

21 September 2017

Catherine Coumans  
Co-Manager  
MiningWatch Canada  
Suite 508, City Centre Building  
250 City Centre Avenue  
Ottawa, Ontario K1R 6K7  
Canada  
**VIA EMAIL**

Dear Ms Coumans

**Re: 27 August 2017 letter regarding the North Mara Gold Mine**

I write in response to your letter addressed to Mr Dushnisky and Mr Gordon regarding the grievance mechanism at the North Mara Gold Mine (the “Mine”), owned by North Mara Gold Mine Ltd (“NMGML”).

In your above letter, you refer to the tragic fatality on 4 August 2017 at North Mara as a reason to restate your previous critiques of the Mine’s grievance mechanism. Acacia deeply regrets any harm or loss of life that occurs at any of its operations, regardless of how they may occur. As you will appreciate, the investigations are ongoing, and I am not able to comment on the incident specifically. That said, I would urge you to provide the Mine with any information you might have regarding the incident which might assist those investigations. In particular, the Mine would be grateful for any information you may have or may be aware of supporting your assertion that the Mine’s security guards were involved or responsible, given that they are not provided with live ammunition.

I also am not in a position to comment on your allegations regarding any concerns that the family of the deceased may or may not have regarding the Mine’s grievance mechanism. I am not aware that you represent the family, or are authorised by them to speak on their behalf.

I note that you attribute some of your continued scepticism about the grievance mechanism at the Mine to your not having been consulted directly on recent revisions to the mechanism’s core documents and not having received certain other documents that you have requested from the Mine.

The Mine has considered the critiques you and others have offered, along with current thinking by experts on operational grievance mechanisms, as it has reviewed the design and operation of the mechanism over the past year. Further, company representatives have reached out to engage with you regarding those critiques and have met with you on several occasions to discuss them.

However, to date, you have been unable to provide specific practical suggestions for the design and operation of the Mine's grievance mechanism, on the stated basis that you "do not wish to be a consultant" to the company, while in parallel you have been representing individuals preparing legal proceedings in the UK courts outside the existing operational grievance mechanism at North Mara. As you know, that is the context in which the Mine has not provided you with preview versions of the Mine's revised procedural documents and some of the historical internal documents which you have demanded, while you have in fact received some of the other documents you list in your letter.

The Mine currently is engaged in direct community and expert consultations on its revised grievance mechanism, as described in two key procedural documents: a Standard Operating Procedure and a Handbook for Grievants. The Mine will consider further revising those documents and the mechanism to take account of constructive practical suggestions from experts and the community.

Soon the Mine will begin a next phase of its consultation processes, in which it will seek broader input. Although this is the Mine's initiative, Acacia will assist with the consultation by publicising the draft documents and soliciting comments through its website. As always, the Mine will consider any additional comments, critiques and ideas that you and others may submit about the documents and the grievance mechanism.


The new procedural documents largely reflect the grievance mechanism process that has been in place since 2016. They are working documents which already are being used pending the outcome of the consultation process and final approval by the Mine. The additional practical changes to current procedures that are contemplated will be implemented subject to the further suggestions received from experts and the community and other consultation processes.

In the meantime, the Mine's grievance mechanism continues to provide access to remedies in accordance with the corporate social responsibility principles encapsulated in the United Nations Guiding Principles on Business and Human Rights. That includes potential remedies for those who allege that the use of force by private security or Tanzanian law enforcement officials has been excessive and therefore has adversely impacted their human rights.

The Mine's grievance mechanism will provide access to such a remedy should the family you mention in your letter pursue a grievance (which I understand they have done). We will not pre-judge the outcome of the grievance process, but I am sure that the matter will be dealt with fairly, responsibly and appropriately.

Before concluding, I would like to enquire to whom you have sent your letter. You note that you have copied "Others".

Yours sincerely,

  
Charlie Ritchie  
Head of Legal & Compliance  
Acacia Mining plc

