



The Business and Human Rights Resource Center has asked for Barrick's response, if any, to three recent publications that refer to the Porgera Mine in Papua New Guinea ("PNG"): (1) a December 9 Public Statement of Amnesty International (AI); (2) a February 2, 2010 report published by AI; and (3) an article by Cyril Mychalejko, published January 21, 2010, regarding a bill (C-300) presently pending in the Canadian parliament.

In respect of the two AI publications we have attached a copy of Barrick's letter to AI dated December 14, 2009, which addresses many of the issues raised in AI's December 9, 2009 letter, as well as much of the substance of AI's final report issued February 2, 2010.

You will note that our letter of December 14, 2009 includes as "Appendix A," a list of questions that Barrick has asked AI in order to assist Barrick, the Porgera Joint Venture ("PJV"), and other interested third parties, including those to whom B&HR's newsletters are of interest, to be able to independently assess the credibility and reliability of the serious accusations that AI has made in its various public reports regarding events in the central highlands of Enga Province, including the statements made in the two AI publications mentioned in your letter. On January 24, 2010 Barrick sent AI a revised and updated "Appendix A." To avoid undue repetition of Barrick's questions to AI, we have included as part of this submission the updated January 24 version of "Appendix A."

To be clear, Barrick does not disagree with AI's assertion in its various publications that there was an incident on April 27, 2009 in an area of the central highlands of PNG adjacent to the Porgera Mine which apparently included the PNG Police, and resulted in the displacement of some number of people and the destruction of some number of structures, including some permanent dwellings. However, AI's various accounts and understanding of, and explanations for, that incident do not appear to Barrick to be credible nor reliable. "Appendix A" to our letter asks AI more than 200 serious questions regarding the basis for the various public statements that it has made regarding this matter. To date, regrettably, we have received no substantive response from AI to any of those questions.

We note that AI's February report retreats from many of AI's initial claims in its various publications regarding the events of April 27, and that AI specifically now acknowledges that it has seen no evidence to support its earlier allegations that Barrick or PJV was involved in the April 27 incident in question. Inasmuch as the final AI report was issued only days ago Barrick has not prepared or issued any public statement that fully addresses the final AI report. Nor, to our knowledge, has PJV. Should Barrick choose to do so we will supplement this response with a copy or summary of that statement, as appropriate.

In respect of the January 21 article regarding proposed Bill C-300, we note that the majority of the article does not relate to Barrick. Insofar as the article relates to Barrick the single statement involving human rights or Porgera was made by a witness at a public hearing in Canada on the proposed bill. We note that the witness prefaced her Bill C-300 public "testimony" regarding Porgera by specifically invoking "Parliamentary privilege," which means, in effect, that she cannot be held responsible or accountable for the inaccuracy of any of the statements she makes. Her need to assert Parliamentary privilege in connection with her comments regarding Porgera speaks loudly as to her confidence in the credibility of her allegations. If the witness actually has credible evidence that security guards employed by PJV have engaged in any instance of sexual abuse at the Porgera Mine we urge her to immediately provide that evidence to all relevant authorities in PNG - as well as to PJV and Barrick - so that appropriate action may be taken. However, it is not possible for Barrick to respond to allegations that are so vague as to preclude any meaningful investigation by PJV or Barrick.

Finally, we believe that it is apparent from Barrick's letter of December 14 and the updated "Appendix A" that Barrick has taken a very serious and principled approach to publicly addressing any allegations by AI of potential human rights abuses which allegedly have any relationship to the Porgera Mine. However, Barrick has determined that, with very few exceptions, the results of Barrick's inquiries (and the on-the-ground experience of PJV) do not support AI's various public statements and, it is clear that despite numerous requests AI has been less than forthcoming with information that would permit the Barrick, PJV, the PNG Police or the public to assess the credibility and reliability of the statements AI has made.

Thank you for permitting Barrick to provide our perspective on these publications.