

A CORPWATCH REPORT



# BARRICK'S DIRTY SECRETS

COMMUNITIES WORLDWIDE RESPOND TO GOLD MINING'S IMPACTS



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## Fact:

### Mining Enterprises

**Use** 7-10% world energy

**Output** < 1% world GNP

**Jobs** < 0.5% world jobs

SOURCE: "EL EXILIO DEL CONDOR: HEGEMONIA TRANSNACIONAL EN LA FRONTERA. EL TRATADO MINERO ENTRE CHILE Y ARGENTINA" (OLCA), 2004.

# INTRODUCTION

This report, a profile of Barrick Gold, the world's largest gold mining company, is an illustration of what is wrong with the gold industry today. In these pages, you will find numerous examples in which Barrick's interests and the interests of the communities within which it operates are pitted directly against each other. From avoiding responsibility for the destructive environmental legacy of their projects or aligning itself with corrupt politicians, to employing police who violently suppress (and sometimes kill) mine critics, Barrick's power in these struggles creates a compelling case for intervention.

The community groups fighting Barrick include members ranging from local government and tribal officials, to assemblies of mothers against mining and other grassroots groups that attract thousands of supporters. Their work is courageous and dedicated, as it is dangerous and exhausting; and it serves to illustrate the on-the-ground reality for Barrick and other companies like it. Needless to say, this rarely voiced perspective on mining does not bode well for the industry as a whole, as it comes from the people who are immediately affected by its operations.

This report also serves to illustrate that these issues are not isolated instances of abuse, but are part of a system and framework within which these abuses are inevitable. Canada, where Barrick is based, is home to 60 percent of the world's mining corporations, which run operations across the globe. Despite being a leader in this industry, Canada has not taken the lead on mediating or taking responsibility for the behav-

ior of their corporations abroad.

As a consequence of this negligence, Canada has drawn criticism from around the world, first by environmental, religious and human rights organizations, and now increasingly from international institutions, such as the United Nations. Even the Canadian government has started to recognize the harsh reality accompanying the presence of their mining industry abroad, which is characterized by environmental destruction, political corruption, community struggles, human rights abuses, and massive amounts of water consumption.

2006 marked the year of the first National Roundtables on Corporate Social Responsibility and the Canadian Extractive Industry in Developing Countries, a forum that was organized in reaction to a 2005 Report from Canada's Parliamentary Standing Committee on Foreign Affairs. The standing committee's report admitted that Canada does not have laws ensuring that Canadian mining companies "conform to human rights standards, including the rights of workers and indigenous peoples." But, despite overwhelming evidence that the self-regulation and voluntary measures adopted by mining companies are not sufficient to guarantee these rights, a binding legal framework to ensure these rights has yet to be pursued by the Canadian Government.

We hope that this broad collection of case studies examining Barrick's operations around the world will serve to expose an industry rife with abuse, while supporting the individual community-based struggles against this company worldwide.



ENVIRONMENT :

## WATER IS WORTH MORE THAN GOLD

Water depletion is a major negative consequence of gold mining, as you can see highlighted in the Lake Cowal, Pascua Lama, and Western Shoshone case studies. The large amount of water required to run a gold mining operation exacerbates its impact on local communities, many of which are already experiencing drought.

The daily water consumption at Barrick's Lake Cowal mine in Australia is more than of the entire Lismore district (a major regional center in the Northern Rivers region of the state.) Since the mine started operations, the water level near it has dropped from 20 meters to

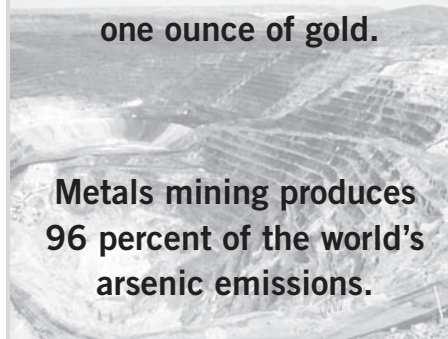
50 meters below ground level. The mine is licensed to use up to 3,650 million liters a year over the next 13 years and will likely exceed that figure. Meanwhile, the region surrounding the mining site is enduring its eighth year of drought.<sup>1</sup>

At its Pascua Lama mine, Barrick is disturbing 10.2 acres of three glaciers<sup>2</sup>, and has called for tunnels to be dug underneath them. The exploration and prospecting phase (1990's) has already been linked to the depletion of glaciers.<sup>3</sup> Barrick attempted to blame global warming for the melting, but those claims have been disproved.<sup>4</sup>

In addition to the large-scale melting of the glaciers, Barrick is proposing to extract additional water in Chile to run its mine and factories. The estimated requirement is up to 42 liters per second to be taken from the Estrecho and Toro Rivers.<sup>5</sup>



**On average, it takes 79 tons of waste to extract one ounce of gold.**



**Metals mining produces 96 percent of the world's arsenic emissions.**

### Acid Mine Drainage and Heavy Metal Contamination

Open pit mining creates great waste for a small yield. On average, it takes 79 tons of waste to extract one ounce of gold, according to a conservative estimate by the No Dirty Gold campaign, a project of EarthWorks and Oxfam. The process involves grinding up ore, and then exposing it to cyanide in order to extract the gold. Sulfides in the crushed rocks interact with air and water to create sulfuric acid, which in turn creates acid mine drainage (AMD).

In and of itself, AMD is harmful to ecosystems because it makes water too

acidic to support life. Additionally, the sulfuric acid in AMD leaches out other substances from the waste ore, such as arsenic, cadmium, lead and mercury, which can have disastrous health effects, and can contaminate both air and water. Metals mining has been linked to 96 percent of the world's arsenic emissions.<sup>6</sup>

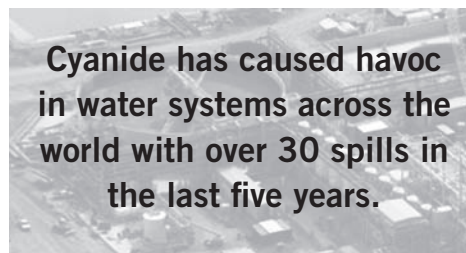
A recent report by the University of Nevada<sup>7</sup> found startlingly high mercury concentrations in the air around a number of northern Nevada gold mines. The highest concentration was measured at Barrick's Marigold Mine (3120 ng/m<sup>3</sup>).

### Cyanide

Cyanide is the chemical-of-choice for mining companies to extract gold from crushed ore, despite the fact that leaks or spills of this chemical are extremely toxic to fish, plant life and human beings. Cyanide is a deadly chemical, used

in the gas chambers of the Second World War and on death row in the United States between 1930-1980. The chemical has caused havoc in water systems across the world with over 30 spills in the last five years.<sup>8</sup> (See *Lake Cowal spread for more information on cyanide*)

**Cyanide has caused havoc in water systems across the world with over 30 spills in the last five years.**



## ENVIRONMENTAL SCANDAL:

## SAN GUILLERMO WILDERNESS: GOLD MINING IN A WORLD HERITAGE BIOSPHERE RESERVE?

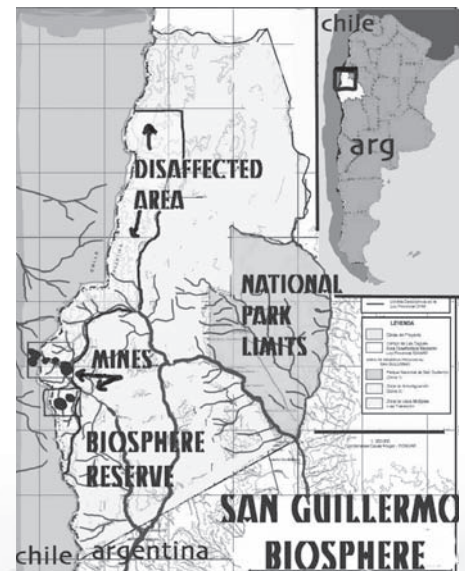
Argentina's first World Biosphere Reserve is the San Guillermo Wilderness, high in the Andes range in northwest province of San Juan, which was given legal protection in 1980 by the United Nations Educational, Scientific and Cultural Organization (UNESCO).<sup>9</sup> The 900,000 hectare reserve provides crucial ecological services for the entire Southern Andean Steppe bio-region: It provides habitat and mating grounds for hundreds of animal species, such as Andean flamenco, vicuñas, guanaco and ñandu; it is home to many unique and important plant species; it regulates bioregional climate patterns; and most importantly, it is the birthplace of the waters that flow down into an enormous larger region of Argentina and Chile.

The heart of San Guillermo lies in its glaciers nested in its highest peaks. These glaciers, some brilliant white, others underground and invisible to the eye, regulate the runoff forming the Cura and Jáchal rivers, the only water supply to the delicate desert farmlands of northern San Juan. These same glacier "water factories" also supply and regulate the waters flowing westward to the Pacific through Chile's fertile Huasco Valley. The water supplies created and regulated within San Guillermo are essential to the life of ecological and social systems downstream.

