

***Procedure under the Relocation Protocol***

- 1 The procedure created by the revised Relocation Protocol is as follows:
  - 1.1 Where Tendele identifies future mining areas it is obliged to inform the Mpukunyoni Traditional Council, the local induna and traditional communities (para 4.a and 5.a).
  - 1.2 The relevant role players and the MAC shall convene and be introduced to Tendele's representative and the existing evaluation procedures, protocols and relocation agreements will be explained to them and then to the directly affected communities (para 5.d).
  - 1.3 The directly affected communities then elect a DAC (directly affected community) committee (para 5.d). This committee consists of leaders elected by the families that need to be relocated and this committee then interacts with the mine on an ongoing basis. This avoids the dissemination of misinformation and ensures that the mine deals directly with the directly affected community members that are required to be relocated.
  - 1.4 The induna then calls a community meeting and informs the Izigodi, which is the area allocated or designated to the respective induna's authority and leadership, that a future mining area has been identified (para 5.e).
  - 1.5 The induna will call a meeting of the directly affected community members who live within 500 metres of the future mining area and the directly affected

community members are informed that a future mining area has been identified (para 5.f).

- 1.6 After an area has been earmarked for mine development there should be no land allocation to people in that area because local economic development has been proposed on that land (para 6).
- 1.7 In the event of a dispute between the DAC Committee and Tendele, the MAC in the area attempts to resolve the dispute and thereafter the MCMF and thereafter the Mpukunyoni Traditional Council (para 7).
- 1.8 If Tendele and the DAC Committee deadlock in their negotiations, there is to be a meeting between Tendele and the DAC, called by the Mpukunyoni Traditional Council. In that event, the Mpukunyoni Traditional Council informs the DAC Committee that Tendele is to be allowed to negotiate with individual households to find a way forward (para 7.a and 7.b).
- 1.9 If necessary, a task team will be created where representatives of the task team will visit the relevant households (para 7.c).
- 1.10 Tendele negotiates individually with each family and uses the Relocation Protocol as a basis for the negotiations. Each negotiation takes into account the circumstances of the individual family.
- 1.11 The Relocation Protocol is aimed at determining compensation for, *inter alia*, homesteads, fields, graves, the upset of having to move, planted trees bearing fruit, planted crops and the cost of moving. The underlying principle is that any directly affected community member will not be worse off than before the relocation (para 2.a).

