



# Global Indigenous Peoples Strategy

Indigenous peoples are critical partners and stakeholders in - BHP operations - within Australia and around the world.

Many of our operations are located on or near traditional Indigenous lands and the long-term nature of our operations allow us to establish long lasting relationships with the Indigenous communities in which we operate and those neighbouring our operations. These relationships are based upon Our Charter value of respect, through which we seek meaningful engagement, trust and mutual benefit.

Through this experience we understand that Indigenous Peoples often have profound and special connections to, and identification with, lands and waters and that these are tied to their physical, spiritual, cultural and economic well-being. We also understand Indigenous Peoples in many regions of the world have been historically disadvantaged and often still experience poverty and other forms of social exclusion. Through successful implementation of this Strategy, BHP Billiton will seek to be regarded as a partner of choice for Indigenous Peoples through which our relationships contribute to their economic empowerment, social development needs and cultural wellbeing as outlined below.

## Priority Area: Governance

Indigenous peoples will derive significant and sustainable benefit from BHP operations through the effective governance and management of land access, cultural heritage management, agreement making and benefit distribution processes.

### Core commitments

BHP Functions and Assets will:

- Undertake social and environmental impact assessments for projects affecting Indigenous peoples.<sup>1</sup>
- Seek to agree on and document engagement and consultation plans with potentially impacted Indigenous peoples.<sup>2</sup>
- Work to obtain the consent of Indigenous peoples for new operations or major capital projects that are located on lands traditionally owned by or under customary use of Indigenous peoples and which are likely to have significant adverse impacts on Indigenous peoples.<sup>3</sup>
- Seek through good faith negotiation to reach agreements with Indigenous peoples which deliver sustainable improvements in their economic, social and cultural wellbeing.
- Seek to minimise impacts on aspects of significant heritage value and support the preservation of cultural heritage through implementing a framework for identifying, documenting and managing aspects of cultural significance.<sup>4</sup>
- Put in place complaints and grievance mechanisms which are culturally appropriate and accessible for Indigenous peoples.<sup>5</sup>

## Priority Area: Economic empowerment

BHP will contribute to the Economic Empowerment of Indigenous peoples through investment which provides opportunities for employment, training, procurement and Indigenous enterprise support.

### Core commitments

BHP Functions and Assets will:

Develop and implement Indigenous Economic Empowerment Plans which will include milestones and targets for one or more of the following as appropriate:

- Pre-employment training, employment, career development and retention of Indigenous employees.<sup>6</sup>
- Business procurement from Indigenous enterprises.<sup>7</sup>
- Indigenous peoples' vocational training and livelihood support through voluntary Social Investment Plans.<sup>8</sup>

## Priority Area: Social and cultural support

BHP will contribute to improved quality of life for Indigenous peoples through voluntary social investment, support for reinforcement and promotion of Indigenous culture and building the Indigenous cultural awareness of our workforce.

### Core commitments

BHP Functions and Assets will:

- Develop and deliver Indigenous cultural awareness and competency training in consultation with Indigenous peoples.<sup>9</sup>
- Maintain complaints and grievance mechanisms which are culturally appropriate for and accessible to Indigenous peoples and which result in the collection, recording, reporting and timely resolution of issues raised by Indigenous peoples.<sup>10</sup>
- Consult with Indigenous peoples in determining appropriate social, economic and cultural baseline within Social Baseline studies and the development of Indigenous investment priorities within Community Development Management Plans (CDMP).<sup>11</sup>

<sup>1</sup> IFC Guidance Note 7: Indigenous Peoples

<sup>2</sup> Consistent with the *Our Requirements for Communication, Community and External Engagement* standard and commitments under the [2013 International Council on Mining and Metals \(ICMM\) Position Statement on Indigenous Peoples and Mining](#)

<sup>3</sup> Consistent with the *Our Requirements for Communication, Community and External Engagement* standard and commitments under the ICMM Position Statement

<sup>4</sup> Consistent with the *Our Requirements for Communication, Community and External Engagement* standard

<sup>5</sup> Consistent with the *Our Requirements for Communication, Community and External Engagement* standard

<sup>6</sup> Consistent with diversity & inclusion plans

<sup>7</sup> Consistent with the *Our Requirements for Supply* standard, as part of local procurement plans.