In 1989, the very heart of the San Guillermo World Biosphere Reserve was "cut away," stripped from the UNESCO reserve. In a midnight session of the San Juan legislature, corrupt provincial lawmakers secretly drafted a bill (N°5959/89) "disaffecting" a strip of some 170,000 hectares from UNESCO protection – land that had already been prospected for mining and would later be transferred to Barrick Gold Corporation for its Veladero and Pascua-Lama projects.<sup>10</sup>

The change in the law was not announced publicly, provincially or even to UNESCO until ten years later in 1999, after the mapping and initial explorations were completed. During these years, land rights were covertly and often illegally bought for pennies per acre<sup>11</sup> by well-connected local officials, who simply signed public land over to subsidiaries of Barrick Gold for handsome profits.<sup>12</sup> They often purchased the land from poor and indigenous peoples.<sup>13</sup>

This 1989 "disaffectation" is now the "legal" basis for Barrick's open-pit gold mining operations among the glaciers of San Guillermo World UNESCO Man and Biosphere Reserve.<sup>14</sup> The protests of local and national community and environmental groups, as well as UNESCO, have been completely ignored by provincial authorities. UNESCO also claims it has no power to enforce the respect of the limits of this now gravely endangered Biosphere.<sup>15</sup>



BELOW: ÑANDÚES RUN WILD NEAR PASCUA LAMA. PHOTO: DAVID MORDERSBACH



POLICE REPRESSION:

## WARNING: RESISTANCE TO BARRICK MAY LEAD TO DEATH

On April 11, 2007 Marvin Gonzalez Castillo, a 19 year old boy, was killed by two bullets to his torso. He was a victim of police repression against protests organized by social and ecological organizations, as well as the local government of Ancash, to demand the cancellation of the contracts with the mining firms, Barrick Gold and Antamina\*, according to community reports. The police moved in during the blocking of roads. Thirty demonstrators were also detained, most of them construction workers. One woman died of a heart attack after the police tear-gassed protesters.<sup>27</sup>

This protest was part of a regional 48 hour strike, was part of a series of coordinated actions that included thousands of marchers throughout the Ancash region.

Two days before the shooting, on the first day of actions, a group from the communities of Shecta and Santiago Antunez de Mayolo attacked peaceful demonstrators as they protested against Barrick's continued exploration of the Condorwain mountain area. They were supported by members of the National Police and workers from the Barrick Misquichilca mining company. The confrontation between community members left seven people injured, among them the president of the Campesino community of Cruz Pampa and leaders of other villages near Condorwain.<sup>28</sup>

Another group of residents of Huaraz met in the center of the city to march in opposition to the mining activities in different locations throughout the Ancash region.<sup>29</sup>

### LONGSTANDING ANGER WITH BARRICK

This isn't the first time that people have died in a confrontation with police at an anti-mining demonstration. On May 5, 2006, Joel Martel Castromonte, a 25 year old agronomy student and Guill-

This isn't the first time that people have died in a confrontation with police at an anti-mining demonstration.

ermo Tolentino Abat, a 42 year old miner were shot dead by police. They were victims of the violence that began when hundreds of community members gathered in Huallapampa to request a salary increase from Barrick Gold. When Barrick officials refused to raise pay, community members used stones and tree trunks to blocked access roads to the mines. Police, called by Barrick, responded with tear gas bombs, and the protesters answered with stones. According to police spokespeople, the mining company employed 30 police agents in its security force.<sup>30</sup>

Barrick suspended operations until security was reestablished, but not before the injuries and deaths. The following day, thousands of campesinos from the 18 communities in the high reaches of the Sechta mountains where Barrick operates the Gold Pierina Mines, protested. They demanded investigations of the deaths and justice.<sup>31</sup>

One year before in the same area, riot police had clashed with thousands of protesters demonstrating against a court decision allowing Barrick to waive \$141 million in taxes.<sup>32</sup>

Police used tear gas to disperse the farmers, teachers, and striking city hall workers who had gathered on the mountain road leading to Barrick's Pierina mine in the Ancash region, authorities said.<sup>33</sup> Twenty people, including two police officers, were injured in the clashes and Ancash Mayor Lombardo Mautino was hurt by a rubber bullet, Ancash city hall official Pelayo Luciano told *Reuters*.<sup>34</sup>

*\*Barrick officials say that this particular death occurred at a protest in Chimbote, a coastal region in the Ancash Region, 500 kilometers away from the mines. It should be noted this protest was part of regional protests that were called for by CORECAMI Ancash (The regional Confederation of Communities Affected by Mining in Ancash), though this particular protest was against large-scale infrastructure projects.*



TITLE PHOTO: ON APRIL 11, 2007 MARVIN GONZALEZ CASTILLO, A 19 YEAR OLD BOY, WAS KILLED BY TWO BULLETS TO HIS TORSO. PHOTO: DEMOCRACIAPOPULARI.BLOGSPOT.COM  
BELOW: DURING THE REGIONAL 48 HOUR STRIKE, THOUSANDS OF DEMONSTRATORS MARCHED THROUGHOUT THE ANCASH REGION. PHOTO: @DIN.



## HUMAN RIGHTS :

### LIVES AND LIVELIHOODS IN TANZANIA AND PAPUA NEW GUINEA

Human rights abuse used to be the work of repressive governments, but increasingly corporations are getting into the act. In late 2005, Canada's Parliamentary Standing Committee on Foreign Affairs lamented that "Canada does not yet have laws to ensure that the activities of Canadian mining companies in developing countries conform to human rights standards, including the rights of workers and indigenous peoples."<sup>16</sup>

Barrick was linked to a number of these abuses, including the forced evictions of small scale miners and residents,<sup>17</sup> the alleged murder of mine critics at their Bulyanhulu and North Mara gold mines in Tanzania, and the killing of alluvial miners by mine security personnel in Papua New Guinea. Many violent clashes have also occurred between police and activists opposing Barrick's mining operations in Peru, Chile, and Argentina.<sup>19</sup>

Some of the abuses at Bulyanhulu mine occurred before Barrick took over. In August 1996, Canada-based Sutton Resources Ltd evicted some 30,000 to 250,000 miners from its Tanzanian operation and allegedly killed more than 50 miners by burying them alive with a bulldozer, according to Tanzanian environmental lawyer Tundu Lissu.<sup>20</sup> Barrick bought this mine three years later and has done nothing to bring the perpetrators to justice or to compensate victims' families. After the mass evictions, Lissu claims that hundreds of villagers, including community leaders and prominent locals, were targeted for illegal arrests, criminal prosecutions and long-term imprisonment. (see sidebar)

Lissu's claims are supported by an independent fact finding mission that included representatives of MiningWatch Canada, Friends of the Earth-US, the Dutch NGO Both ENDS, and a Canadian journalist. After visiting the Tanzania in March 2002, the group concluded that "the intensity and seriousness in the telling of the stories of the alleged evictions, the violence and brutality of the police and mining officials, the level of detail, as well as the willingness of the Bulyanhulu residents to take significant risks to their own personal safety to come and speak with us, impressed the members of the mission, as did the willingness of apparently 250 others who waited several hours for us to arrive in Bulyanhulu. The mission members thought that these factors lent weight to the credibility of the allegations."<sup>21</sup>

Subsequently, the Compliance Advisor/Ombudsman of the World Bank issued a report refuting LEAT's claims of mass murder and the number of people displaced, based on evidence supplied by the Tanzanian government and Barrick Gold. LEAT published a detailed response to the CAO report on their website, which challenged this evidence.

