Ground Rules on Dispute Resolution Process between HAGL Company and its subsidiaries and 17 affected villages

These Ground Rules are made in Banlung City, Ratanakiri Province, Cambodia on January 12, 2015 by and between

HAGL Company and its subsidiaries (HAGL) represented by representatives who sign these ground rules

And

17 Affected villages represented by representatives who sign these ground rules

After mutual discussion and agreements, HAGL and 17 affected villages (Parties) agree on the followings terms and conditions:
1. **Principles:** The parties agree to act in good faith, in a non-violent and non-threatening manner, with mutual respect and efficiency, and in compliance with relevant Cambodian Law and International Law ratified by Cambodian government and internationally recognized rights of indigenous peoples. For the duration of the CAO-convened mediation process, neither party will engage in a parallel process in attempting to address the issues raised in the complaint.

2. **Representation:** Each community will have up to 15 representatives.

3. **Joint meetings:**
   a. Where there is a larger joint meeting between the company and all affected communities, each community will nominate two key representatives to be present.
   b. The company will be represented by up to 10 representatives.
   c. Smaller joint meetings: The parties will agree the number of representatives for smaller meetings once the structure of the mediation has been agreed.
   d. Representatives will keep their respective party informed of progress throughout the process.

4. 合作商情報金屬礦产問題： 鍊鍊礦商情報金屬礦产問題報告書著案業者、礦業商情報金屬礦产問題報告書著案業者、礦業商情報金屬礦产問題報告書著案業者、礦業商情報金屬礦产問題報告書著案業者、礦業商情報金屬礦产問題報告書著案業者、礦業商情報金屬礦产問題報告書著案業者、礦業商情報金屬礦产問題報告書著案業者、礦業商情報金屬礦产問題報告書著案業者、礦業商情報金屬礦产問題報告書著案業者、礦業商情報金屬礦产問題報告書著案業者、礦業商情報金屬礦产問題報告書著案業者、礦業商情報金屬礦产問題報告書著案業者、礦業商情報金屬礦产問題報告書著案業者、礦業商情報金屬礦产問題報告書著案業者。
4. Decision making: Decisions are made by consensus. The representatives will need to obtain their parties’ approval within 30 days of agreements being reached at a joint meeting before these become binding.

5. Time frame: The parties aim to complete the process by the end of December 2015, ideally earlier. If there is no settlement at the end of this period then the parties may choose to extend their agreement to mediate should they wish.

6. Advisors: Highlanders Association (HA), Equitable Cambodia (EC), International Development Inclusive (IDI), Cambodia Indigenous Youth Association (CIYA), and Indigenous Rights Active Members (IRAM). Advisors will observe the dialogue session and can ask for a break to advise the communities as needed. Communities may at any stage request input from the advisors as necessary. Furthermore, advisors may indicate to the representatives at any time they wish to provide input. There can be up to 2 advisors per NGO. All advisors will be requested to sign a confidentiality agreement.
7. Observers: Observers are allowed to attend the meeting with prior agreement of both parties. All observers will be requested to sign a confidentiality agreement which will bind them to the terms of these ground rules. Community representatives may invite up to 2 elderly persons as observers during negotiation.

8. Government: Where the parties agree that the role of a relevant government agency is necessary, the parties will invite them to assist the process. The facilitator will keep the relevant government agencies informed of the process using the joint statements agreed by the parties.

9. Facilitator: CAO will facilitate the meetings. The facilitator may also hold private bilateral meetings with either of the parties as needed.

10. Documenting meetings and agreements:
    a. Each meeting will have a written summary
    b. Interim and final agreements will be signed by the parties.

11. Agenda: The facilitator will circulate the agenda of any meetings in advance, where desired, the agenda will be amended at the beginning of each meeting.
12. Language of the meetings: All representatives may speak in their native language, CAO will provide appropriate interpretation. All documents used in the mediation will be in English and Khmer.

13. Logistics/cost of meetings: CAO will cover the cost of the facilitator, meeting rooms and other direct costs reasonably incurred in convening the mediation process. CAO will also support basic cost of transport and lodging as needed for community representatives.

14. Communication and Media: Representatives commit that information from each meeting will be shared fully with the stakeholders of each representative. Where the parties, advisors and observers want to communicate externally about the status of this process, they will do so through the use of joint statements agreed to by the parties from time to time.

15. Confidentiality: The discussions during the meetings and any documentation that is shared in confidence are private between the parties and should not be shared with the general public or media without permission from the other parties. The representatives will try their best / take all reasonable steps to secure compliance with this provision by their respective party.
16. Structure and Issues: Parties will agree how the mediation is conducted and issues to be discussed.

17. Compliance with the ground rules: Parties, advisors and observers agree to comply with these ground rules. Where a party believes the other is guilty of breaching the ground rules, that party will notify the facilitator who will attempt to remedy the situation. If this fails, either party can notify the other that it no longer feels bound by these ground rules.

18. Changes to ground rules: can be made by mutual consensus of the parties.

The Ground Rules will be signed by: Parties, advisors, observers, and facilitators/CAO.