



Kelvin Dushnisky  
President  
Barrick Gold Corp.  
Via e-mail

February 5, 2018

Dear Mr. Dushnisky,

**Re: The crushing death of 15-year old Boi Nelson Nai by a PJV mine's loader truck**

I am writing in regard to the death of Boi Nelson Nai, a 15 year old indigenous Ipili boy of the Mamai Kensa Clan from Panadaka village in the Special Mine Lease Area of the Porgera Joint Venture (PJV) mine. Boi Nelson Nai was killed when he was run over by a PJV loader truck on the Anawe waste dump on October 3, 2017.<sup>1</sup>

I was informed about this during my field visit to Porgera, between December 5-12, 2017. On December 11, 2017, I visited Panadaka village and was taken by villagers to see the location where Boi Nelson Nai was run over by the loader truck. This location on the Anawe waste dump abuts the village of Panadaka. It is not fenced off and is well-known as a location where nearby villagers, men, women and children, routinely come to seek remnants of gold in the waste rock as a way to eke out a living as most of the village's agricultural land has been taken up by the dump and nearby mine works.

Given the routine nature of visits by villagers to this location, I was informed that company security normally arrive before the heavy machinery to warn villagers to leave the area and that these same security consequently send reports back to the mine to indicate that the area is clear so that it is safe for the heavy machinery to arrive to do their work. This routine was apparently not followed preceding the crushing of Boi Nelson Nai by the PJV loader truck on October 3, 2017. I was also informed that the area was very noisy due to the running of a generator belonging to the mine making it hard to hear the arrival of the PJV loader truck.

When I was in Panadaka in December 2017, I was told that the family of Boi Nelson Nai had filed a grievance report with the mine seeking remedy related to his death in early October. As of the date of my visit, some humanitarian relief had been provided, but not remedy for the loss of this boy. It is my understanding that as of the writing of this letter, remedy for this loss has still not been received by the family.

I am writing to seek answers to the following preliminary questions:

- What process is PJV/Barrick/Barrick (Niugini) Limited (BNL) following to determine equitable remedy for the family of Boi Nelson Nai?
- Is PJV/Barrick/BNL following a remedy framework? If so, is this framework or procedural guidance publicly available?

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<sup>1</sup> As the death was around mid-night, reports differ regarding the exact time and date of death, some putting the date as October 2, 2017.

- How is PJV/Barrick/BNL taking the wishes of the family into consideration?
- How is PJV/Barrick/BNL ensuring a process in handling the case of Boi Nelson Nai that is in accordance with the UN Guiding Principles effectiveness criteria for operational level grievance mechanisms, including: legitimacy; accessibility; predictability; equitability; transparency; rights-compatibility?
- Will PJV/Barrick/BNL follow the example set at Barrick's North Mara mine, which no longer requires a legal waiver in return for remedy through a non-judicial mechanism?
- What procedure has PJV/Barrick/BNL followed in regard to the operator of the PJV loader truck that struck Boi Nelson Nai?
- How has PJV/Barrick/BNL collaborated with police in their investigation of the matter?
- What is PJV/Barrick/BNL doing to ensure that this type of incident will not occur again?

I look forward to receiving answers to these questions.

Sincerely,



Catherine Coumans

Electronic copy provided:

John Thornton, Executive Chairman of the Board, Barrick Gold

Peter Sinclair, Chief Sustainability Officer, Barrick Gold

Richmond Fenn, Executive Managing Director, Barrick (Nuigini) Limited

Others