



JUSTICE FOUNDATION FOR PORGERA LIMITED

Monian Tower, Level 7, Down Town
P.O Box 941, Port Moresby
National Capital District
Papua New Guinea

Phone: (+675) 340 6104
Mobile: (+675) 7217 7151
Email: jfporgera7@gmail.com

PRESS RELEASE

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PORGERA LANDOWNERS RESPOND TO STATE'S NEGOTIATION WITH BARRICK TO REOPEN PORGERA GOLD MINE

1. The majority of the Porgera landowners, as we know, have objected to the renewal of Barrick's Special Mining Lease (SML) No.1, to continue mining at Porgera for a further twenty years. We continue to maintain the position that Barrick must not return to Porgera as the Operator of the mine, a shareholder or a joint venture partner or in any other capacity whatsoever.
2. Our reasons for maintaining that position, is based on Barrick's unlawful and disgraceful conduct whilst operating the Porgera gold mine, for thirty years since 1989. Our objections were formally filed with the Mining Warden's office and presented during the Warden's public hearings at Porgera. These objections were the basis for the recommendation by the Mining Advisory Council (MAC) to the National Executive Council (NEC) to refuse Barrick's application to renew its SML No.1.
3. The National Executive Council, consequently refused Barrick's application, which decision was just, proper and prudent, on the basis of Barrick's admission to accusations to the crime of rape of multiple women and girls by its mine site security personnel, and further objections filed by the landowners against Barrick for failing to resettle the SML landowners away from their lease area, thereby denying the landowners of their human rights to an adequate standard of living, for themselves and their expanding families for thirty long years.
4. There are also many un-investigated deaths of men, women and children at the mine site and other human rights violations, during the course of mining operations over the last thirty-year term.
5. We understand that, although there are some legal challenges by Barrick against the State, over the non-renewal of its Special Mining Lease, Barrick did not have an automatic right to the renewal of the lease, and it further could not reasonably expect to have a just government to renew its lease for a further term, after having admitted to the criminal offence of rape of hundreds of women and girls, during the course of its operations of the Porgera gold mine.
6. Although Barrick has, after admitting to the rapes, paid compensation to some of the victims, criminal investigations and prosecutions against the Rapists, the senior officers, Managers and the Directors of Barrick, remain outstanding.
7. The State therefore had no choice but to refuse the renewal of Barrick's special mining lease for a further term, as an ordinary act of duty, firstly as a means of justice for the rape victims and

secondly, to prevent further crimes against women and girls into the future, particularly in circumstances, where criminal investigations and prosecutions for the crimes remained outstanding, and finally, to release the landowners from their sufferings from the shortage of adequate food, housing and clean drinking water, as a result of being kept in unfavourable living conditions within the confines of the Special Mining Lease without resettlement, for thirty long years.

8. Given these serious breaches of human rights laws, Barrick has been disqualified by the State as a law-abiding entity in Papua New Guinea and therefore, it cannot be allowed to hold any further mining rights, in the country.

9. We are further advised that Barrick's legal cases against the State are weak, as they are undermined, not only by Barrick's admissions to the crime of rape, but also of accusations of other human rights abuse at Porgera. It is therefore likely, that Barrick's legal cases in the PNG courts will fail.

10. Despite these facts, we observe that there is also a band of self-interested Politicians, Public servants and others who are deliberately undermining the decision of the National Executive Council, the highest authority in the land, to invite Barrick back to Porgera, to once again operate the Porgera gold mine with not only their "dirty hands, but bloody hands".

11. The landowners are also aware that some of these Politicians were in authority at various times over Barrick's lease term, but failed to act, to prosecute Barrick, for its admissions to the crime of rapes. The landowners therefore accuse these Politicians for not acting to cause investigations and prosecutions of all involved in the rapes. Hence, it is likely that these Politicians may also face investigations and prosecutions, when and if, the victims decide to report these complaints to various authorities such as the Prosecutors of the International Criminal Court (ICC).

12. In conclusion, we now ask the Prime Minister Hon James Marape, to once again do the right thing, subsequent to your first decision to reject Barrick's application, to now terminate further negotiations with Barrick and commence negotiations with the Porgera landowners, to open and operate the Porgera gold mine in a way that is not harmful but safe and beneficial to the landowners, the people of Porgera and Papua New Guinea generally.

13. To continue to conduct business discussions with Barrick, after its admissions to multiple rapes of women and girls and refusing to resettle landowners away from the SML area to protect their rights to a quality standard of living continuously for over thirty years, would not only be an act of treason against the rape victims and the suffering SML landowners respectively, but an act that is unbecoming of a law-abiding and prudent government and member of the United Nations.

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Approved for release!

By Justice Foundation for Porgera Ltd