

**8 September 2023**

## ALLEGATIONS OF RISKS ARISING OUT OF PUEBLO VIEJO EXPANSION

Att: Diana Martin, Administrative Coordinator, MiningWatch Canada,  
Cc: Catherine Coumans, Research Coordinator, MiningWatch Canada,  
Jan Morrill, Tailings Campaign Manager, Earthworks,  
Fernando Peña, Representative from the National Space for Transparency in the Extractive Industry (ENTRE)  
Steven Emerman, Malach Consulting

Dear Ms Martin,

We write to you in response to your collective public statement dated 6 September 2023 titled "Barrick's Major Mine Expansion in the Dominican Republic Brings Extreme and Unreported Risks, says Safety Expert" following what you describe as Mr Emerman's "independent review" of the Pueblo Viejo (PV) El Naranjo Environmental and Social Impact Assessment (ESIA).

We are perplexed at the timing and manner of Mr Emerman's review, the content and lack of transparency of your public statement, and the positions taken by some of the signatories of that statement.

*First*, we note that such review did not form part of any established legal process. As you know, over and above the technical studies, the ESIA process provides an opportunity for all interested and affected stakeholders to get project information, raise concerns, comments and questions and provide input into the design of a project, and have a say in the permitting process through the Public Participation Process. The ESIA for this project was a comprehensive, multi-faceted process, undertaken over the course of more than two years. It included over 3 000 meetings with community members, including one-on-one engagements to ensure maximum outreach and participation. In addition, we conducted two open and public townhall meetings, that were advertised in local and national media, which were attended by more than 1 500 participants. The consultation process was transparent, comprehensive and accessible to all stakeholders. The fact, therefore, that you have sought to wait until this comprehensive process was concluded to 'review' and comment on the ESIA, despite ample opportunity to do so through the ESIA process explained above, is questionable and disingenuous. Your actions can only be viewed as a deliberate attempt to circumvent national regulations and an internationally accepted process, and undermine a sovereign government, while trying to maximise your own public coverage by making vague and technically unsupported and deliberately false public comments.

*Second*, your "review" reflects another deliberate decision not to engage constructively with Barrick or the mine site as part of what we must conclude is an agenda. To give one example, we were surprised to hear that Mr Emerman chose to visit the Dominican Republic and yet never sought to arrange a visit to the mine, hold any meetings with PV or Barrick, or request any information or other input.

In any event, we understand that Mr Emerman's visit to the surrounding areas was met with community resistance; intended community meetings were poorly attended and some meetings were even refused. It was clear that at those community meetings that did take place, community members defended the participatory process and engagement undertaken, and showed overall support for the project. Neither the poor meeting attendance nor community defence of the project, however, are reported in your public statement.

*Third*, the positions taken by some of the signatories of your public statement cast further doubt on the objectivity of the alleged "review."

Mr Pena, for instance, signed the statement as a representative for the National Space for Transparency in the Extractive Industry (ENTRE), omitting that he is also the country observer of the Extractives Industry Transparency Initiative (EITI). Notably, the statements that Mr Pena made and endorsed are arguably in contrast with both the EITI Code of Conduct, and the principles of the EITI, which, among other conduct, do not permit a member to act in a manner that casts doubt and does not affirm a sovereign government's domain to exercise national development (Principle 2) or fails in practice to respect the context of laws and recognise the achievement of greater transparency (Principle 6).

Ms Morrill, in turn, as a member of the Advisory Panel to the Global Tailings Management Institute (GTMI), should be well versed in the Global Industry Standard on Tailings Management (GISTM) requirements and the commitments that ICMM members—including Barrick—have publicly made. During the site-selection process for the new TSF, the GISTM was published, and Pueblo Viejo was one of the first projects to follow this new guidance to complete the Multi-criteria Alternatives Assessment (MAA). In doing so, an initial 26 locations were identified for assessment, which then underwent a thorough two-year process—prior to the ESIA itself—during which environmental, social, technical and economic criteria were considered, and which included its own early public consultation and expert input. All of this is clearly documented in the ESIA. Accordingly, insinuations that the site-selection process was inadequate are unfounded, and Ms Morrill's statements call into question her own position as an advising member on the GTMI and her knowledge and understanding of the GISTM.

*Fourth*, we must again place on record that the robust technical underpinnings of the ESIA and engineering design were developed by a number of highly qualified, independent experts in their respective fields. Indeed, the Naranjo ESIA included independent specialists from the Dominican Republic, international experts, and independent peer review. Having chosen to intentionally work outside of the ESIA process, it is troubling that you have now chosen to misconstrue such independent work as something that Barrick has somehow manipulated and hidden from the public. Such false claims are not only defamatory to Barrick but disparaging and insulting to those independent experts who fulfilled their mandate professionally and responsibly.

Mr Emerman, being a consultant himself, should be well aware of the independence requirements to conclude an ESIA. We would be happy to provide to Mr Emerman and the collective signatories information on how an ESIA process is undertaken and the independent specialists involved as it seems this has been either misunderstood, or deliberately ignored.

*Finally*, we urge you to uphold the tenets of transparency that you ostensibly champion. The principle of transparency is critical to building trust and must be reciprocally observed by both NGOs and the industry.

Unfortunately, as explained above, your refusal to participate in the ESIA process, Mr Emerman's failure to arrange a site visit or otherwise to engage with the project team, unsubstantiated misrepresentations of the independent ESIA process and certain signatories' omission to disclose their positions in, and abide by the principles of other organisations, does exactly the opposite and undermines these goals.

At the very least, we would expect you to have disclosed Mr Emerman's report. In that respect, we note that your public statement makes many vague references to Mr Emerman's alleged findings, which seem to form the basis for your collective statements attacking Pueblo Viejo and Barrick, but Mr Emerman's report is not attached and, to our knowledge, you have not otherwise made it publicly available. We trust that you would see no reason to withhold such report from us or the public generally, based on your own calls for transparency, so we look forward to receiving it as soon as possible.

Regards,



Mark Bristow  
President and CEO

Copied:

Helen Clark, Board Member, Council Presidente, Extractive Industries Transparency Initiative (EITI)  
Mark Robinson, Executive Director, Extractive Industries Transparency Initiative (EITI)  
Francisco Paris, Latin America and Caribbean Director, Extractive Industries Transparency Initiative (EITI)  
Esteban Manteca Melgarejo, Senior Country Manager – Latin America & Caribbean, Extractive Industries Transparency Initiative (EITI)  
Miguel Diaz, Vice-Minister of Mines, Dominican Republic and Board Member, Extractive Industries Transparency Initiative (EITI)  
Gustavo Mejia-Ricart, National Coordinator, Dominican Republic, Extractive Industries Transparency Initiative (EITI)