Similarly, Barrick's North Mara mine suffered great human rights abuses under its predecessor, Canada's Placer Dome. Lissu, who has been jailed for anti-mining activism, claims that Barrick's security operatives at the North Mara mine have since been linked to six violent deaths and that the killings are part of a strategy to silence mine critics.<sup>22</sup>

### Tanzania and Papua New Guinea



**MEN WHO MOIL FOR GOLD** PHOTO: MUSTAFA IROGA

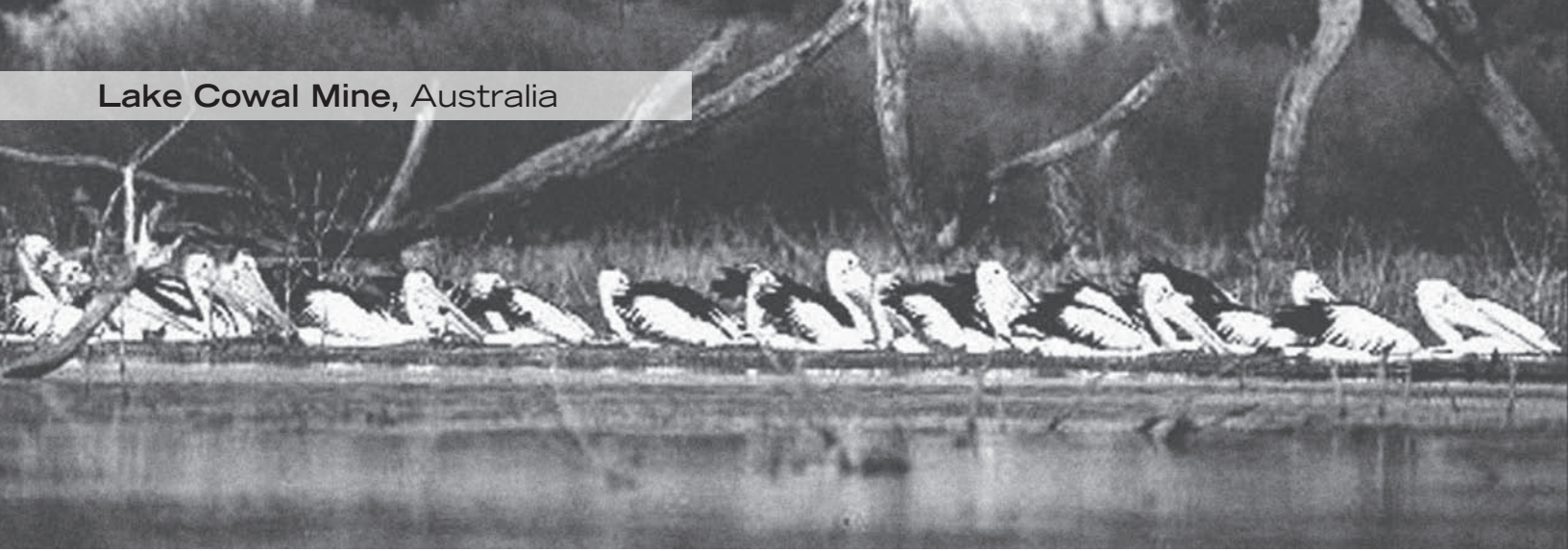
"Mr. Iroga's farm was bulldozed while he himself was serving a 30 months prison sentence for allegedly inciting villagers to re-occupy their farmlands and mine pits in June 2001. In the aftermath of the August 2001 forced evictions by Tanzania security forces, the Iroga brothers, then Kewanja Village Chairman Augustino Nestory Sasi, Chacha Zakayo Wangwe (now elected Member of Parliament for Tarime), John Mang'enyi (then elected Member of Tarime District Council for Kemambo Ward) and Raphael Dede (then Nyabigena Village Chairman) were arrested and charged with inciting the villagers. Mustafa Iroga and Chacha Wangwe would be acquitted in May 2002 but the rest were sent to prison for 30 months. In February last year the High Court of Tanzania annulled the convictions and sentence declaring that there never was any evidence to convict the four community leaders. While serving their sentences, however, Neto Sasi was - with 13 other villagers - charged with a fictitious charge of armed robbery and jailed for 30 years in April 2003. We got them out on appeal to the High Court of Tanzania in December 2004. The latter declared once again that there never was evidence of wrong-doing on the part of the villagers." - Tundu Lissu, Lawyers' Environmental Action Team (LEAT), 2006<sup>26</sup>

*CorpWatch* contacted Barrick's Vince Borg to ask for Barrick's response to these allegations, which were made in July of 2006, but Barrick has not yet responded.

In Papua New Guinea, the Akali Tange Association (ATA) emerged in 2004 to address the on-going human rights abuses perpetrated by the Porgera mine security. According to ATA organizer Jeffery Simpson,<sup>23</sup> 39 people have died and 2,000 have been injured, some by unsafe working conditions and others in the chaos resulting from security crackdowns. An additional 3,000 to 4,000 people have been jailed.

Much of the conflict arises over whether the local tradition of alluvial mining became illegal under arrangements and contracts held by the Porgera gold mine. ATA claims that no Ipili agreed to give up traditional rights.<sup>24</sup>

The company has hired a 400-man security team, which it calls Asset Protection Department, to guard the facility. Over the years, what started as a congenial arrangement has turned into small-scale armed conflict that has caused hundreds of injuries, sometimes 40 to 50 a day, according to the *Ottawa Citizen*.<sup>25</sup>



CASE STUDY:

## SACRED HEARTLAND OF THE WIRADJURI NATION

### THE CAMPAIGN

Australia's Lake Cowal, "the Sacred Heartland of the Wiradjuri Aboriginal Nation," is the largest inland lake in New South Wales (NSW). A wetland of national and international significance, the lake also provides habitat for many threatened species and birds listed under the International Convention on Wetlands (the Ramsar Convention).<sup>35</sup>

For seven years, a community campaign has focused public attention on the cultural and ecological significance of Lake Cowal. Australian organizations supporting the campaign include the Mooka and Kalara Traditional Owners within the Wiradjuri Nation; the Rainforest Information Center; the Indigenous Justice Advocacy Network; the New South Wales Greens Party; Friends of the Earth Australia; Peacebus' Cyanide Watch; and the Coalition to Protect Lake Cowal, an alliance of more than 21 Australian and 40 international groups.

### THE LAKE

An ephemeral lake lying 45 km north-east of West Wyalong in the Lachlan River plain within the Murray-Darling Basin, Lake Cowal is full an average of seven out of ten years, but can remain dry as it is now, for many years. During major floods, the lake becomes an inland sea, connecting to the Lachlan River, which flows into the Murrumbidgee and then to the Murray, Australia's largest river, now one of the world's ten most threatened rivers.<sup>36</sup> Lake Cowal is included in Australia's Directory of Important Wetlands and listed in the Register of the National Estate.<sup>37</sup>

### THE MINE

The Cowal Gold Project covers approximately 26.5 square kilometers of this environmentally fragile region. In 1996, the

New South Wales government refused an application from North (WA) Ltd. to mine gold at Lake Cowal on environmental grounds. But in February 1999, despite continuing environmentalists' concerns, a month before a state election and after a second commission of inquiry, the government approved the mine.<sup>38</sup> Rio Tinto bought North in 2000 then sold its Cowal Gold Project interest to US-based Homestake. In December 2001 Homestake merged with Barrick Gold of Canada.

On March 27, 2006, the mine, with a projected life of only 13 years, became fully operational. A month later, Barrick poured the mine's first gold. Now, the company is excavating 108 million metric tons of low- to medium-grade ore from an open-

cut pit that lies within high water level on the lake's western edge. The final pit needed to extract around 2.7 million ounces of gold will be 1 kilometer long, 825 meters wide, and 325 meters deep.<sup>39</sup> The Coalition to Protect Lake Cowal estimates that this pit will be comparable in size to Uluru (Ayers Rock), Australia's largest monolith.

### CULTURAL HERITAGE

Wiradjuri traditional lands cover a third of the NSW land mass. Traditional Owners oppose the mine and charge that Barrick and its predecessors ignored demands to protect cultural objects.<sup>40</sup>

Barrick desecrated sacred ground when it cleared the way for the mine and laid water pipes and an electricity transmission line. The company also felled dozens of river red gum trees that had sheltered Wiradjuri people from the elements for hundreds of years, and held generations worth of historic markings. Wiradjuri cultural items and places have been damaged or destroyed including tens of thousands of stone artifacts, ancient ceremonial areas, marked trees, and traditional camp and tool-making sites.

Artifacts hold individual meaning, but piecemeal artifact col-



lection compromises the integrity of the site and the larger landscape of spiritual significance. Independent archaeologists have dated some local Wiradjuri sites to between 2,000 and 4,000 years old—contemporaries of the Egyptian pyramids. Given Lake Cowal's ancient origins, more archaeological work will likely reveal a much older heritage. Barrick has reportedly collected more than 10,000 artifacts from the mine area, but has refused to release details.<sup>41</sup>

## WATER

The mine's continuing use of enormous amounts of groundwater and now the Lachlan River affects local communities and water sources already enduring the worst drought in New South Wales' recorded history. Barrick's bore water licences allow it to take up to 17 million liters per day from underground sources and up to 3650 million liters in any one year.<sup>42</sup> A 30-metre groundwater level drop in October 2006 had up to 80 landholders anxiously watching their livestock and domestic supplies. In late 2006 Barrick cut a deal with local irrigators to use water from the Lachlan instead of bore water.<sup>43</sup> Barrick is building an onsite dam, but it will be useless unless significant rain falls. On April 19, Australia's Prime Minister announced that Murray-Darling irrigators faced a water shut-off unless it rained within the next two months.<sup>44</sup> Barrick and the government will not reveal how much water the company is taking from ground and surface water sources combined and whether its deal with irrigators will continue.

