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Reported Violence against Indigenous Kuria by Mine Police at Barrick Gold's North Mara Gold Mine during 2023-2024



Brief produced by MiningWatch Canada

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COVER PHOTO:

Police stand guard over the North Mara Gold Mine. Credit: MiningWatch Canada

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Summary

MiningWatch Canada has travelled regularly since 2014 to the Tarime District of Tanzania to meet with Indigenous Kuria villagers affected by Barrick Gold Corp.'s (Barrick) North Mara Gold Mine Ltd.¹ After each visit, we have reported on allegations of egregious human rights abuses suffered by Kuria villagers as a result of the mine's operations.²

This year, MiningWatch gathered information on alleged violence against Kuria villagers in 2023 and 2024 carried out by police assigned to the mine.³ We received information on 28 cases and conducted interviews with alleged victims and family members of those who have been killed.⁴ The 28 cases include villagers who have been shot and killed, shot and survived, beaten to death, arrested and tortured, and maimed in a life-altering way through being hit by a teargas canister. The cases include some villagers who were allegedly wounded or killed while looking for residual gold in the mine's waste rock dumps, but also many who were reportedly wounded or killed as bystanders while on roads that pass closely by the mine's walls or in hamlets close to the mine that experience regular raids by mine police. The cases also include two teenagers – school children – who were victims of raids carried out by mine police as they chased trespassers outside of the mine's walls. Both teenagers were seriously wounded but survived.

In the ten years that MiningWatch has reported on the North Mara Gold Mine, four international lawsuits have been filed on behalf of Tanzanian plaintiffs who allege harm as a result of security arrangements at the mine.⁵ Two of these cases which were filed in the UK have been settled out of court by Barrick's subsidiaries on behalf of 13 plaintiffs in 2015⁶ and on behalf of 14 plaintiffs in 2024.⁷

1 Barrick has an 84% ownership interest in North Mara Gold Mine Limited, through Twiga Minerals Corporation Limited.

2 For MiningWatch Canada's most recent reports see <https://www.barrickontrial.ca/reports/>

3 Barrick disputes the use of the term "mine police." For Barrick's position see, for example, [Barrick's response](#) (June 20, 2024) to communications Barrick received from the [UN Special Procedures Branch](#) (April 11, 2024) in regard to allegations of human rights abuses related to mine security. Given contractual agreements between the North Mara Gold Mine and the Tanzanian Police Force (TPF), including financial support to police assigned to the mine, as well as the clear distinction – recognized by local Kuria – between "regular police" and "mine police," MiningWatch believes the use of this term is warranted. The contractual agreements between the mine and the TPF are discussed further in the following section.

4 As in other years, MiningWatch receives information through meeting with Indigenous Kuria who live in villages around the North Mara Gold Mine. Victims of alleged violence by mine police and family members of those who have been killed often refer MiningWatch to neighbours or extended family members who have also been affected. MiningWatch also follows up on local media stories, although the full extent of the alleged violations is poorly covered by the media. Most of the cases MiningWatch covered for 2023 and 2024 came to MiningWatch through multiple independent sources. Given the high threat level against villagers who speak out about the alleged violence by mine security and police, it is MiningWatch's practice not to disclose names of those we interview.

5 See <https://www.barrickontrial.ca>

6 For Leigh Day's statement on the 2015 settlement see: <https://www.leighday.co.uk/latest-updates/cases-and-testimonials/cases/barrick-gold/>

7 For Barrick's statement on the March 2024 settlement see <https://www.barrick.com/English/operations/north-mara/legal-proceeding-20240327/default.aspx>

A third case was filed against Barrick in the Ontario Superior Court of Justice in Toronto on November 23, 2022.⁸ Once again, the plaintiffs are Indigenous Kuria from villages surrounding Barrick's North Mara Gold Mine. In their Statement of Claim they allege that "Barrick's security strategy for the North Mara mine effectively converts the Tanzanian police assigned to operate in and around the mine (the "Mine Police") into a private and heavily armed security force for the mine."⁹ The plaintiffs allege that this security strategy "has led directly to extensive human rights abuses" and "acts of extreme violence committed by the Mine Police" resulting in deaths, shootings, beatings and torture of local villagers.¹⁰ **This case will be heard in Superior Court in Toronto on October 15, 2024.**

A fourth case was filed in December 2022, by UK-based Leigh Day on behalf of the families of another two Kuria victims of alleged violent assault by mine security and/or mine police at the North Mara Gold Mine.¹¹ Both died after being shot in 2019. This case is against the London Bullion Market Association (LBMA) alleging that the LBMA wrongly certified gold sourced from the North Mara Gold Mine as free from serious human rights abuses. This case is ongoing.

