



HUMAN RIGHTS POLICY

Issue date : 2014-03-25

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DOCUMENT TITLE HUMAN RIGHTS POLICY	Approved by	Mark Plamondon, President, Ambatovy


REVISION HISTORY

This document outlines the policies and procedures of the Company for all employees assigned to Ambatovy in Madagascar.

The Company reserves the right to amend and modify these policies and procedures at any time.

Rev.	Date	Description	Approved
00	2014-01-21	Original	By President

Proposed and reviewed by:



Nathalie Lion Haddad
Director, Human Resources
Dynatec Madagascar Société Anonyme

25.03.2014

Date

Approved by:



Mark Plamondon
President
Dynatec Madagascar Société Anonyme

MAR. 25/14

Date

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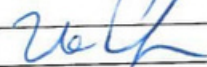


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<p>1. – Purpose</p>	<p>The purpose of the Human Rights Policy (“Policy”) is to affirm the commitment of Dynatec Madagascar S.A and Ambatovy Minerals S.A., (“Ambatovy”, or “the Company”) to operate in a way that respects human rights as set forth in the Universal Declaration of Human Rights (UDHR).</p>
<p>2. – Scope</p>	<p>This Policy applies to all Ambatovy’s activities including the activities of its directors, officers and employees (collectively referred to as “Employees”). It also applies to Ambatovy’s contractors, subcontractors and suppliers.</p> <p>The policy should be read in conjunction with the Code of Conduct as well as policies applying to specific areas of work, including the Security Policy and procedures, CSR Policy and procedures and other related Company policies, listed in section 6 of this policy.</p>
<p>3. – Guiding Principles</p>	<p>Ambatovy complies with the laws and regulations of Madagascar, and recognizes the state’s duty to respect, protect and fulfill human rights and fundamental freedoms. Ambatovy likewise recognizes its own responsibility to respect the human rights of its stakeholders, including employees and communities. This means that:</p> <ol style="list-style-type: none"> 1. As part of standard due diligence procedures, Ambatovy will perform audits on human rights impacts in relation to existing activities including activities of its contractors. 2. Ambatovy takes prompt action to prevent, mitigate or – where necessary - remediate adverse human rights impacts. 3. In a spirit of continuous improvement, Ambatovy learns from its own and others’ experience as international human rights law, policy and practice continue to evolve.
<p>4. – Our Commitments</p>	<p>Specific commitments include:</p>
<p>4.1 – Communities</p>	<p>Ambatovy respects the human rights of the people in communities affected by its activities. These include economic, social and cultural rights. In line with this commitment:</p> <ol style="list-style-type: none"> 1. It places particular emphasis on human rights due diligence in relation to the impacts of its activities

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	<p>on communities.</p> <ol style="list-style-type: none"> 2. Due diligence process includes consultation with the people most likely to be affected by our activities (eg. Livelihoods...). 3. Ambatovy explicitly forbids any form of child sexual exploitation on the part of its own employees and contractors, and uses its influence to raise awareness and contribute to eradicating it in the wider community.
<p>4.2 – Employees</p>	<p>Ambatovy ensures its personnel policies and practices respect the labour laws of the Government of Madagascar as well as the International Labour Organization (ILO) Declaration on Fundamental Principles and Rights at Work, specifically:</p> <ol style="list-style-type: none"> 1. Freedom of association; 2. Elimination of all forms of forced or compulsory labour: 3. Effective abolition of child labour: <p>Ambatovy supports constructive mechanisms where employees can see redress for violations of any of these rights.</p>
<p>4.3 – Suppliers, Contractors and Subcontractors</p>	<p>All suppliers, contractors and subcontractors are required to abide by Ambatovy’s Human Rights related policies as a part of their contracts with Ambatovy.</p>
<p>4.4 – Security</p>	<p>Ambatovy conducts security operations in accordance with the Voluntary Principles on Security and Human Rights. This means that:</p> <ol style="list-style-type: none"> 1. It assesses and monitors the risk of adverse human rights impacts arising from security operations associated with Ambatovy. 2. It assesses and monitors the risk of adverse human rights impacts arising from security operations associated with Ambatovy. 3. It assesses and monitors the risk of adverse human rights impacts arising from security operations associated with Ambatovy. 4. It ensures that private security agencies working for Ambatovy will be fully briefed on its human rights principles, and undertake to abide by them.