## CYANIDE

At Lake Cowal, Barrick processes very low-grade ore with minimal residues of gold. Leaching gold from the ore requires 6,613 tons [6,000 metric tons] per year of cyanide and other hazardous chemicals.<sup>45</sup>

The copious waste from this process flows into open pits separated from the lake by an earthen wall or "bund." The mine tailings are stored within the floodplain in unlined dams 3.5 kilometers from the lake. The two tailings ponds, containing highly toxic chemicals, are a tempting habitat for migratory birds.<sup>46</sup>

Another danger comes from transporting the poisonous cyanide. Up to 6,090 metric tons of the chemical travels 1600 kilometers to Lake Cowal every year from Orica's plant in Gladstone, Queensland. Trains and trucks carry the cyanide to Lake Cowal over 20 rivers, through ten national parks, and past 200 towns. The route traverses

## PATTERN OF VIOLATIONS

Barrick Gold, which operates nine mines in Australia, has been accused of environmentally unsound practices, mining-related accidents, and safety violations. For example, in January 2003, a 26-year old woman was killed in a pit-wall collapse at a Barrick mine in Western Australia. More recently a man driving a truck to the Lake Cowal mine, to collect used muriatic acid, hit a tree at Bumbaldry, NSW. Workers for Barrick sub-contractors have also complained of poor employment conditions.

A 2004 Western Australian government's report on the Kalgoorlie Super Pit, a Barrick-Newmont joint venture, found a large area around the Fimiston 1 tailings dam was affected by cyanide and heavy metal contamination, elevated groundwater cyanide levels, and increased salinity. Kalgoorlie Consolidated Gold Mines (KCGM) admitted on July 27, 2005, that the mine's roaster and carbon kilns were emitting five to seven metric tons of mercury per year. In April 2007 the Western Australian authorities fined KCGM \$25,000 for sulphur dioxide emissions that affected Coolgardie residents.<sup>48</sup>

densely populated areas of Australia's largest city, Sydney, and the World-heritage-listed Blue Mountains. A 1992 train crash at a Condobolin, NSW level crossing killed two and spread 40 metric tons of cyanide pellets across the ground.<sup>47</sup>

TITLE PHOTO: PELICANS BY THE FLOCK HUNTING THROUGH THE SHALLOWS OF LAKE COWAL. LAKE COWAL IS AN EPHEMERAL LAKE, IT IS FULL AN AVERAGE OF SEVEN OUT OF TEN YEARS. THIS AREA IS FACING THE WORST DROUGHT IN 100 YEARS. LAKE COWAL HAS BEEN SUBSTANTIALLY DRY SINCE OCTOBER 2001.

SOURCE: WWW.ECOPIX.NET

BELOW: LAKE COWAL SUPPORTERS LISTENING TO WIRADJURI TRADITIONAL OWNERS AT THE GATES OF BARRICK'S MINE AT LAKE COWAL, NSW OCTOBER 2004. PHOTO: NATALIE LOWREY





CASE STUDY:

## GOLD MINE TRANSFORMS PACIFIC ISLAND

The Ipili people of Papua New Guinea had the misfortune of living on top of a lot of gold. When mining companies arrived in their region and wanted to make a deal to start a gold mine, the locals thought they could work out an arrangement that would grant them benefits from all of the profits that would be made. Unfortunately, things did not work out the way they hoped.

### Landmark deal

The agreement reached between the locals and the company was hailed by the industry as a landmark deal because up to that point, landowners had seldom if ever been involved in negotiations at all. Porgera Joint Venture (PJV) company, the entity that Placer Dome created to run the mine, would pay the Porgerans through the PNG government for the use of their land, pay dividends to the families of the original landowners based upon how much gold was mined, and would build a school and other buildings for the town.<sup>49</sup>

### Landscape eroded

From the beginning, however, there were allegations of dishonesty. People claim that the signers of the contracts were illiterate at the time, and that they were given alcohol during the negotiations.<sup>50</sup> Things got worse when in the early 1990, the most accessible veins of ore were depleted. It was then that the company turned to open pit mining, began blasting away the hills, using cyanide to leach gold and other toxins from the rubble, and dumping the poison waste into the local streams. In fact, whereas in 2000, the Porgera mine produced 6.6 tons of waste per ounce of gold produced<sup>51</sup>, in 2006, that figure was up to approximately 97.6 tons of waste per gold ounce.<sup>52</sup>

Although PJV paid villagers to relocate to new houses in the hills above the despoiled valley the homes started sinking into the ground or sliding slowly down the hill as mine debris eroded the landscape. As time passed, the villagers began to measure the deal and their cheap tin houses against the despoiled environment and the wealth the mining company has extracted.

Increasingly the villagers grew to rely on the mine for suste-

nance, whether through wages or lease payments. Many of them are now “reeling from the impact of a cash-for-land deal that has turned their traditions upside-down and their ancestral home into an industrial moonscape patrolled by guards and police,” according to an article by the *Ottawa Citizen*.<sup>53</sup>

Between 8 and 39 people have been killed in fights between company security men and alluvial miners (Placer Gold admitted to eight deaths<sup>54</sup>, while ATA puts the number at 39 mine-related deaths<sup>55</sup>). The company’s security men are accused of beatings and rapes against the villagers. Many people search for gold in and around the mine, and as the mine itself has grown bigger and bigger, and the local population exploded, clashes have erupted over access to the precious yellow ore.

When would-be gold collectors have approached company property, guards have fired at them in the past, claims the Akali Tange Association (ATA), an organization that advocates against human rights abuses in the area.<sup>56</sup>

Growing inequity and changing social structures exacerbated dissatisfaction between the mining company and the locals. New arrivals seeking work at the mine, who currently account for 40 percent of the 10,000 people living around Porgera, and relatives of landowning families began demanding a share of the monetary compensation from their kin. This phenomenon is perfectly normal among Papua New Guineans who share any fortune, good or bad, with their tribe and extended family. Typically a group of approved elders make a judgment awarding cash to the injured parties who divide it among their relatives.

### Workers organize

Stanley Kaka, a 44-year-old former mineworker and union organizer, embodies a living history of the Porgera region. As a child in the 1970s, he and the other village males slept in a longhouse with hammock-bunks lining the walls. Nearby was a similar building for the women and children. “We would stay up late every night”, he recounts, “telling stories, talking. In the morning we all rejoined our families and went to work in the gardens. Everyone wore grass loincloths and hunted with bows

and spears. And so now we have gone from the Stone Age to the Computer Age in one generation.”<sup>57</sup>

In 1989 Kaka moved to Porgera from a nearby village and started working at the mine. He immediately noticed how unfairly the employees were treated. People worked long hours for low wages and were exposed to toxic chemicals, he says. He and other workers formed the Porgera Allied Workers’ Union with Kaka as its first president. The union won overtime pay, travel compensation for miners who came from distant townships, and special risk pay for the men who worked in the dangerous tunnels deep under Porgera’s hills.

It was during one of the union’s actions, a “sitting protest” inside of a tunnel, that the company security men clashed with the miners and angry workers destroyed a digging machine. Mine officials blamed Kaka for starting the trouble and fired him.

### “This is my land”

“I told the company that I will be here until you leave this place. This is my land”, he said. For the last 16 years he has been “not leading, but advising the young generation, the young people who are coming up and saying this is no good. We should at least get maximum benefit out of our resources that the company’s taking out”.

Porgera is a town with one of the world’s largest gold mines and no paved streets. As helicopters ferry wealth overhead, crews of mud-covered young men with picks and orange plastic vests wedge rocks and gravel into deteriorating dirt roads to counter erosion from frequent rains. The overall sense is of an outside corporation extracting what it can at minimum cost, ready to pack up and clear out when the gold supply runs dry.

### Rich resources, poor people

Set in the brilliant South Pacific, Papua New Guinea is rich in resources, in ecology, in languages and cultures – and yet the people are poor.

Back in Porgera, local ATA organizers are now working on ways to hold Barrick accountable for a series of incidents in which mine security forces allegedly injured workers.

The company is trying to negotiate a settlement. PJV’s Stephenson told the *Papua New Guinea Post Courier*: “We have reached a stage where we ourselves are also not prepared to accept any



A WOMAN’S PERSPECTIVE:

### SUI, A PRINCIPAL LANDOWNER

How has the mine changed life?

Now I have more problem and living a harder life. In the olden days I used to good drink fresh clean water with paste now [I am] drinking tesseness (sic) water. We used to have good bananas, and now we got bananas that is not sweet, and the bananas are not bearing good fruits and even the covers as well. We used to have good kava in the garden, but under the conditions most kavas have gone, and now one type of kava is in the place.

In the olden days before the mining, all the women were being properly protected and secured by the men through the sub clan. But now when the mine came and all things kind of came apart: tribes not living together, women all scattered over, and they are not well-protected. And now that money is scarce and taken the place some ladies have money... and those that don’t have the money they have no place to move to, they’ve got no money to give to bus drivers, they are not living in good house, they are living in a school settlement out in the bushes. and through that and some ladies are caught into sicknesses like AIDS and it is hopeless now.<sup>59</sup>

more deaths. We need to work together to find solutions”.<sup>58</sup>

The men of ATA, however, remain skeptical. “But”, said one man, motioning forcefully with his arms, “if nothing is resolved, we will shut down this mine in less than a day. We can do it anytime we want to and we will.” The Ipili of Porgera are determined to make sure they are not left with just dirt roads and despoiled hills when the gold finally runs out.