In April 2024, Barrick received a letter from the United Nations known as a "Joint Communication from Special Procedures"¹² noting that the UN bodies had received allegations in regard to the North Mara Gold Mine concerning: "*killings and security-related deaths; assaults, torture and other cruel, inhuman or degrading treatment or punishment (including the health and well-being of children, including infants, exposed to tear gas and 'sound bomb' attacks and at risk of long-term or permanent injury, death); arbitrary arrest and detention; sexual abuse and violence against women and girls, some of which may amount to international crimes.*"¹³

July 2024, the Tanzanian Commission on Human Rights and Good Governance (CHRAGG) reported it had "*identified the existence of incidents of deaths and various harms resulting from the struggle between young people living near the mine who invade the mine and the Police Force who protect the North Mine.*"¹⁴

8 The case filed in 2022 (CV22006906490000) on behalf of 21 plaintiffs was supplemented on February 5, 2024 by case (CV24007141480000) on behalf of an additional 11 plaintiffs.

9 MATIKO JOHN, IN HER PERSONAL CAPACITY AND AS LITIGATION GUARDIAN FOR HER MINOR CHILD, KELVIN et al v. BARRICK GOLD CORPORATION, <https://waddellphillips.ca/wp-content/uploads/2022/11/22.11.23-ISSUED-Statement-of-Claim-North-Mara-FINAL.pdf>

10 *Ibid.*

11 Leigh Day. 2023. *Legal action served against London Bullion Market Association following alleged human rights abuses at Tanzanian gold mine*. 16 August. <https://www.leighday.co.uk/news/news/2023-news/legal-action-served-against-lbma-following-alleged-human-rights-abuses-at-tanzanian-gold-mine/>

12 https://s25.q4cdn.com/322814910/files/doc_downloads/north_mara/UNHRC_Joint_Communication_22042024.pdf

13 UNHCR Joint Communication from Special Procedures. 22 April 2024. https://s25.q4cdn.com/322814910/files/doc_downloads/north_mara/UNHRC_Joint_Communication_22042024.pdf

14 Media release by the Tanzanian Commission on Human Rights and Good Governance. July 2024. [https://www.chragg.go.tz/uploads/documents/en-1722160682-PRESS%20TUME_240728_124846%20\(1\).pdf](https://www.chragg.go.tz/uploads/documents/en-1722160682-PRESS%20TUME_240728_124846%20(1).pdf) Original text in Swahili - THBUB imebaini kuwepo kwa matukio ya vifo na madhara mbalimbali yanayotokana na mapambano baina ya vijana wanaoishi karibu na mgodi ambao huvamia mgodi na Askari wa Jeshi la Polisi wanaolinda Mgodi wa North.

Police guarding waste dump at the North Mara Gold Mine.
Photo: MiningWatch Canada



In communications regarding these issues, Barrick’s CEO Mark Bristow makes a number of statements that warrant a response.¹⁵ Mr. Bristow notes that “North Mara Gold Mine Limited (NMGML) is the owner and operator of the North Mara Gold Mine and that Barrick Gold Corporation does not have direct operations in Tanzania.”¹⁶ Mr. Bristow further notes that “use of language linking the TPF [Tanzanian Police Force] to the mine is false and based on bias.”¹⁷ Mr. Bristow refers to Barrick’s Human Rights Policy, which he says “is informed by, among other sources, the UN Guiding Principles on Business and Human Rights (UNGPs).”¹⁸

Principle 18 of the United Nations Guiding Principles on Business and Human Rights (UNGPs) sets out that: “In order to gauge human rights risks, business enterprises should identify and assess any actual or potential adverse human rights impacts with which they may be involved either through their own activities **or as a result of their business relationships** [accent added].”¹⁹ “Business relationships” include subsidiaries, contractors, and entities in a company’s supply chain; this includes non-State and State entities. Barrick has a corporate responsibility as set out by the UNGPs to ensure that its subsidiaries, such as North Mara Gold Mine Ltd., and those with which it has agreements and financial arrangements, such as the Tanzanian Police Force, do not violate human rights.

Mr. Bristow also argues that concerns about human rights violations raised by “International NGOs” and by United Nations “Working Groups and Special Rapporteurs”²⁰ serve to create

15 Letter from Mark Bristow, President and CEO, Barrick Gold Corporation. June 20, 2024. https://s25.q4cdn.com/322814910/files/doc_downloads/north_mara/Barrick_UNHRC_Response_062024.pdf

16 *Ibid.*

17 *Ibid.*

18 https://s25.q4cdn.com/322814910/files/doc_downloads/gov_docs/policies/Barrick_Human_Rights_Policy.pdf

19 United Nations Guiding Principles on Business and Human Rights. 2011. https://www.ohchr.org/sites/default/files/documents/publications/guidingprinciplesbusinesshr_en.pdf

20 UNHCR Joint Communication from Special Procedures. 22 April 2024. https://s25.q4cdn.com/322814910/files/doc_downloads/north_mara/UNHRC_Joint_Communication_22042024.pdf

“an ecosystem of impunity with a roadmap to monetary gain” through, among others, “the threat of international litigation in the event of injury.”²¹ If indeed the plaintiffs, who have thus far sought relief for the alleged harm they have endured, were not entitled to that relief, then that should have been proven in court. Rather, two of the four cases brought to date have been settled by Barrick’s subsidiaries following years of litigation.