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	<p>5. Ambatovy communicates its human rights principles to the government security agencies in its area and at national level. It undertakes to raise any human rights concerns relating to the security of its operations with an appropriate senior government authority, and to use influence to encourage appropriate remediation.</p>
<p>5. – Implementation</p>	<p>Ambatovy’s Senior Management has overall responsibility for the implementation of this Policy.</p>
<p>5.1 Management responsibilities</p>	<p>Ambatovy’s Director of Human Resources has day-to-day responsibility for overseeing the implementation of this Policy and coordinating implementation activities.</p> <p>Upholding the commitments set in this policy is the responsibility of all Ambatovy employees, contractors and suppliers.</p>
<p>5.2 Monitoring</p>	<p>The Corporate Social Responsibility and ALBI teams have particular responsibility for monitoring our human rights performance as it relates to external stakeholders, including communities and suppliers.</p>
<p>5.3 Reporting</p>	<p>Ambatovy reports on the implementation of the Policy in Ambatovy’s annual Sustainability Report in line with the reporting indicators defined by the Global Reporting Initiative (GRI).</p>
<p>5.4 Raising concerns</p>	<p>Ambatovy encourages both employees and external stakeholders to raise any concerns relating to this Policy and performance.</p> <p>In the first instance, employees should consult their line managers. If they feel unable to do so, they may use the confidential online reporting system and Reportable Concern Hotline, developed with a third-party provider, which follows the procedure set out in our Reportable Concerns Policy.</p>

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	<p>Both employees and external stakeholders have access to the Ambatovy Grievance Management System which is available via toll-free numbers:</p> <p>032 32 03333 033 65 33333 034 30 33333 doleances@ambatovy.mg</p> <p>or</p> <p>033 44 66998 or IP 6998 www.sherritt.ethicspoint.com</p>
<p>5.5 Responding to grievances</p>	<p>Ambatovy will respect the confidentiality of anyone who raises concerns through the Grievance Management System. We will investigate all reports promptly, and report back on our findings. If we identify adverse human rights impacts, we will take steps to address them promptly.</p>
<p>6. – Related Policies</p>	<p>Security Policy and procedures</p> <p>CSR Policy and procedures</p> <p>Reportable Concerns Policy</p> <p>Code of Conduct</p> <p>Supplier Code of Conduct</p> <p>Employee Privacy Policy</p> <p>Harassment on Working Premises Policy</p>

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Appendix A

Ambatovy's Human Rights Policy is informed by the following international instruments and guidelines:

Universal Declaration of Human Rights

www.un.org/en/documents/udhr/

The Universal Declaration of Human Rights (UDHR), which was adopted in the UN General Assembly in December 1948, serves as the foundation of all subsequent international human rights instruments.

UN Guiding Principles on Business and Human Rights

www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf

The UN Guiding Principles on Business and Human Rights, which were approved by the UN Human Rights Council in June 2011, affirm states' duty to protect human rights, companies' responsibility to respect human rights, and the need for both to facilitate access to effective remedy when there are human rights abuses.

ILO Declaration on Fundamental Principles and Rights at Work

www.ilo.org/declaration/lang--en/index.htm

The ILO Declaration affirms employees' rights to freedom of association as well the collective responsibility of governments and employers to eliminate forced labour, child labour and discrimination in respect of employment.

Voluntary Principles on Security and Human Rights

www.voluntaryprinciples.org

The Voluntary Principles on Security and Human Rights (VPs) derive from a multi-stakeholder initiative involving governments, companies and NGOs. The VPs cover risk assessment and companies' relationships with both government and private security forces, and provide an essential set of guidelines for Ambatovy's security management.


International Finance Corporation Performance Standards

www.ifc.org/performancestandards

As a client of Banks that apply IFC standards, we are committed to the IFC's Performance Standards on environmental and social risks, which are themselves informed by the UN Guiding Principles on Business and Human Rights.

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International Council on Mining and Metals

www.icmm.com

The International Council on Mining and Metals (ICMM) was set up in 2001 to improve sustainable development performance in the mining industry. Ambatovy complies with the ICMM Principles and, in accordance with ICMM Principle 3, we undertake to “uphold fundamental human rights and respect cultures, customs and values in dealings with employees and others who are affected by our activities”. The ICMM has published a number of guidance documents in connection with mining and human rights and we take these into account when framing our own implementation strategies.

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