Operational Due Diligence & Assurance

For any compliance program, it is important to conduct assurance work to assess the effectiveness of the programs, and strengthen processes found to be weak. For our program, it includes employee and third party due diligence. It also includes operational due diligence to obtain a full understanding of our human rights risks and impacts on a site-by-site basis.

As part of our program, in 2011, we began a project of assessing human rights risks and impacts at all of our existing sites and mine projects (HRA Project). The HRA Project is being overseen by Avanzar, a highly respected independent third-party consulting organization. The HRA Project involves assessments over a three-year span at every Barrick operation and advanced project (and more frequent assessments for higher risk sites, or where particular concerns are identified). Such reviews will lead to follow-up of identified actions and internal distribution of learnings. In the assessment program, Fund for Peace, a reputable NGO that works to prevent conflict and human rights abuses, has served as an external and independent advisor to the company. Their role has included reviewing and editing the assessment tool being used in the assessment process, providing guidance on the assessment plan, reviewing the reports and assessing follow-up priorities. Professor John Ruggie, UN Secretary General Special Representative on Business and Human Rights, also provides advice and guidance on discrete issues associated with the assessments, on an as requested basis.

The assessment tool to be used for this process, which covers dozens of individual human rights and hundreds of individual indicators, is far more extensive than any commercial tool currently available. The tool focuses on seven categories: (1) labor and working conditions; (2) indigenous peoples; (3) community economic, social and cultural rights; (4) community environment; (5) health and safety; (6) land rights, security; and (7) anti-corruption. Issues related to supply chain also are embedded throughout those seven categories. 2012 was a pilot or pre-audit year for the program, and 2013 was the first year the program was implemented in full, as reflected in the annual summary for that program.²

From the assurance standpoint, we are developing key performance indicators to measure the success and effectiveness of the program. That said, existing assessments already focus on most of the substantive areas that comprise some of our greatest perceived areas of human rights risk. For instance, compliance with the VPs and security and human rights policies is assessed regularly through three separate assessment channels: (1) an internal security governance group that focuses primarily on assessments designed to evaluate compliance with the Security Management System and relevant security policies; (2) a third

² The summary does not include sites operated by Acacia Mining, which has its own Human Rights Program.

party consultancy who conducts dedicated assessments of compliance with the requirements of the VPs; and (3) a third party consultancy who, connected with assessments required by the International Council on Mining and Metals (ICMM), further assesses VPs compliance and issues a public assurance letter. In addition, assessments of policy and systems compliance regarding other functional areas whose activities may impact human rights, including community relations, health, safety, and environment, occur regularly by a dedicated independent internal assessment group that focuses on audits in those areas.

Discipline & Remediation

For compliance programs generally, we believe it is important to anticipate the corporate approach when policies and procedures are breached. That includes clear information to employees on the ramifications to them of breaching our policies, and, for human rights issues in particular, consideration of how remediation will be addressed.

At Barrick, our message to employees is clear: violation of our human rights policies and related procedures may lead to discipline, up to and including termination. Those policies and procedures relate not only to avoiding human rights violations, but also to reporting information about known human rights violations, and cooperating with investigators reviewing human rights allegations. Accordingly, discipline can occur, and has occurred, where individuals have committed human rights violations, have failed to report human rights violations, or have hindered investigations into human rights violations.

The potential disciplinary measures for employees range from individual counseling, to focused training, to oral or written warnings, to financial penalties, to termination in cases of serious breaches. In assessing the appropriate disciplinary measures, numerous factors are considered. Some include the significance of the procedural breach (and thus of the human rights violation), whether the individual received prior training in the area, the length of time the individual has served in the position, whether the individual was on or off duty, local law, the level of cooperation with investigators, showings of remorse and individual remediation efforts, whether the individual has committed past violations, and whether the violation was intentional.

For third party suppliers, discipline for committing human rights violations, failing to report violations, and hindering investigations may include termination of existing relationships, requests for focused training, and other measures. We also are unequivocal in advising employees and third parties that where we conclude that they have committed or contributed to serious human rights violations, we will cooperate with the police in prosecution efforts, and we may assist victims in seeking redress directly against perpetrators.

In addition, when we identify negative human rights impacts which we cause or to which we contribute, we strive to take a culturally appropriate and thoughtful approach to remediation. For serious negative human rights impacts, we have developed corporate procedural guidelines regarding the internal personnel involved in assessing how remediation of negative human rights impacts will be handled. In assessing when remediation may be appropriate and the nature of the remediation to be provided, we are particularly sensitive to the importance of victim participation, stakeholder input, as well as the potential need for independence from the

operational unit that may be involved in the negative impact. While remedies for negative human rights impacts will naturally differ depending on the circumstances, in-kind remediation is often preferred to cash, and sites have adopted guidelines that consider such factors as: the degree and nature of the harm suffered, whether mine personnel were involved and on duty, whether third party perpetrators used mine resources or committed an act related to their contracted duties, the nature of the evidence in support of the claim, the individual's age and personal circumstances, and local laws.

Transparency and Reporting

While we strive to be transparent with external stakeholders, we often must balance competing risks associated with disclosures, including legal risks and confidentiality needs. The GPs themselves acknowledge that tension.

Nonetheless, consistent with the GPs, we do seek at least to communicate with those directly affected by negative human rights impacts, discuss openly our systems and processes for mitigating negative human rights impacts, and report formally when there are severe human rights impacts or risks of them. We further have directly contacted and engaged with key external stakeholders about human rights incidents, progress in remediation efforts, and the relative effectiveness of our systems and processes.

Much of our reporting occurs on our website, or through our annual Responsibility Report. Additional reporting is done through initiatives or groups in which we participate. These include annual reports in the VPs and to the ICMM, and disclosure within the VPs of an internal assurance process as measured against key performance indicators. An external letter of assurance related to our systems and processes is submitted to the ICMM, and referenced in our Responsibility Report. Additional avenues of transparency may further occur with our increasing number of partnerships on projects with members of civil society, which may report on progress associated with those projects.

New Acquisitions and Mine Projects

For any corporate compliance program, it is important to ensure that the program extends in full to new operations that may be developed or acquired. In the mining industry, acquisitions are common. In addition, when sites evolve from exploration, to construction, to operation, their character, personnel, and risks change as well.

In our program, we strive to conduct human rights due diligence before acquisitions are complete to identify existing risks and impacts. We also are cognizant that for new acquisitions, it is important that we rapidly apply, and that they integrate, the human rights program into their systems. In addition, before mine projects are constructed, we also strive to conduct human rights assessments and include them in the Environmental and Social Impact Assessment Reports. We likewise try to ensure that as our operations develop, we continue to assess their human rights impacts, risks, and needs, and adjust the program accordingly regarding those operations.