MiningWatch remains concerned that despite decades of reports of high levels of violence against local Kuria by mine security and mine police at the North Mara Gold Mine, and despite four lawsuits brought in the last decade regarding these cases, the levels of violence reported to MiningWatch Canada by affected Kuria remains very high. In the voices of the Kuria villagers we met with in 2024 (see section below), we note that they suggest solutions for some of the underlying factors that contribute to this violence. These suggestions are not new. It is high time they are acted upon.

Teenage girl allegedly shot in both feet by mine police in 2024. Credit: Tanzanian media report



Coffin of man allegedly killed by mine police in 2023. Picture provided to MiningWatch Canada



21 Letter from Mark Bristow, President and CEO, Barrick Gold Corporation. 20 June 2024. https://s25.q4cdn.com/322814910/files/doc_downloads/north_mara/Barrick_UNHRC_Response_062024.pdf

Background: A long history of reported violence against local Kuria by private mine security and mine police

The North Mara Gold Mine (the mine) started production in 2002. Barrick Gold Corp. acquired the mine through its acquisition of the Canadian mining company Placer Dome Inc. in March 2006. Since 2019, Barrick owns 84% of the mine through a subsidiary, Twiga Minerals Corporation Limited, in which the Tanzanian Government has a 16% share. Since Barrick's acquisition of the mine in 2006, the company has always had a majority shareholding through various subsidiaries.²²

REPORTS OF SECURITY-RELATED VIOLENCE

Since 2006, there has been a steady stream of reports of violence by mine security and mine police against Indigenous Kuria villagers at and around the mine. An early report of killings of Indigenous Kuria by mine security is dated June 2006.²³ In his post, prominent Tanzanian lawyer Tundu Lissu reports on three villagers shot dead by mine security since April 2006. This report has been followed by others detailing killings, shootings, beatings, maimings, and rapes of local Kuria by mine security and mine police. In 2010, Bloomberg News reported on its own findings: "according to interviews with 27 people, including victims' relatives, witnesses, local officials, and human rights workers... [o]ver the past two years, at least seven people have been killed at the mine and 15 seriously wounded."²⁴ In 2011, the Globe and Mail reported that five villagers were shot dead by police guarding the mine on one day alone – May 16 – and provided one of the first reports of "allegations of sexual assault by police and security guards at the mine."²⁵ Also in 2011, Tanzania's Legal and Human Rights Centre reported on 21 people killed by private security and police in 2009 and 2010.²⁶ In 2016, MiningWatch Canada and RAID-UK reported on "22 cases of alleged unlawful killings by police or mine security personnel, most of which have occurred since 2014" and "a further 69 (mostly young) men have been left with severe, life-changing injuries, allegedly after being assaulted by police or mine security personnel."²⁷ Also in 2016, an official inquiry was set up by the Tanzanian Ministry of Energy and Minerals, which reported that it had received information from villagers pertaining to 65 people who had been killed and 270 people who had

22 From 2006-2010, Barrick held 100% ownership in the mine. From 2010 – 2014, Barrick held a 73.9% ownership through its subsidiary African Barrick Gold. From 2014 – 2019, Barrick's share in the mine was 63.9% and African Barrick Gold underwent a name change to Acacia Mining.

23 Tundu Lissu. 2006. *Six Villagers Killed in Barrick's North Mara Mine*. June 17. https://www.rainforestinfo.org.au/gold/Barrick_kills.htm

24 Bloomberg.com. 2010. *At Tanzanian Gold Mine Life is Cheap*. December 22. <https://www.bloomberg.com/news/photo-essays/2010-12-22/at-tanzanian-gold-mine-life-is-cheap>

25 Geoffrey York. 2011. *Barrick's Tanzanian project tests ethical mining policies*. Globe and Mail. September 29. <https://www.theglobeandmail.com/report-on-business/rob-magazine/barricks-tanzanian-project-tests-ethical-mining-policies/article559188/>

