

July 8, 2016

Correspondence between the Akali Tange Association and Barrick Niugini Limited

Barrick Gold Corporation (**Barrick**) is aware of recent correspondence (dated June 17) between the Akali Tange Association (**ATA**) and Barrick Niugini Limited (**BNL**), the manager and 95 percent owner of the Porgera Joint Venture in Papua New Guinea.

On August 31, 2015, Barrick divested 50 percent of its interest in BNL to a subsidiary of Zijin Mining Group Co. Ltd. (**Zijin**), thereby reducing Barrick's interest in the Porgera Joint Venture from 95 percent to 47.5 percent. Accordingly, Barrick cannot respond on behalf of BNL. However, at the heart of Barrick's approach to human rights is a clear and unwavering commitment to respecting human rights wherever we do business, and recognizing the equality and dignity of the people with whom we interact every day.

Whether or not we are the operator of a joint venture, we carry these same high expectations. While we do not control BNL, we seek to use our influence as an equal shareholder to emphasize the critical importance of BNL management adhering to its own human rights policy, including a commitment to respond to allegations of negative human rights impacts that BNL may have caused or contributed to in a fair and effective manner.

For this reason, we have requested details about this matter from BNL, and feel it is important to provide additional information on the ATA's claims, which we feel may represent a misunderstanding of BNL's diligence to date, as we understand it, in responding to these serious matters.

In the ATA's June 17 letter, the ATA advised of a planned protest due to their concerns about the progress of investigation into, and remedy of, allegations of human rights abuses, which the ATA submitted to BNL in September 2015.

Specifically, on September 4, 2015, the ATA submitted a letter through the Porgera Joint Venture grievance mechanism, containing a list of 259 individuals, alleging that they had been injured, killed, or raped at or in the vicinity of the Porgera Joint Venture mine. The allegations include a wide range of claims, including injuries, fatalities as a result of drowning or falls, and security misconduct. A majority of the claims appear to pre-date Barrick's involvement in the Porgera Joint Venture in 2006, and extend back into the early 1990s.

The volume of the allegations, their disparate nature, the lack of detail provided for many of the claims, and their span over 25 years makes them challenging for any operational grievance mechanism to review and investigate. Nonetheless, upon receiving notification of these allegations, BNL followed internal protocols for action in the event of receiving human rights-related grievances. Specifically, the receiving grievance officer immediately notified

BNL's Legal Group of the matter, which has subsequently sought to evaluate and assess the claims presented.

An important step in the grievance assessment process was for BNL's General Manager of Corporate & Legal to request that the ATA verify that it had the authority to lodge these claims on behalf of these individuals. This is not a matter of creating unnecessary bureaucracy, but rather an essential step in protecting the interests of each claimant. As Human Rights Watch has previously observed, in pursuing prior human rights-related grievances on behalf of claimants, the ATA's stewardship of those grievances left several "highly disgruntled".¹

More recently, Enodo Rights, in their independent assessment of the Porgera Remedy Framework, challenged the ATA's ability to credibly represent potential claimants in respect of the Framework, citing the group's "...repeated homicidal threats, dearth of female representatives, absence of women's initiatives, and complete insensitivity to the extreme vulnerability of survivors of sexual violence."²

With this in mind, BNL viewed it as an important step to establish that the claimants themselves truly wish to have the ATA act on their behalf.

Further complicating matters, a letter was received by BNL on May 30, 2016, from the Human Rights Inter-Pacific Association (HRIPA), another local NGO that has recently been established in Porgera. In that letter, the HRIPA also claimed that it has the authority to act for a number of alleged ATA-authorized claimants. While we are advised that BNL has worked with the ATA to try to resolve this matter, resolving the question of which entity has authority to act on behalf of the listed claimants has thus been a matter of some confusion.

We share the above information—none of which was included in the ATA's June 17 correspondence—to provide additional context on why the process of assessing these claims is both complex and time-consuming.

Given the serious nature of these allegations, and the volume and nature of the claims presented, significant time will be required to complete an evaluation of each claim. During consideration of these matters under a process to evaluate these claims, including consultations with external stakeholders, we are advised that BNL has identified the following points, which have already been communicated to the ATA:

- A number of claims appear to have been the subject of prior assessment, whether directly by the Porgera Joint Venture's grievance mechanism, under the Porgera Remedy Framework (detailed information about the Framework is available [here](#)), or otherwise; these claims have been resubmitted by the ATA without explanation for their resubmission.
- Other claims appear to have already been subject to review and assessment by previous owners of the Porgera Joint Venture (i.e., before Barrick acquired its interest in the Porgera Joint Venture in 2006).

¹ See p.45 of Human Rights Watch 2011 report, *Gold's Costly Dividend*, available [here](#).

² See p.50 of Enodo Rights 2016 report, *Pillar III on the Ground: An Independent Assessment of the Porgera Remedy Framework*, available [here](#).

We wish to reiterate our commitment to respecting human rights wherever we do business. Barrick takes a zero tolerance approach to any human rights abuses. As the Porgera Remedy Framework process has demonstrated, in the event that we cause or contribute to negative impacts, our priority is to provide remedy in a fair and transparent manner.

We are confident that BNL will complete a fair and transparent process to evaluate these allegations, and where they merit, provide remedy that is equitable and rights-compatible. As a joint owner, we will exercise our influence to ensure that such a process is afforded to each claimant.