TITLE PHOTO: BARRICK DEPOSITS MINE TAILINGS DIRECTLY INTO THE RIVERS. ALL PHOTOS: DAVID MARTINEZ

SIDEBOX PHOTO: SUI, A PRINCIPAL LANDOWNER SHARES HER PERSPECTIVE ON HOW THE MINE HAS CHANGED DAILY LIFE IN PORGERA.

BELOW: A HOUSE SITS ON A COLLAPSING HILLSIDE ABOVE A RIVER OF MINE TAILINGS THAT IS ERODING THE LAND AROUND IT.





CASE STUDY:

## MEGA MINING PROJECT ENDANGERS NATURAL AND CULTURAL BALANCE

Pascua Lama-Veladero<sup>60</sup> is a mine project operated by the subsidiaries of the Canadian transnational company Barrick Gold Corporation<sup>61</sup>, the Compañía Minera Nevada Ltda. (Chile) and Barrick Exploraciones Argentina S.A. They plan to set up a gold, silver and copper mine in a semi-desert region of the Andean Cordillera, on the Chilean-Argentinean border. This project is located on the source of the Huasco river system on the Chilean side, and of the Cura Valley, on the Argentinean side. In Argentina, the mine lies within the San Guillermo Biosphere Reserve territories (UNESCO, 1981) in the province of San Juan. In Chile, Pascua Lama abuts the southern border of the Atacama Desert, one of driest in the world, and intrudes into ancestral Diaguita indigenous territory.<sup>62</sup>

Pascua Lama-Veladero mining activities endanger the natural and cultural balance of these valleys, affecting around 70,000 people in Chile<sup>63</sup> and 24,000 in Argentina.<sup>64</sup> Pascua Lama mining directly affects mountain glaciers that are essential water sources for these regions and poses a serious threat to biodiversity.<sup>65</sup> The affected region is a habitat for condors, eagles, vicunas and other fauna and flora species.<sup>66</sup>

The area has already experienced environmental impacts from the exploration and prospecting phase carried out in the 1990s – a period of multiple free trade agreements that stimulated this kind of project. A report from the Dirección General de Aguas of Chilean Government (the national agency responsible for water management) shows that the activities of this mining project have reduced the volume of glaciers Toro 1, Toro 2 and Esperanza between 50 and 70 percent between 1981 and 2000.<sup>67</sup> The Conconta glacier in Argentina has already been destroyed.<sup>68</sup>

The quality and the availability of an already precarious water supply will be threatened by the use of toxic materials such as cyanide (its use was denounced by the Declaration of Berlin, 2000) and some heavy metals. Mineral extraction methods will cause dust emissions containing particles of lead, arsenic, uranium, chromium, zinc, asbestos, mercury, sulphur, cobalt, manganese, etc.<sup>69</sup> Dust deposits on the surface of glaciers will accel-

erate the thawing process. Accumulation of toxic material will pollute the soil and the ground water table. In addition, mining operations require a large amount of water—370 liters per second<sup>70</sup>—increasing the pressure on an area traditionally prone to drought. According to current arrangements, Barrick Gold will get this vital resource for free, since this company owns the water rights and can decide how to use them.<sup>71</sup>

Pascua Lama-Veladero disrupts the ecology of the territorial area known for its agricultural and pastoral activities including the production of export grapes, olive oil, brandy, pisco, fruits, vegetables, goat cheese, etc.<sup>72</sup> On the Argentinean side, mining activities will adversely affect the development of tourist activities, including highly valued thermal baths.<sup>73</sup>

Also, territorial and ancestral rights of the indigenous Diaguita community in Chile are being violated despite the law focusing on indigenous rights (Law 19,253 of 1993 on Protection, Promotion and Development of Native Peoples of the Department of Planning and Cooperation). But this law does not adequately ensure the protection of the Diaguita's land and its water. Corporate interests have even used this law to trespass on indigenous communities rights.<sup>74</sup>

During the time leading up to the construction of the mine, in 1996, Barrick acquired land rights in Chile and proceeded to set up gates blocking public pathways. This blocked shepherds<sup>75</sup> from moving their livestock to traditional mountain grazing grounds. Before the arrival of Barrick, this land was the subject of a legal controversy, with the Diaguita claiming that it had been usurped by a private landowner. Although the case is still in Chilean courts, the Pascua Lama project continues.<sup>76</sup>

Territorial appropriation by Barrick Gold includes the construction of a 6 km tunnel through the Chilean-Argentinean border to allow the transport of resources, machines and various materials needed for mining operations.<sup>77</sup> The tunnel will also provide the means to move mineral products to the Pacific coast where they can enter the international market. The operation of this tunnel does not include a customs system or a border checkpoint, as required by the present local laws.<sup>78</sup>

The Pascua Lama-Veladero project violates the self-determination rights of the local population. This mining project has set up shop through a campaign of charm and pressure on local and national authorities and on the local population. Barrick displays a public image of “a socially responsible mining corporation,” promising to contribute to the progress of the region, pledging large amounts of money, offering gifts, promising job openings and assuring that the environment will be rigorously protected by its “clean” and scientifically controlled mining procedures. However, the history of this company reveals these promises as illusory.<sup>79</sup>

Working conditions at the mine are disturbingly precarious. More than 50 miners have already died on the job and Barrick has released no information about the circumstances related to these fatal accidents.<sup>80</sup> The work is performed at very high altitudes (5,000 m above sea level) and safety standards and appropriate physical training are insufficient. Despite complaints by local residents, there are no controls to monitor and regulate the movement of many vehicles, trucks, and large machines that pose risks to the local communities living near access routes to the mine.<sup>81</sup>

The mining company will generate enormous profits from this project, thanks, in part, to the low cost of the royalties (5 percent in the case of Chile,<sup>82</sup> 3 percent in Argentina<sup>83</sup>). The Pascua Lama project is only the beginning of a series of new mining initiatives born with the Mining Integration Treaty (Tratado sobre integración y complementación minera) between Argentina and Chile, signed in 1997, promoted by Barrick Gold Corporation.<sup>84</sup>

The commercial operations of Barrick Gold, as well as those of other big transnational corporations, are negotiated under civic-judicial systems of governments that appear to be democratic and representative, but in fact are manipulated by huge economic national and international interests. These economics interests are dictating a status quo that allows them to continue to increase their privileges, despite harm to the common good.<sup>85</sup> Opposition to the Pascua Lama project consists of a broad movement of farmers, aboriginal people, church members, district communities, young people, along with organizations dedicated to protecting and researching environmental, indigenous, and human rights. This movement has exhausted the

Despite the fact that the Pascua Lama-Veladero project was approved on June 16th, 2006 by CONAMA (the Chilean National Environment Commission), the movement to stop Pascua Lama is still finding ways to denounce the impacts of the project and to demand that it be stopped. Here are some of those activities:

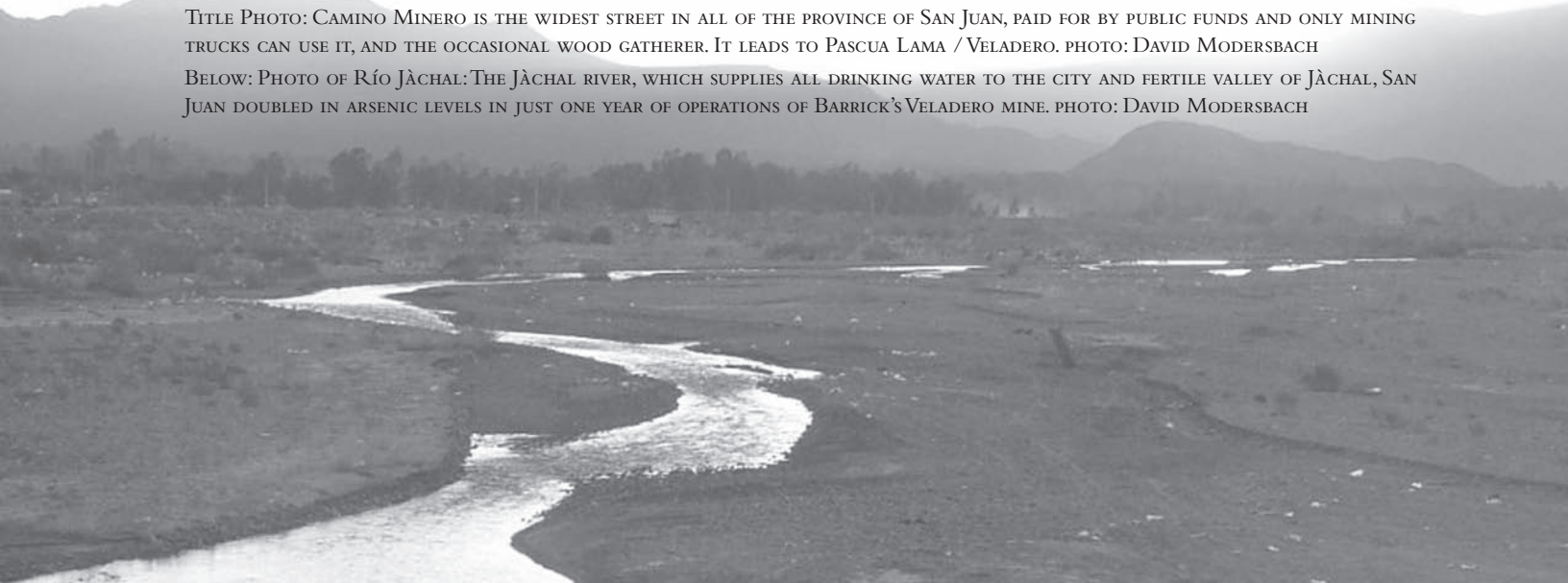
- *Denunciation before the Inter-American Commission of Human Rights (January 2007);*
- *Denunciations before the Seventh Session of the Commission of Environmental Co-operation Chile-Canada (January 2007);*
- *Indictment of Barrick in the Popular Court at the II Social Forum in Chile (November 2006);*
- *Letter from the Diaguita Huasco Altina community's chief to the general manager of Barrick Gold Corporation (November 2006);*
- *Written and oral submissions to the National Roundtables on Corporate Social Responsibility, organized by the Government of Canada (October and November 2006);*
- *Letter from the community Diaguita Huascoaltina to the President of Chile, Michelle Bachelet (August 2006);*
- *Declaration of religious members in defense of the Huasco Valley (August 2006)*

