

December 2, 2022

Mr. Aidan Gilchrist-Blackwood
Network Coordinator
Canadian Network on Corporate Accountability
280 rue Albert St, Suite 100
Ottawa, ON, K1P 5G8

Dear Sir,

Porgera Joint Venture

I refer to your email of November 15 giving notice of your intention to publish a report in relation to human rights and environmental issues linked to Canadian businesses and companies in their supply chain.

You have advised that the report will include a case study relating to the Porgera Joint Venture in Papua New Guinea, which was attached to your email, and have invited us to provide a response to include in your report. Thank you for providing us with that opportunity ahead of publication.

We wish to put on record the fact that the draft case study, as provided to us, contains numerous factual errors and, more generally, does not give a fair or accurate picture of Barrick's policies or our response to legacy human rights violations and allegations at the Porgera mine. In particular, your case study fails to mention anything after circa 2015 which completely ignores Barrick's current approach to these issues and suggests that past incidents have not been addressed, which is simply not true.

Barrick's commitment to human rights

At the outset, I note that respect for human rights is a foundational value at Barrick and a central part of our sustainability vision. We have zero tolerance for human rights violations wherever we operate. We seek to avoid causing or contributing to human rights violations and we actively facilitate access to remedy for credible allegations.

Transparency in relation to allegations concerning Porgera

Barrick has been transparent in acknowledging issues of concern at Porgera. Indeed, I would refer you to Barrick's current Sustainability Report for 2021 (which is publicly available on our [website](#), along with reports for previous years) that specifically addresses the matters that are

subject of your case study. Those reports give context to the challenges faced at Porgera and describe Barrick's actions in addressing the legacy incidents and allegations raised. Accordingly, statements in the case study to the effect that Barrick has failed to acknowledge, investigate or address the alleged incidents by mine security and police is not correct, and misleads the reader of the case study.

Challenges, investigations and terminations

Law and order is a persistent challenge in the Enga Province of Papua New Guinea where the Porgera mine is located. Tribal conflict regularly occurs in Enga and can quickly turn violent. Since its establishment, the Porgera mine has had to manage large influxes of illegal miners attempting to access the mine. This poses significant safety and security concerns, and Barrick has publicly acknowledged there have been allegations of human rights violations linked to local police and private security forces including, between 2008 and 2011, allegations of sexual abuse, use of excessive force and forced evictions.

We take any and all allegations of human rights violations very seriously. When credible allegations of sexual assault by mine employees came to light in 2010, we conducted extensive inquiries and commissioned an independent investigation. The process resulted in termination of employment for several employees who were implicated in, or were found to have knowledge of, sexual assaults. We also handed all relevant information over to the police and asked for a full criminal investigation.

Porgera Remedy Framework

Beyond our own investigation and co-operating with the police, we also worked with stakeholders to develop the Porgera Remedy Framework, a comprehensive program to compensate victims of sexual violence. The Framework was launched in 2012, following 18 months of extensive consultation and research with leading national and international experts in human rights, and was one of the first processes developed under the United Nation's Protect, Respect and Remedy Framework for Business and Human Rights.

The Framework was open for more than two years and independently administered by highly qualified Papua New Guineans, including Dame Carol Kidu, a former parliamentarian and cabinet minister in Papua New Guinea, and Ume Wainetti, the National Director of the Papua New Guinea Family and Sexual Violence Action Committee. While open, more than 90% of women who filed eligible claims resolved them under the Framework. The Framework concluded in 2015 and 120 cases were resolved. Fifteen additional cases were remedied outside the Framework.

The statement in the case study that Barrick's response involved "*establishing a highly flawed time-limited grievance procedure*" completely misrepresents Barrick's response. Since the conclusion of the Porgera Remedy Framework, no further credible allegations have been received. However, any accusation received is treated seriously and thoroughly

investigated with the appropriate authorities. In partnership with the Government, we have engaged former Chief Ombudsmen and former Commissioner of the Royal Papua New Guinea Constabulary, Mr. Ila Geno, to serve as the Independent Monitor at Porgera. Mr. Geno is independent and is provided complete and unlimited access to mine records and information to conduct inquiries regarding lodged allegations.

Ownership

The case study states that in 2006 Barrick owned 75% of the Porgera Joint Venture, which it also operated and that *“in 2007, Barrick increased its control over the PJV mine when it acquired a 95% stake in the local mining company that operates it – its subsidiary, Barrick Niugini Ltd”*. That is not correct, as in 2007 Barrick moved to a 95% interest in the Porgera Joint Venture (PJV), not in the operator Barrick Niugini (which it already wholly owned) with the remaining 5% interest in the PJV being owned by Mineral Resources Enga Limited (a company jointly owned by the Enga Provincial Government and landowners). Subsequently, Barrick sold half of its interest in the operator (and indirectly the PJV) to Zijin Mining Company before Barrick later merged with Randgold Resources in 2019 which installed a new management team at Barrick.

Going forward

As you may know, the Porgera mine has been in care and maintenance since April 2020, when the Government of Papua New Guinea decided not to renew the special mining lease for the Project. Barrick has since signed an agreement with the State of Papua New Guinea to reopen the Porgera mine under new ownership arrangements, which will see Papua New Guinean stakeholders (and importantly, including landowners) own a majority share of the mine and receive the majority of economic benefits from the mine. This ownership structure will deliver real benefits to the landowners, a point not acknowledged in the case study which seems to imply there is no benefit flowing from the mine to host communities.

Barrick intends to use the planned restart of the Porgera mine as a chance to start afresh on this issue. We will work to re-establish the community grievance mechanism in alignment with IFC and UN Guiding Principles on Business and Human Rights (UNGPs) requirements. In addition, we will also continue to help individual victims raise their concerns. As part of our human rights program, independent human rights assessments will be undertaken, as well as regular training for public and private security forces on the Voluntary Principles on Security and Human Rights.

I trust the above information provides you with a deeper understanding of our approach and commitment to Human Rights and will enable you to make the necessary modifications to the case study so that it is balanced and accurate.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "Dana", with a stylized flourish at the end.

Dana Stringer
Vice-President, Corporate Secretary and Associate General Counsel
Barrick Gold Corporation