Joint Statement
Dispute Resolution Process between HAGL company and its subsidiaries and 11 affected villages: Muy Village, Kam Village, Kak Village, Kanath Thom Village, Tanong Village, Malik village, Inn village, Talao village, Peng village, Kres village and Nay village

Banlung, Ratanakiri, Cambodia
20 July 2017

Based on the outcomes of the joint trips to the sites and meetings in April and May, on 20 June 2017, representatives of 11 affected villages (Muy village, Kam village, Kak village, Kanath Thom village, Tanong, Malik village, Inn village, Talao village, Peng village, Kres village and Nay village), NGO representatives and representatives of HAGL and its subsidiaries had another meeting in Banlung, Ratanakiri Province, on 19 July 2017 to discuss options to address the concerns of these villages. The meeting was facilitated by the Compliance Advisor Ombudsman (CAO) of the International Finance Corporation (IFC).

During the meeting, representatives of HAGL made the commitments to:

- **Kanat Thom Village**: return of 2 unplanted Spirit Mountains (Phnom Yeak Ngoc, Phnom Tangblang). A third Spirit mountain (Phnom Yeng) will be, in principle, returned to the community pending approval by the government, as a temporary arrangement, the Company will allow the community access to this Spirit Mountain.

- **Tanong Village**: return of one Spirit Mountain (Phnom Varl) located within the concession, pending approval by the government. Regarding a second spirit mountain, Phnom Touk, the community and company reps will jointly identify the location, and boundaries, and discuss further.
- **Muy Village**: return of 4 Spirit Mountains (Phnom Patu, Phnom Lor, Phnom Teuy, Phnom Thmor) located within the concession, pending approval by the government

- **Kam Village**: return of 1 Spirit Mountain (Phnom Sakik) located within the concession, pending approval by the government

- **Kak Village**:
  - restore O'Trao stream after the rainy season in 2017, with a specific plan for implementation to be determined at a later date.
  - return of three Spirit Mountains (Phnom Pyuong, Phnom Blang and Phnom Tanong) pending approval by the government, the precise location and boundaries of this area will be determined at a later date and in collaboration with government. In the meantime the villagers will have free 24 hour access to these Spirit Mountains.

- **Malik Village**:
  - regarding one Chrop area of the Villagers, the company will allow unrestricted access to this Chrop through HAGL’s ELC. HAGL’s guard has been instructed to allow only villagers from Malik to access this Chrop.
  - consider the return of part of one Spirit Mountain (Phnom Pinh) back to the community pending approval by the government.
  - allow unrestricted access to the forest to Malik villagers through the company’s gate and road.
  - open the “head” of O'Tok Ton stream which site will be located by the community in conjunction with HAGL, with the implementation plan to be agreed upon at a later date.
  - fix the roads (from Katae village to Kanat village boundary) "as good as they can be" until the company’s financial situation improves. The repairs will be done in consultation with community representative in advance.
  - restore O’Phakol stream which was filled with debris from the land clearance. The exact location will be identified later, jointly by the community and the company, with the implementation plan to be agreed upon at a later date.
Inn Village:
- return of one Spirit Mountain (Phnom Yeng), pending the approval of the government. The precise location and boundaries of this area will be determined at a later date.
- the company will allow the community to expand another 1.5 hectares to the existing Burial Ground which is located in HAGL’s concession for exclusive use with precise location and boundary to be determined at a later date, pending government approval. In the event that the Government approves bigger area the company will abide.
- restore gradually O' Sao stream, with the implementation plan to be agreed upon at a later date.

Talao Village:
- return of one Spirit Mountain (Phnom Dong Katae) with precise location and boundary to be determined at a later date, pending government approval.
- cooperate with local Villagers to construct a dyke which is big enough to be used as a road to restrict sand eroding into nearby rice paddies, with a specific plan for implementation to be determined at a later date.
- allow unrestricted access to a company road which enables Villagers to access rice paddies until the dyke is built.

Peng Village:
- return of one Spirit Mountain (Phnom Kreng) pending government approval. The precise location and boundaries to be determined at a later date with government collaboration.
- restore two streams after the rainy season in 2017 (one of them O’Chae stream, the other to be identified jointly by community and company), with a specific plan for implementation to be determined at a later date.
- **Kres Village:**
  - return one Spirit Mountain (Phnom Yeak Chrong - known as husband and wife) pending government approval, with the precise location and boundaries to be determined at a later date.
  - continue to honor an earlier agreement for the Villagers to be granted unrestricted access to a Chrop area.

- **Nay Village:**
  - return of one Spirit Mountain (Phnom Kinh, partially planted with jack fruit) pending government approval, with precise location and boundaries to be determined at a later date.
  - restore one Chrop near Nay stream after the rainy season, with the precise implementation plan to be determined at a later date.
  - restore O'Mas stream after the rainy season, with the precise implementation plan to be determined and agreed upon at a later date.
  - regarding the Burial grounds planted with jack fruits, if the government confirms this is the actual Burial Grounds, the company will return with precise location and boundaries to be determined at a later date.
  - unrestricted access through company’s road (200 meters from O’Nay stream to boundary of Tanong Village)
  - unrestricted access through company gate.
  - The provincial Government has allowed villagers to plant crops near O’Mas stream and within the company’s ELC (within buffer zone) having no objection from the company.

- **Pou Village:**
  - return of one Spirit Mountain (Phnom Yeak Chrong) pending government approval, with the precise location and boundaries to be determined at a later date.
  - continue to honor an earlier agreement for the Villagers to be granted unrestricted access to a Chrop area.

Restore all water sources affected by the company as agreed to in Siem Reap in September 2015.
Repair roads and bridges, as per earlier agreement reached in Siem Reap in September 2015, with work to resume at the end of the rainy season. The company has implemented the repair of road and bridges along Tanong, Kak, Talao, Inn Villages in May. The repair work includes access roads for villages, and happened in consultation with the community representatives.

Any support or contribution by the company related to the maintenance of Spirit Mountains mentioned above will be discussed later.

The location, size and boundaries of Spirit Mountains and burial grounds mentioned above will be identified jointly by the communities and HAGL and with the support and approval of the government of Ratanakiri to do demarcation, mark with the poles, and issue the certificates.

Return permanently to the dialogue process after the previous period of absence caused by the company’s financial difficulties, and engage in good faith negotiations to implement in full the commitment made by HAGL in Siem Reap in September 2015.

The parties will work in cooperation with the Government of Ratanakiri Province to implement the return of the Spirit Mountains and burial grounds mentioned above. These commitments represent an important step on the way to addressing the communities' concerns. The parties are committed to continuing to work together through the CAO facilitated mediation process to address the remaining concerns and land issues of the community.