26 Legal and Human Rights Centre. 2011. *Killings around North Mara Gold Mine: The human cost of gold in Tanzania – The shootings of the five*. Authors Onesmo Olengurumwa and Pasience Mlowe. P. 8-9. https://www.academia.edu/7827818/KILLINGS_AROUND_NORTH_MARA_GOLD_MINE_THE_HUMAN_COST_OF_GOLD_IN_TANZANIA_THE_SHOOTINGS_OF_THE_FIVE

27 MiningWatch Canada and RAID-UK. 2016. *Background Brief: Adding Insult to Injury at the North Mara Gold Mine, Tanzania*. https://www.miningwatch.ca/sites/default/files/adding_insult_to_injury_north_mara_0.pdf

been injured by police responsible for mine security.²⁸ In 2019, The Guardian reported that Barrick's then-subsi-dary Acacia Mining had admitted to "32 'trespasser-related' fatalities between 2014 and 2017. Of these, six died in confrontations with police at the mine."²⁹ The same article profiled cases of women who had been raped by mine security or mine police.

THE MINE'S GRIEVANCE MECHANISM

By 2014, the mine reportedly said it had provided "'compensation packages' to more than 60 villagers who have complained of violence by mine police or security guards at the North Mara site," as well as to 14 sexual assault victims.³⁰ MiningWatch and RAID-UK reported on inequities in the mine's grievance mechanism procedures in 2014.³¹ In 2018, MiningWatch prepared two in-depth briefs detailing a range of serious concerns with the mine's grievance mechanism.³² In 2018, MiningWatch also produced a video in which rape victims speak out about the abuse they endured at the hands of mine security and police and the inadequacy of the mine's response.³³ In 2024, we learned from our meetings with local Kuria that the mine's grievance mechanism is no longer responsive to people injured by mine police, or to family members of people who have been killed by mine police – even if these injuries or deaths were sustained by bystanders as a result of actions by mine police related to their assignment to the mine, such as chasing trespassers out of the mine's waste dumps.

CONTRACTUAL ARRANGEMENTS WITH POLICE

The North Mara Gold Mine has had contractual agreements (Memorandums of Understanding) with the Tanzanian Police Force since at least 2010. Copies of the 2010 and 2014 agree-ments can be found on MiningWatch Canada's web site.³⁴ The current MOU has just been made public.³⁵ Previously, Barrick had provided excerpts from it.³⁶ Barrick agrees that the

28 Globe and Mail. 2016. *Police killed 65, injured 270 at Barrick mine in Tanzania, inquiry hears*. September 26. <http://www.theglobeandmail.com/report-on-business/international-business/african-and-mideast-business/police-killed-65-injured-270-at-tanzanian-mine-inquiry-hears/article32013998/>

29 The Guardian. 2019. *Murder, rape and claims of contamination at a Tanzanian goldmine - Police and guards at North Mara have been accused of killing dozens - possibly hundreds - of locals*. June 18. <https://www.theguardian.com/environment/2019/jun/18/murder-rape-claims-of-contamination-tanzanian-goldmine>

30 Globe and Mail. 2014. *Deadly clashes continue at African Barrick gold mine*. August 26. <https://www.theglobeandmail.com/report-on-business/international-business/deadly-clashes-continue-at-african-barrick-gold-mine/article20216197/>

31 MiningWatch Canada and RAID-UK. 2014. *Privatized Remedy and Human Rights: Re-thinking Project-Level Grievance Mechanisms*. December 1. https://www.miningwatch.ca/sites/default/files/privatized_remedy_and_hu-man_rights-un_forum-2014-12-01.pdf

32 MiningWatch Canada. 2018. *Review of Barrick Gold / Acacia Mining's Draft "Community Grievance Process - Standard Operating Procedure" for the North Mara Gold Mine in Tanzania*. April. Author Catherine Coumans. https://miningwatch.ca/sites/default/files/review_of_new_north_mara_grievance_mechanism_april_2018_final_0.pdf; MiningWatch Canada. 2018. *Inequality of Arms: A summary of concerns raised by victims of violence by private and public mine security at Barrick Gold's North Mara Gold Mine in Tanzania regarding the mine's new Operation-level Grievance Mechanism*. September. Author Catherine Coumans. https://miningwatch.ca/sites/default/files/north_mara_final_brief_-_inequality_of_arms_september_2018_-_clean_0.pdf

33 MiningWatch Canada. 2018. Video - *Silent No More - Women Speak Out About Abuse at Barrick Gold's North Mara Mine in Tanzania*. <https://www.youtube.com/watch?v=lizXaJShi8Y>

34 Links to the 2010 and 2014 MOU's between North Mara Gold Mine Ltd. and the Tanzania Police Force can be found here. <https://miningwatch.ca/2019/3/15/submission-United-Nations-Working-Group-Use-Mercenaries>