few legal and judicial resources that the Chilean, Argentinean, and international systems offer.<sup>86</sup> The resistance movement to the Pascua Lama -Veladero project emerged after the first study on environmental impact evaluation in Chile in 2001, bringing to light the fact that Barrick failed to mention the existence of glaciers at the site of the proposed open pit mining project. The project has since been modified with Barrick planning to locate the open-pit mine near the glaciers Toro 1, Toro 2 and Esperanzat.<sup>87</sup>

The Pascua Lama-Veladero project was approved in 2006<sup>89</sup> by the Chilean and Argentinean governments and construction of the mine is expected to begin in September 2007.<sup>90</sup>

TITLE PHOTO: CAMINO MINERO IS THE WIDEST STREET IN ALL OF THE PROVINCE OF SAN JUAN, PAID FOR BY PUBLIC FUNDS AND ONLY MINING TRUCKS CAN USE IT, AND THE OCCASIONAL WOOD GATHERER. IT LEADS TO PASCUA LAMA /VELADERO. PHOTO: DAVID MODERSBACH

BELOW: PHOTO OF RÍO JÁCHAL: THE JÁCHAL RIVER, WHICH SUPPLIES ALL DRINKING WATER TO THE CITY AND FERTILE VALLEY OF JÁCHAL, SAN JUAN DOUBLED IN ARSENIC LEVELS IN JUST ONE YEAR OF OPERATIONS OF BARRICK'S VELADERO MINE. PHOTO: DAVID MODERSBACH



# ON-GOING LITIGATION AGAIN

## UNITED STATES

### Wilcox Complaint

On September 8, 2004, current or former residents of a rural area near the former Grants Uranium Mill filed a complaint against two Barrick subsidiaries: Homestake Mining Company of California and Homestake Mining Company. The 26 plaintiffs allege that they have suffered a “variety of physical, emotional, and financial injuries” as a result of exposure to radioactive and other hazardous substances. The complaint filed in the U.S. District Court for the District of New Mexico seeks an unspecified amount of damages.<sup>91</sup> One year later, results of groundwater sampling by the Grants Uranium Mine tested by the New Mexico Environment Department and U.S. Environmental Protection Agency show contaminants in 33 of 34 residential wells sampled, including elevated levels of uranium in 21 wells.<sup>92</sup>

### Western Shoshone

Mt. Tenabo and Horse Canyon are extremely important spiritual and cultural sites for the Western Shoshone indigenous peoples in Nevada. Nonetheless, Cortez Gold Mine, of which Barrick Gold is a majority owner, is expanding mining expansion in this area. The Western Shoshone and supporter organizations have fought against mining for several decades, first opposing Oro Nevada, then Placer Dome, and now Barrick Gold. In 2005 after numerous cultural resource studies, shareholder actions, and administrative proceed-

ings, the Te-Moak Tribe, the Western Shoshone Defense Project, and Great Basin Mine Watch filed a lawsuit against the U.S. Bureau of Land Management. Then majority owner, Placer Dome, filed a motion to intervene, claiming interest in the area and charging that the Western Shoshone did not have significant interest to proceed in the litigation. Barrick Gold has not retreated from the position of its predecessor and is now a party to the lawsuit.

On April 16, 2007, the United States federal court in Reno heard arguments in a case against the Bureau of Land Management’s approval of Cortez Gold Mines’ gold mining exploration proposal on and around Mt. Tenabo and Horse Canyon, in a room filled with tribe supporters. The defendants are the BLM and Cortez Gold Mines, Inc.

The plaintiffs’ case rests on three main issues: 1) BLM violated the National Historic Preservation Act when it failed to adequately consult with the Western Shoshone on the mining exploration project. BLM also failed to adequately protect Western Shoshone cultural and religious uses of and resources in these areas; 2) BLM violated the National Environmental Policy Act (NEPA) when it failed to review the impacts of the massive Pediment/Cortez Hills mine project that Cortez Gold Mines has proposed in the same area; and 3) BLM violated the Federal Land Policy and Management Act (and also NEPA) when it approved the mining exploration without knowing the actual location of roads, drill sites, etc.; it also failed to adequately protect Western Shoshone heritage resources.<sup>93</sup>

## SOUTH AMERICA

### Chilean Rodolfo Villar sues over Pascua Lama properties

When Rodolfo Villar sold 20,000 acres to Barrick Gold for its Pascua Lama gold mining project, the mineral speculator signed a contract that he thought would pay him \$1 million. Instead, the contract gave him only \$19, and a fine-print stipulation that if he tried to obtain rights to any other lands in the surrounding area, he would face a \$95,000 fine.<sup>94</sup>

Aided by legal team of 30, including some of Chile’s most prominent lawyers, Villar sued Barrick and won. Rather than getting the million dollars, he got his land back and is now asking \$300 million for it. “Literally, we are sitting on a gold mine,” remarked one of his lawyers to the *Washington Post*. Barrick is appealing the case.<sup>95</sup>

**Villaverde family of Argentina** is perusing similar litigation: The family has land claims to an area of a proposed mine, but refuses to sell cheap.<sup>96</sup>

### Chilean traditional owners, the Huascoaltinos, sue over land claims

An ancestral indigenous group from northern Chile is accusing Barrick of illegally acquiring land near the mining company’s proposed Pascua Lama project. The Diaguita indigenous communities say that historical documents prove that the disputed land is part of their ancestral territory. They filed a lawsuit against the company in 2001, charging that the single group member who signed the contract was not legally entitled to make the deal.

Additionally, on July 25, 2005, the Chilean Consumers’ Organization filed a complaint with the Organization of American States (OAS). It alleges that the Pascua Lama project poses a grave risk to the subsistence rights of the Diaguita indigenous communities in the area, and that the Chilean government would be breaking its international commitments if it approves the project. Specifically, the United Nations’ International Covenant on Economic, Social and Cultural Rights (ICESCR) and the International Covenant on Civil and Political Rights commit the Chilean government to giving “special protection” to Diaguitas water rights.<sup>97</sup>

# JUST BARRICK

## PHILIPPINES

### The Province of Marinduque v. Barrick Gold Corp.

When the US District Court of Nevada granted the motion of the provincial government to include Barrick Gold Corp. as a defendant in the lawsuit against Placer Dome, the people of this island province of Marinduque expressed much relief. Some 17 months earlier, on October 4, 2005, the province had filed a case against Placer Dome, subsequently bought out by Barrick Gold early in 2006. Now Marinduquenos may have the opportunity to seek legal justice for the extensive environmental and social damages of nearly 30 years of irresponsible copper mining on their small island.<sup>98</sup> Marinduque suffered what is regarded by many as the Philippines' largest industrial disaster,<sup>99</sup> polluting the Makulapnit and Boac rivers and the Calancan Bay, while poisoning residents. The fishermen of the Calancan Bay in Mariduque have filed a separate suit, claiming \$900 million in damages.<sup>100</sup>