<sup>8</sup> Incorporated within Asset Social Investment Plans implemented under BHP Social Investment Framework

<sup>9</sup> Consistent with the *Our Requirements for Communication, Community and External Engagement* standard

<sup>10</sup> Consistent with the *Our Requirements for Communication, Community and External Engagement* standard

<sup>11</sup> Consistent with the *Our Requirements for Communication, Community and External Engagement* standard

- Incorporate consultation with Indigenous peoples into Social Opportunity and Impact Assessment (SOIA) processes in determining social impacts, gaps and opportunities.<sup>12</sup>
- Engage relevant Indigenous stakeholders in the identification, design, implementation and evaluation of Indigenous social investment projects.
- Evaluate Indigenous social investment projects against appropriate data gathered and measured through Social Baseline studies applicable to Indigenous peoples.

## Priority Area: Public engagement

**BHP will contribute to specific initiatives, programs and public policy processes which advance the interests of Indigenous peoples consistent with the BHP Indigenous Peoples Policy Statement.**

BHP Functions and Assets will:

- Engage in public policy processes of relevance to both BHP and Indigenous peoples in a manner consistent with the BHP Indigenous Peoples Policy Statement and BHP's *Our Charter* values.
- Support specific initiatives and events of significance to Indigenous peoples (eg in Australia, National Reconciliation Week and the National Aboriginal and Torres Strait Islander Day of Observance (NAIDOC)).
- Develop a new Reconciliation Action Plan (RAP) reflective of the Focus Areas and Core Actions of this Strategy (Australia).

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<sup>12</sup> Consistent with the *Our Requirements for Communication, Community and External Engagement* standard

# Good Practice Guidance

## Governance

### **Agreement Making: BHP Agreement Making processes should include the following attributes:**

- Indigenous peoples having access to adequate independent legal and other professional representation through the agreement-making phase.
- Provide support for the timely resolution of land claim or land ownership processes.
- Provide agreed governance mechanisms, structures, systems and processes that deliver open, transparent and ethical decision-making for the long term which are free from fraud or corruption and in which conflicts of interest are identified and managed appropriately.
- Contain formal processes to identify and respect sites, places, structures and objects that are culturally or traditionally significant.
- Provide opportunities for Indigenous peoples' economic empowerment through vocational training, employment, procurement and support for Indigenous enterprise development.
- Include a grievance mechanism<sup>13</sup>,
- Facilitate long term, mutually beneficial relationships through regular systematic dialogue and monitoring of agreement implementation.
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### **Cultural Heritage Management: BHP Cultural Heritage Management processes should include the following attributes:**

- Consideration of heritage values early in the planning stages and recognition of heritage values holistically on a landscape scale.
- Recognition of the fundamental responsibility of Indigenous people to manage their own cultural heritage.
- Respect for 'non-physical' cultural heritage protection as equally important to 'physical' protection.
- Facilitate collaboration between Indigenous peoples and heritage professionals to assist with intergenerational transmission of knowledge and cumulative impacts
- Support third party involvement in heritage protection and conservation, with the consent of Indigenous peoples.

### **Agreement Implementation & Benefit Distribution: BHP Agreement Implementation & Benefit Distribution processes should include the following attributes:**

- Provide governance mechanisms which give day to day decision-making control to representative bodies of Indigenous peoples.
- Include dispute resolution processes where an Indigenous decision-making body cannot reach consensus.
- Include mechanisms to build better decision-making capacity within groups.
- Include an independent body to ensure compliance with trust rules and/or governance structures.
- Include transparent financial benefit management structures that deliver enduring and sustainable agreement related benefits to members of Traditional or Customary Owner groups and the broader local Indigenous population that is associated with or impacted by, our operations.
- Permit a portion of financial benefits to be used for discretionary purposes and a portion to be used for specified purposes.
- Contain adequate mechanisms to enforce governance requirements such as rights to independent audits and payment suspension rights where misconduct is not resolved and remedied.