35 2022 Memorandum of Understanding between the North Mara Gold Mine and the Tanzanian Police Force. https://s25.q4cdn.com/322814910/files/doc_downloads/north_mara/MOU_North-Mara_Tanzania-Police-Force.pdf

36 Letter from Mark Bristow, President and CEO, Barrick Gold Corporation. 20 June 2024. https://s25.q4cdn.com/322814910/files/doc_downloads/north_mara/Barrick_UNHRC_Response_062024.pdf

mine provides “monetary allowances” and “in-kind support” to police assigned to the mine. The agreement also provides for requirements and proscriptions the mine places on the police assigned to the mine. These police include Field Force Units. As we have discussed previously,³⁷ Field Force Units are a “special division in the national police force” that “has responsibility for controlling unlawful demonstrations and riots.”³⁸ These are not the local police. A report for the U.S. State Department found that “[p]olice use of excessive force, police corruption, and impunity were problems.”³⁹ Kuria villagers around the mine readily distinguish between “regular police” and what they call “mine police,” – [polisi wanao linda mgodi] who they attribute with high levels of violence.

DESPERATION CAUSED BY A HISTORY OF FORCED EVICTIONS⁴⁰

Reports of security-related violence against local Kuria commonly link clashes that occur between private mine security and mine police and villagers at the mine site to the desperation of impoverished villagers who have, over more than 20 years, increasingly lost lands, houses, food security and livelihoods to the mine and its expansions.⁴¹ As villagers enter the mine’s waste rock dumps to search for residual gold in the mine’s waste, they are at risk of being shot to death, badly beaten, or maimed by bullets, teargas canisters, sound bombs, or so-called bean bags – small burlap sacks filled with round pellets.⁴² However, there are also reported victims of actions by mine police on roads and villages outside of, but in close proximity to, the mine’s walls. Many of these alleged victims of violence, including school children, are wounded or killed as they go about their daily activities.⁴³

Between 1997 and 2011, an estimated 10,000 families were reported to have lost their lands and homes due to the mine with little or no compensation.⁴⁴ In 2023, MiningWatch reported

37 MiningWatch Canada. 2022. *He was Murdered”: Violence against Kuria High After Barrick Takeover of Mine*. October. Author Catherine Coumans. <https://miningwatch.ca/sites/default/files/northmaramwcreportoct112022.pdf>

38 United States, State Department. Tanzania. <https://2009-2017.state.gov/documents/organization/160147.pdf>

39 *Ibid.*

40 MiningWatch uses the term “forced eviction” to describe the involuntary removal of Indigenous Kuria from their land, based on definitions set out by, among others, United Nations bodies. See for example, Office of the High Commissioner for Human Rights. Forced Evictions, Fact Sheet No. 25/Rev. 1. 2014. <https://www.ohchr.org/sites/default/files/Documents/Publications/FS25.Rev.1.pdf>

41 MiningWatch Canada. 2023. *Evicted for Gold Profits: Indigenous Kuria forced off land in expansion of Barrick Gold’s North Mara Gold Mine in Tanzania*. Author, Catherine Coumans. December. https://miningwatch.ca/sites/default/files/2023-11_EvictedForGoldProfits_NorthMara.pdf; Himiza Social Justice. 2024. *Social and economic impacts of land acquisition by Barrick North Mara Gold Mine in Tanzania: A case study of Komarera, Kewanja and Mjini Kati villages in Tarime District, Mara Region*. April. https://ipisresearch.be/wp-content/uploads/2024/07/20240723_VoicesTanzania-Himiza_North-Mara-gold-mine.pdf; Bloomberg.com. 2010. *At Tanzanian Gold Mine Life is Cheap*. December 22. <https://www.bloomberg.com/news/photo-essays/2010-12-22/at-tanzanian-gold-mine-life-is-cheap>; Geoffrey York. 2011. *Barrick’s Tanzanian project tests ethical mining policies*. Globe and Mail. September 29. <https://www.theglobeandmail.com/report-on-business/rob-magazine/barricks-tanzanian-project-tests-ethical-mining-policies/article559188/>

42 See for example, Geoffrey York. 2011. *Barrick’s Tanzanian project tests ethical mining policies*. Globe and Mail. September 29. <https://www.theglobeandmail.com/report-on-business/rob-magazine/barricks-tanzanian-project-tests-ethical-mining-policies/article559188/>

43 See following section and also: MiningWatch Canada. 2022. *“He was Murdered”: Violence against Kuria High After Barrick Takeover of Mine*. October. Author Catherine Coumans. <https://miningwatch.ca/sites/default/files/northmaramwcreportoct112022.pdf>