## NEW SOUTH WALES, AUSTRALIA

### Wiradjuri Native Title Rights

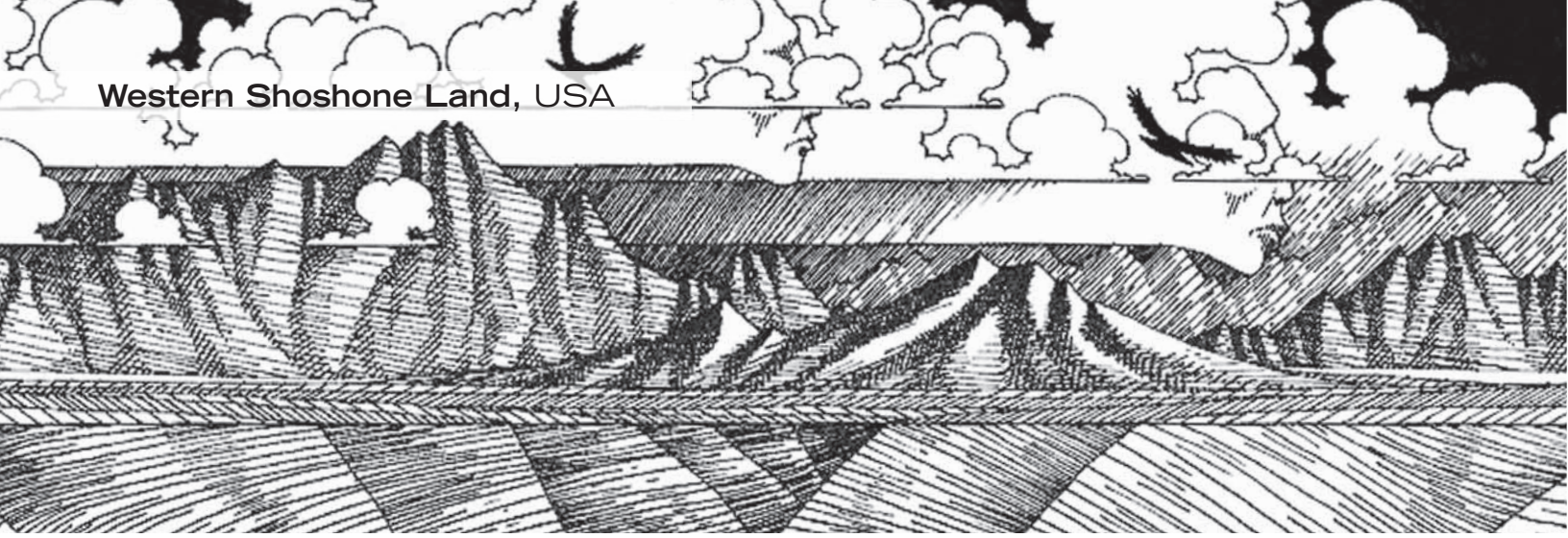
Since 2001, Wiradjuri Traditional Owners, represented by Neville "Chappy" Williams, have waged a protracted and bitter legal battle in the Federal and NSW Land and Environment Courts.<sup>101</sup> These Court challenges have focused on the validity of consents issued by the NSW Government permitting Barrick to destroy all cultural heritage sites at Lake Cowal, and on the protection of Wiradjuri Native Title rights.

These challenges have been partially successful. Injunctions have delayed final approvals for the mine and led to a complete overhaul of how consents to destroy Aboriginal cultural heritage are issued. In 2005, however, the NSW Government passed specific amendments to its planning legislation to prevent the original mine approvals from lapsing, thus thwarting the Land and Environment Court challenges.

The Mooka and Kalara United Families within the Wiradjuri Nation, who are opposed to mining on their sacred lands, have a Native Title claim in the Federal Court. In response to this claim, Barrick and the NSW Government supported the

establishment of a group called the "Wiradjuri Condobolin Native Title Claim Group" made up of five unauthorized Wiradjuri people belonging to the Wiradjuri Council of Elders. This group later changed the name on its Native Title claim to "Wiradjuri People", then withdrew its claim after signing a confidential agreement with Barrick and the NSW Government to allow mining to go ahead at Lake Cowal for an undisclosed financial benefit. The group claims to have bound the entire Wiradjuri nation of more than 30,000 people to this agreement, which still remains confidential.

The Mooka/Kalara United Families' claim group now includes between 3,000 and 4,000 Wiradjuri people. Directions to finalise a hearing and take evidence are about to be set down in the Mooka/Kalara claim. The matter is a precedent in which mining has gone ahead while a Native Title claim over the land in question has yet to be determined. The consequence of this is, that if successful, Traditional Owners may be in a position to sue Barrick and the NSW Government for tens of millions of dollars--enough to make the Lake Cowal Gold Project unviable.<sup>102</sup>



CASE STUDY:

## MINING ON SPIRITUAL GROUNDS

The Western Shoshone peoples in the United States are engaged in one of the world's best-known and longest indigenous land rights struggles. For several decades, the Shoshone people have voiced serious concerns that environmental damage resulting from the cumulative effects of the mining activities will severely affect, if not outright destroy, Western Shoshone land, resources, and customs.

Creation stories teach that the Newe, the people, are responsible for the earth, which is a female living being. Carrie Dann, Western Shoshone grandmother said:

*We were taught that we were placed here as caretakers of the lands, the animals, all the living things – those things that cannot speak for themselves in this human language. We, the two-legged ones, were placed here with that responsibility. We see the four most sacred things as the land, the air, the water and the sun (l.a.w.s.). Without any one of these things there would be no life. This is our religion – our spirituality – and defines who we are as a people.*

In the 1863 Treaty of Peace and Friendship (Treaty of Ruby Valley) with the United States, the Western Shoshone granted the United States access across their lands and permission to undertake certain activities.<sup>103</sup> In exchange, the United States recognized Western Shoshone land boundaries and agreed to pay compensation.<sup>104</sup>

The original conditions of the treaty still hold and the Western Shoshone continue to occupy and use their ancestral lands. Now, however, Washington is undermining those traditional and legal rights and claiming approximately 90 percent of the land base as federal or “public” lands. It is relying on stipulated agency findings of “gradual encroachment” – a procedure that the Inter-American Commission on Human Rights<sup>105</sup> called an “illegitimate” means of claiming title.

In 2002, the Inter-American Commission issued a final report finding the United States in violation of Western Shoshone rights to equality before the law, due process, and property.<sup>106</sup> Rather than abide by this decision, the U.S. conducted an armed

seizure of over 400 Shoshone horses. The United States has been in defiance of not only the findings and recommendations of the Inter-American Commission, but also the recommendations and Final Decision of the United Nations Committee on the Elimination of Racial Discrimination (CERD).<sup>107</sup> CERD noted particular concern regarding:

a) ... legislative efforts to privatize Western Shoshone ancestral lands for transfer to multinational extractive industries and energy developers.

b) Information according to which destructive activities are conducted and/or planned on areas of spiritual and cultural significance to the Western Shoshone peoples, who are denied access to, and use of, such areas. It notes in particular ... the alleged use of explosives and open pit gold mining activities on Mount Tenabo and Horse Canyon.

c) The conduct and/or planning of all such activities without consultation with and despite protests of the Western Shoshone peoples...<sup>108</sup>

CERD further ordered the U.S. to “freeze” and “desist” from all activities planned or conducted on the ancestral lands of Western Shoshone, particularly in relation to their natural resources.<sup>109</sup> Barrick Gold was immediately notified of this decision.

The Western Shoshone have brought the issue to international attention as partners in the No Dirty Gold Campaign, a global campaign to educate consumer about the effects of mining. The campaign has developed strong networks among indigenous communities fighting companies including Barrick.

Barrick is the primary actor in the Mount Tenabo and Horse Canyon areas. The Toronto-based company is the majority owner of Cortez Gold Mine, the entity submitting exploration and mining expansion proposals. The mining activities by Cortez Gold Mine are being pushed forward without the free, prior and informed consent of the Western Shoshone nor adequate consideration of the resulting spiritual, cultural and environmental harms. Because of the increased activity in this area, on May



9, 2005, the Western Shoshone Defense Project, the Te-Moak Tribe of Western Shoshone, and Great Basin Mine Watch filed a lawsuit against the U.S. Bureau of Land Management (BLM) challenging the approval of mining activities on Mount Tenabo and Horse Canyon.<sup>110</sup> (*see on-going litigation: page 12-13*)

Operations around Mount Tenabo and Horse Canyon are threatening burial and other historical and spiritual sites as well as despoiling land used for gathering medicinal and food plants, and for hunting. The United States recently recognized some of these sites for listing on the U.S. National Register of Historic Places as Properties of Cultural and Religious Importance.

Since the filing of the lawsuit, the U.S. Department of Interior, BLM, has announced plans by Cortez Gold Mines to further expand its open-pit gold mining and processing operation in the Cortez Hills Expansion Project.<sup>111</sup> According to the state's public notice, the "disturbance area" associated with this project is 15,242 acres of Western Shoshone traditional land.<sup>112</sup> The expansion would entail the destruction of 5,000 acres of Pinyon Forest, a staple Western Shoshone food source; a new open-pit cyanide heap leach mine on the Southern flank of the mountain; new heap leach pads; and increased dewatering and underground detonations. Barrick has also proposed an expansion through its Underground Project that digs into the east flank of Tenabo wrapping around to the southwest portion of the mountain.