## Economic empowerment

### **Indigenous Employment. BHP Indigenous employment processes and outcomes should include the following attributes:**

- Inclusion of Indigenous peoples in relevant Diversity and Inclusion Plans under GLD.054 with targets developed, executed and reviewed annually.
- Use of targeted and culturally appropriate strategies for Indigenous recruitment through outreach to Indigenous community organisations, use of Indigenous networks and media advertising through channels maximising reach to Indigenous audiences.
- Use of Indigenous outreach strategies as part of graduate intake recruitment processes. These may include digital, print and campus campaigns targeting Indigenous peoples.
- Adoption of Indigenous employment models, which may include pre-vocational training creating pathways to employment and a range of capacity building initiatives as required including numeracy and literacy programs, basic vocational skills, mentoring and addressing foundational issues identified as barriers to employment such as obtaining driver's licences.
- Supporting an enabling environment for retention, progression and career development of Indigenous employees.
- Conduct of skills inventories and tailored vocational training programs to better match skills of Indigenous peoples to available job opportunities within Businesses and Assets.

<sup>13</sup> Consistent with *Our Requirements for Communication, Community and External Engagement standard.*

**Indigenous Procurement. Subject to BHP compliance requirements, Indigenous procurement processes and outcomes should include the following attributes:**

- Inclusion of Indigenous suppliers and Indigenous procurement targets in local procurement plans developed under GLD.026.
- Creation of contract and purchase orders terms and conditions for local Indigenous vendors according to the legal and financial context of local procurement and indigenous suppliers.
- Flexibility and willingness to remove barriers to improve Indigenous business outcomes. Subject to compliance requirements, this may include: letting minor contracts that can be negotiated directly without tender processes; unbundling larger contracts; preferencing Indigenous enterprises using weightings; providing support to meet qualifications; providing information regarding emerging procurement opportunities and explaining Company policies and processes.
- Proactively sharing information on procurement opportunities, supplier qualification and performance requirements with Indigenous supplier networks and peer companies.
- Seeking to stimulate opportunities for Indigenous enterprises outside the mining industry as part of a broader regional development agenda that aims to ensure sustainability beyond the life of the mine.
- Defining and documenting procedures to discover and develop local/Indigenous suppliers as per their local sourcing strategy.

## **Social & Cultural Support**

**BHP social and cultural support for Indigenous peoples should include the following attributes:**

- Building a sophisticated understanding of Indigenous peoples' cultures, organisational and decision-making structures, history, values, concerns and social and cultural development priorities to underpin the design of social and cultural support programs.
- Employing specialist staff with awareness and understanding of how to interact with Indigenous peoples through community development expertise in an Indigenous context.
- Ensuring the involvement of Indigenous peoples is inclusive and captures the diversity of views within and between communities.
- Recognising power imbalances that may exist within Indigenous communities and ensuring that excluded groups' (e.g. women or small family groups) voices are heard in engagement and decision-making processes associated with social and cultural support programs.
- Building sustainability into Social Investment and cultural support programs through partnerships or alignment with government and regional development plans, to ensure there is neither overlap in the provision of services nor a lessening of government obligations to Indigenous peoples.
- Cross cultural training delivered by suitably qualified local Indigenous peoples which focuses not only on giving an historical understanding of the relevant community, but on providing practical advice that can enhance cross-cultural communication and understanding (e.g. advice on body language, initiating and ending conversations, culturally disrespectful actions, etc.).

## **Public Engagement**

**BHP public engagement on matters related to the rights and interests of Indigenous peoples should include the following attributes:**

- BHP speaking in its own voice and not seeking to represent the views or interests of Indigenous peoples.
- Building the capacity of or providing accompaniment to Indigenous organisations or representative bodies to engage in public policy processes.
- Playing a brokering and convening role where appropriate to bring together representatives of Indigenous peoples and other actors such as government to constructively address issues of mutual interest or concern.
- Providing opportunities to deepen BHP employee understanding of and engagement with Indigenous peoples.
- Contributing BHP input to relevant industry association policy and advocacy with respect to Indigenous issues consistent with the BHP Indigenous Peoples Policy Statement and BHP's *Our Charter* values.