44 Geoffrey York. 2011. *Barrick’s Tanzanian project tests ethical mining policies*. Globe and Mail. September 29. <https://www.theglobeandmail.com/report-on-business/rob-magazine/barricks-tanzanian-project-tests-ethical-mining-policies/article559188/>

on further displacements between 2012 and 2023, and some 5000 families forcibly evicted in 2022 and 2023.⁴⁵ Barrick disagrees that the evictions were forced.⁴⁶ In our 2024 follow-up with victims of the 2022 - 2023 forced evictions, they reported to MiningWatch that the inadequate compensation some received has left families facing homelessness, with a loss of food security, loss of education for children, increased health impacts, and increased poverty. As one person reported to MiningWatch, desperation caused by the forced evictions is driving young Kuria men into risking their lives in the waste rock dumps of the mine to eke out a living for their families.⁴⁷

Barrick was warned in a September 2022 report by Synergy Global Consulting (Synergy) that the risk of “impacts on livelihoods due to involuntary resettlement” was high.⁴⁸ Synergy pointed to unresolved issues regarding compensation and livelihood restoration due to past mining-induced resettlements and noted high risk in the current evictions due to “the scale of resettlement, the high numbers of project affected persons.”⁴⁹ Synergy noted “the need for further detailed studies and monitoring to understand impacts at an individual level, particularly vulnerable individuals.”⁵⁰ Synergy also rated as high risk “[s]ecurity forces management and potential human rights abuses.” Synergy recommended that Barrick implement a “planned approach for minimising the underlying drivers for intrusion.”⁵¹



Field Force Units on their way to guard the mine. Credit MiningWatch Canada

45 MiningWatch Canada. 2023. *Evicted for Gold Profits: Indigenous Kuria forced off land in expansion of Barrick Gold's North Mara Gold Mine in Tanzania*. Author Catherine Coumans. December. https://miningwatch.ca/sites/default/files/2023-11_EvictedForGoldProfits_NorthMara.pdf ; See also, Himiza Social Justice. 2024. *Social and economic impacts of land acquisition by Barrick North Mara Gold Mine in Tanzania: A case study of Komare-ra, Kwanja and Mjini Kati villages in Tarime District, Mara Region*. April. https://ipisresearch.be/wp-content/uploads/2024/07/20240723_VoicesTanzania-Himiza_North-Mara-gold-mine.pdf

46 See letter exchange between MiningWatch Canada and Barrick Gold CEO Mark Bristow. <https://www.barrickon-trial.ca/letters/>

47 #6-2024

48 Synergy Global Consulting Ltd. MMTc-PAMP North Mara Gold Mine Independent Assessment. Ongoing monitoring of risk management – On-site assessment report. Executive Summary. September 2022. P.5. https://www.mmtcpamp.com/documents/41872/225059/22_09_12-NMGM-On-site+assessment-Synergy-report-ExecSummary-12Sep22.pdf

49 *Ibid.* P. 6

50 *Ibid.*

51 *Ibid.*

Voices of Alleged Victims of Violence by Mine Police in 2023 and 2024

Kuria villagers with whom MiningWatch met in 2024, noted that the reality of mine security related violence is long-standing and seemingly entrenched.

A leader from a village near the mine's new expansion area reported that two young men in her extended family had been shot and killed recently by mine police; one in 2023 and one in 2024. She noted the relationship between the encroaching proximity to the mine and killings of local people. *"The problem of people getting killed, it has been since the mine started ... its more than 20 years now....People from my village did not get killed before...it was people from Nyangoto, Kewanja, and Mjini Kati, because the mine was mining in that area, also Nyakunguru village."*⁵²

DRIVERS OF CLASHES BETWEEN MINE POLICE AND KURIA VILLAGERS

People reported to MiningWatch that the roots of the clashes between mine police and villagers lay in loss of their land to the mine. They noted that land used to be the basis for food security and income through agriculture and herding. In villages where there was near-surface gold, small scale mining was also reported as a significant source of income that was lost as the mine took over the land. *"The big economic source for [villagers from Nyamongo] is gold, nothing else. So its like preventing a monkey from going to eat maize. You will kill them but they will always go back to eat the maize."*⁵³

A man whose brother allegedly was shot to death by mine police in 2024 on a road near the mine said: *"You know, there [in the village] we have a very difficult situation, people actually starve, and you have absolutely nothing, and when there is no possibility of earning even 1 TZS [50 cents CAD], now then you find yourself having a reason to go there [the mine] to search [for gold bearing rocks] for the sake of the family....Now there [at the mine], people are sacrificing themselves. If I die, then I will just die. As you know the mine is guarded at 100% level. Even if you just go close you get a bullet."*⁵⁴

Another man whose nephew allegedly was shot to death by mine police in 2024 said *"What pushes people to go there [the mine] is the hard economic situation, because if you have a good economic situation you will never go there."*⁵⁵ A man whose son



