

Response to OceanaGold's statement of January 29, 2021.

In its statement to the Business and Human Rights Resources Centre (BHRRC) of January 29, 2021, OceanaGold chooses to ignore evidence and documentation that support Nueva Vizcaya's Governor Carlos Padilla's request to Philippine President Duterte to deny the company a renewal of its permit to mine in the village of Didipio. OceanaGold's 25-year Financial or Technical Assistance Agreement (FTAA) expired in June 2019. OceanaGold fails to address the following facts of this case:

- **OceanaGold's claim that it has widespread local support is not supported by the facts.** Petitions and community statements demonstrate sustained local community opposition to OGPI's operations. In 2019 the elected officials of the village of Didipio, where the mine is located, issued a [resolution](#), "directing the OceanaGold Philippines Inc. (OPGI) to stop its operations upon the expiration of the financial or technical assistance agreement (FTAA)." Community members have maintained a blockade of the shuttered mine since mid-2019, in spite of hardships suffered by the blockaders. Based on this evidence, OGPI cannot claim to have a social license to operate or the free, prior, and informed consent of impacted community members.
- **Furthermore OceanaGold does not have the support of the municipal or provincial governments.** OceanaGold's statement dismisses [concerns raised](#) by Nueva Vizcaya [Governor Padilla](#) and his staff that lead the Governor to request of Philippine President Duterte that the mine's application for a permit renewal be denied. But OceanaGold does not factually address the Governor's determination that the costs of mining have outweighed its benefits to the province.
- **The 2018 report, [OceanaGold in the Philippines](#), by Broad, Cavanagh, Coumans, and la Vina systemically shows how OceanaGold's subsidiary OGPI did not meet requirements of: (1) its initial FTAA; and (2) Philippine regulations and laws.**
- **OceanaGold has demonstrated a pattern of challenging compliance with authority in other countries.**
 - Given its concerns about this company's ability to mine responsibly, the government of **El Salvador** declined to approve OceanaGold's license to mine. Rather than accept this sovereign decision, the company filed an [investor rights arbitration case](#) against the government of El Salvador. The case dragged on for over seven years and the Salvador government expended over \$12 million in legal and other costs. All three arbiters on the panel voted against OceanaGold, and OceanaGold was required to pay El Salvador \$8 million.
 - At its South Carolina mine in **the United States**, OceanaGold is accused of repeatedly violating pollution standards. [One journalist](#) recently reported in 2021 that OceanaGold's mine "released excessive amounts of mercury, failed to submit pollution test results as required, provided misleading statements and failed to get a DHEC [Department of Health and Environmental Control] permit." The article recorded a history of environmental violations noting "the latest fine has sparked questions about OceanaGold's commitment to following rules that protect the environment."