Coffin of victim of alleged shooting by mine police in 2024. Photo provided to MiningWatch Canada

52 #1-2024

53 #2-2024

54 #6-2024

55 #12-2024

allegedly was shot to death by mine police as an innocent bystander in 2024 said: *"Many people run into these problems because of lack of employment. That is why they go to the mine. If the mine could be reasonable they would look for a place where our children can go and mine gold. Because that area initially was used by the locals to mine gold. Now they should look for an area for us to mine because the mine cannot employ all the people. That way we could have helped each other. Because that area, they took it by force. The government used force and took it from the locals and now there is a case where the small miners who were mining there are complaining."*⁵⁶

A woman who was forcibly evicted from her land in 2023 to allow for mine expansion referred to the fenced off new mine expansion area saying: *"We were living there inside, we were farming there, but now they have taken our farm land by force. We don't have any area for farming. That's why people are running back in there to search [for gold bearing rocks] to feed the children. So the police should only detain them rather than killing them."*

IMPACTS ON THE WIDER VILLAGE COMMUNITIES

Decades of reported killings of predominantly young men has had serious consequences on the social fabric of the villages and on deepening impoverishment. A man in his 70s said: *"People are dying, they are leaving their mothers, widows, and orphans. It is chaos [vuru-gu]."*⁵⁷ A widow whose husband allegedly was shot to death by mine police in 2023 said: *"All in all, young men are gone [wameisha]."*⁵⁸ Another widow whose husband allegedly was shot to death by mine security in 2023 said: *"My husband was the one we depended on for the money for our daily needs. But now we are suffering. As we are speaking we have no food in the house what should we do now?...Our situation is hard, our life is hard now. We don't know where to go. The children are not going to school because they don't have shoes, socks, exercise books."*⁵⁹ Villagers reported a large burden on remaining family members. A man who has lost two brothers to clashes with mine security, the most recent allegedly shot to death by mine police in 2024, explained the large burden he was left with to look after the wives and children of both brothers.⁶⁰

IMPACTS ON BYSTANDERS

As reported by villagers to MiningWatch, actions by mine police affect many people who are not trespassing on mine property, including children. This is primarily because of the proximity of villages and schools to the mine's operations. In particular, people on roads that run between mine walls and villages are at great risk of being caught up in mine police actions. A man whose brother allegedly was shot to death by mine police in 2023 while walking on a road said: *"Sometimes people are just passing who do not go to the mine and are being shot....the police who guard the mine should be trained not to shoot people, especially*

56 #11-2024

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Women walking along mine wall. Credit MiningWatch Canada

*innocents who are not intruders [trespassers at the mine]."*⁶¹ A man whose brother allegedly was shot to death by mine police in 2024 as he walked along a road said: *"The mine has a habit to shoot people and my brother was not an intruder....On that day a number of people got shot. Normally they go to hide to get treated. They are afraid of being detained. Even if they are not intruders. You know, on that day there was a big commotion and police were shooting people randomly."*⁶²

Some villages and hamlets are reported to be particularly at risk from regular shootings by mine police and impacts from other police actions, such as use of teargas bombs and sound bombs, because of their proximity to the mine. As one man said: *"The problem is the mine is very near the people. ... The problem is now it is in peoples villages. The police are patrolling inside and outside. What separates us is only a common road. When they are chasing intruders [trespassers] you'll be surprised, they will attack even those who are not involved. So we are living there like we are in a war zone."*⁶³

As one woman reported to MiningWatch: *"The mine is owned by white people, but they should stop the police from shooting the [teargas] bombs. Those bombs they are shooting make the children cry so much. It makes their skin itch and their eyes become painful and cry. ...When they shoot those [teargas] bombs...people run inside of their homes and others cannot come out of their houses....children are badly affected."* She also noted that: *"When they [police] come to our village they start chasing people and shooting, targeting men. Per*

61 #15-2024

62 #20-2024

63 #20-2024

day they can come even three times and by that time when the men have all run away they start cursing us. The incidences of people being shot are many. The situation is very bad because of those police." She also reported: "Sometimes the police are just passing [the village]. They shoot in the air and say 'we are greeting you' or sometimes... no one has gone to the mine, but you'll be surprised that the police are coming to harass people in areas where people are doing their business activities."⁶⁴

There are a number of schools that are very close to the mine's operations with reported consequences for the children who attend these schools. As one woman said to MiningWatch: "Schools are too close to the mine, for example in Murwambe in Kewanja village, the Nyabigena primary school. The Nyasangero primary school is also too close to the mine."⁶⁵ Another person reported: "The Murwambe school is within 200 meters from the mine. When they shoot the teargas bombs it [the gas] goes to the school and affects the children."⁶⁶ A teenager who was allegedly permanently disabled by a teargas canister while walking home from school in 2024 said: "many people have been affected by the mine... Now there, [Murwambe] children have been affected by teargas bombs and sound bombs so that if they hear a bomb now they don't want to go to school. The mine should move the people way from that area."⁶⁷

There was some indication based on MiningWatch's interviews that policing strategies may be shifting. Referring to alleged standard practice of mine security and mine police one person said: "They will kill you in two ways, either by bullet or by beating."⁶⁸ Another person reported to MiningWatch: "initially they were catching people and shooting them and killing them but now they badly torture them...now the police are beating the youth and stab them with knives. They are cutting them with pangas [large knife] there is no help."⁶⁹

ACCESS TO REMEDY

People spoke to MiningWatch about the lack of access to remedy. As one woman said: "One thing that is very bad, even if they have not been fair to you, they have plenty of money. You have no money, you are poor. How can you go to the court and how can you find people to help you?"⁷⁰ When MiningWatch asked whether the mine's grievance mechanism may assist them, a man whose brother allegedly was killed by mine police said: "I have not gone to complain because they won't listen or understand. I have become like their enemy."⁷¹ Another man whose son allegedly was killed by mine police simply said: "There at the mine? I am not expecting anything from them."⁷² However, some people MiningWatch spoke to

64 #21-2024

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72 #16-2024

remembered that at one time some people who allegedly had been severely wounded while trespassing at the mine, and some family members of those who allegedly had been killed by mine security inside the mine's walls, did receive compensation packages: *"There was a time when they would compensate people who got injured inside the mine, even the family that was affected got compensated. But later they stopped. Now if someone gets shot he is considered a criminal who invaded the mine."*⁷³

HOPELESSNESS

Most people MiningWatch spoke to expressed considerable hopelessness about the possibility of improvement in security issues. One woman said: *"So far, I have not seen any improvement. People are so frustrated. They have lost hope."*⁷⁴ A man said: *"There is a big hatred [chuki] because they take things from the people who they find on this land unjustly. They are killing our children, they are killing us. They are taking our land without fair compensation. There is no justice."*⁷⁵ An older man said: *"What should the mine do? I don't know if it will ever stop killing people because it's not just today, it has been so many days people are being killed. Some are injured, Some are left with disabilities. But they don't do anything. Now if you go to complain they say you were invading our area."*⁷⁶ A man whose brother allegedly was shot to death by mine police in 2023 said: *"the mine should examine itself because they are people who came from another country. They should only do their business and not kill people....The mine is saying that they have a good relationship with the people, but they don't have a good relationship with the people."*⁷⁷

RECOMMENDATIONS FROM KURIA VILLAGERS

In spite of the general sense of despair MiningWatch heard from villagers, some offered very concrete things that could be done to reduce risk to local Kuria. Some of these recommendations related to addressing drivers such as loss of income related to the mine's occupation of land. An older man told MiningWatch: *"Barrick has many areas now, they should leave us [names a small scale mining area] for us to mine, because we have no problem with investors if they have good relationships with us."*⁷⁸ A man whose family member allegedly was shot to death in 2024 said: *"The mine should dump waste rock and give access to it because they see waste rock as waste, but to us it's something valuable. They could just dump the waste rock for us. This situation of people searching [for gold bearing rocks] would go down. More to that, people would not even think of going to the mine."*⁷⁹ This suggestion was also made by a man whose brother allegedly was shot to death in 2024: *"They should at least set aside a special place where they could dump the waste rock and people could go there to search [for gold bearing rocks] and earn 10,000 or 20,000 [5 or 10 dollars Canadian]. That could help people. But now they are dumping inside [the wall]. So it's because of that situ-*

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*ation, the youth go to search [for gold bearing rocks] there, and they [the mine] don't want that. The hard situation is what causes the youth to go there. There are children who go to bed without eating even for two days."*⁸⁰

As noted above, there was also considerable focus on the need to move villages and schools away from the mine's operations. One woman simply said: *"move people away from the mine's walls."*⁸¹

Finally, as noted above, people told MiningWatch that if someone is found trespassing in the mine's waste rock dumps, they should be arrested, not shot. A woman whose husband allegedly was shot to death by mine police outside of the mine's walls in 2023 said: *"If someone has done something wrong you are supposed to arrest them and take them to the law enforcement agencies."*⁸² A man whose brother allegedly was shot to death by mine police in 2023 said: *"And if there are criminals found inside [the mine area] they should only detain them and take them to the legal authorities and not shoot them."*⁸³



Police guarding waste dumps at the North Mara Gold Mine. Photo: MiningWatch Canada

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83 #15-2024