In addition to the immediate threat to the Mount Tenabo and Horse Canyon area from the Cortez mine, Barrick Gold operations are also threatening the current spiritual and ceremonial area of Rock Creek. The rate at which the Betze mine is dewatering the area – upwards of 70,000 gallons per minute<sup>113</sup> could deplete the water source and affect springs used for healing and prayer rituals.

The damage is not confined to Mount Tenabo/Horse Canyon and Rock Creek. Mining activities on Western Shoshone land present a devastating picture of massive dewatering and dangerously high levels of mercury and other toxins.<sup>114</sup> In clear violation of CERD's recommendation to desist from such ac-

tivities, Barrick's joint venture Round Mountain Gold Corporation recently announced plans to expand its existing boundary by 3,122 acres and double production capacity from 11,000 to 22,000 tons per day.<sup>115</sup> Barrick's Bald Mountain operation announced expansion plans of over 3,500 acres in an area used and occupied by Western Shoshone extended family at the Odger's Ranch.

The mining expansions will mean that Western Shoshone peoples, who already live in the state with the country's highest levels of mercury pollution, will be further exposed to toxins.<sup>116</sup> The Environmental Protection Agency reports that northern Nevada gold mines release more than 4,600 pounds of mercury into the air each year. A recent independent study found mercury concentrations in fish collected from Wild Horse Reser-

voir at levels the U.S. Environmental Protection Agency considers a public health risk.<sup>117</sup> A finding of half that level of contamination spurred Idaho to issue a fish consumption advisory warning pregnant women and children under 12 not to eating fish from the reservoir.<sup>118</sup>

In response to concerns raised at Placer Dome's 2005 annual general meeting, the company initiated quarterly "dialogues" with the Western Shoshone to reportedly to address cultural and environmental concerns and human rights issues around the Mount Tenabo area and other areas. However, the dialogue sessions facilitated by a Barrick contractor have not allowed for these discussions to take place. Instead, the dialogues have been used by Barrick to solicit small "community benefits" to individual Shoshone communities and to claim that the participation of Shoshone somehow equates to consent for ongoing operations. Concerns have been repeatedly raised to Barrick and in their most recent response, President Greg Lang openly employed a divide and conquer tactic by claiming that the use of litigation to protect the Mount Tenabo area was expending funds that the Company could otherwise be using to "benefit" Western Shoshone. By this manipulation of the "dialogue" process, Barrick is in fact creating further divisions between Shoshone individuals and communities, exacerbating an already bad situation.

The rate at which the Betze mine is dewatering the area – upwards of 70,000 gallons per minute – could deplete the water source and affect springs used for healing and prayer rituals.

TITLE PHOTO: ART BY SHOSHONE ARTIST JACK MALLOT  
BELOW: MT TENABO, TAKEN BY WESTERN SHOSHONE DEFENSE PROJECT





BARRICK'S LEGACY:

## MAKING A MESS, LEAVING THE BILL

Despite the fact that Barrick is a Canadian company, it only has two operating projects in Canada: Eskay Creek in northern British Columbia, and the Hemlo Joint Venture on the north shore of Lake Superior in Ontario. It also has a number of closed mines in Canada, such as Renabie, and Golden Patricia.

The environmental impact of these mines is difficult to assess because the laws vary from province to province and regulation is lax. Regulators often depend on self-reporting and self-monitoring by the mining companies themselves, so there is little publicly available information at either the provincial or federal level.

### Renabie Mine (1947-1991)

The Renabie Mine is on land that straddles the Arctic and Superior watersheds. It is on the traditional territory of the Misanabie Cree First Nation, who are still fighting for legal recognition of their indigenous land rights.

Renabie was the first gold mine to open after the Second World War (gold mines were required to close during the war because miners were diverted to excavate metals that were more important for war-related production). The mine operated until 1991. Once the ore was depleted, the mine shut down. The present population that lives at the site of the former mine totals about 40.<sup>119</sup>

Even today the surface water flowing from the property contains elevated levels of zinc, cobalt, iron and copper. In 1995, company reports declared that reclamation work had been completed, except for some re-vegetation of the tailings areas. But in 1998 sink holes began to appear on the site, and in 1999 part of the underground mine collapsed, creating a gaping hole through

Even today the surface water flowing from the property contains elevated levels of zinc, cobalt, iron and copper. In 1995, [Barrick's] reports declared that reclamation work had been completed, except for some re-vegetation of the tailings areas. But in 1998 sink holes began to appear on the site, and in 1999 part of the underground mine collapsed, creating a gaping hole through to the underground workings.

to the underground workings.<sup>120</sup>

Barrick has been trying to get the provincial government to assume responsibility for the mine following the closure and has applied for an "exit ticket" in return for a fee of \$102,290. (The system of "exit tickets" which allow companies to walk away from future liability after paying a fee, was created in Ontario after extensive lobbying by the mining industry in the mid-1990s.)<sup>121</sup>

### Golden Patricia Mine (1988-1997)

The Golden Patricia Mine in northern Ontario opened in 1988. The mine was on the traditional territory of a number of First Nations indigenous peoples which were organized into the Windigo First Nations Tribal Council. The council signed an agreement in 1988 with the mining company for environmental protection, jobs and other benefits and renewed it three years later.

Barrick bought the mine from Lac Minerals in 1995. Two years later, the ore at Golden Patri-

cia was completely depleted. The Windigo First Nations then discovered that neither Lac Minerals nor Barrick had fulfilled the agreement that they had signed.<sup>122</sup>

A study by Alan Grant, a law professor at York University, in 1997, paints a dismal picture. There was a clause in the agreement that stated that the parties will “leave the land in as good a condition as regards traditional harvesting pursuits upon completion of the Project as it was before the Project began.” Yet the tailings area and waste rock piles are now expected to be toxic in perpetuity. The agreement provided for training and employment, but minimal training was provided. There were no opportunities for the indigenous peoples to provide contracted services to the mine and few Windigo members worked at the mine. The council failed to come to any agreement with Barrick about compensation at closure.<sup>123</sup>

### **Hemlo Gold Camp (1985-**

The Hemlo Gold Camp is located on the north shore of Lake Superior near Manitouwadge. In 2001, when Barrick Gold bought Homestake mining company, it acquired a joint venture with Teck-Cominco for two mines – David Bell and Williams – in the Hemlo Gold Camp. The third mine – Golden Giant – is owned by Newmont.

Workers at the mines have reported numerous cases of lung ailments at these mines, including some cases of silicosis and sarcoidosis. The company has fought worker compensation claims for these ailments ferociously.<sup>124</sup>

The First Nations indigenous community that lives downstream from the mine are the Pic River peoples. In 2000, the community reported having to replace their water treatment plant in order to remove cyanide from their drinking water.<sup>125</sup>

The closure plans for the mines do not include appropriate disposal or treatment of massive piles of acid generating/leachate toxic waste rock, nor do they evaluate the risk of groundwater contamination to the area through seeps from the tailings areas and underground workings.

According to Northwatch, an NGO in northern Ontario, who reviewed the company closure plans, at the Hemlo mines, estimated closure costs and associated financial securities posted by the mining companies, are much lower than real costs are likely to be, as the closure plans for the mines do not include appropriate disposal or treatment of massive piles of acid generating/leachate toxic waste rock, nor do they evaluate

the risk of groundwater contamination to the area through seeps from the tailings areas and underground workings.<sup>126</sup>

### **The Eskay Creek Mine (1995-2008)**

The Eskay Creek Mine is in the headwaters of the Unuk River in British Columbia the traditional territory of the Tahltan First Nation. Barrick purchased the mine in 2001 from Homestake. It opened in 1995 and will have depleted mineable ore by 2008.

This mine has turned two lakes into tailings impoundments and waste rock dumps: Tom MacKay and Albino Lakes. (This is legal in Canada but severely restricted in other countries like the U.S.)

MiningWatch Canada has expressed increasing concerns about the long term monitoring of the lakes that have been turned into tailings impoundment areas, as there are very high concentrations of antimony, arsenic and mercury contained in the ore.<sup>127</sup> Unfortunately there is no publicly available data on this as there are no right to know laws in Canada that govern the disposal of toxics to waste rock piles and tailings impoundments. All monitoring on effluents is done by the company itself. Since Barrick’s take-over of the mine, the company has rarely reported exceeding government water quality standards.<sup>128</sup>

TITLE PHOTO: AERIAL PHOTO OF THE THREE MINES IN THE HEMLO CAMP: DAVID BELL (FRONT), HEMLO GOLD AND WILLIAMS (REAR). PHOTO: TECK CORP MINE  
BELOW: HEADFRAME AND STOCKPILE DOME WITH REFLECTION IN LAKE. WILLIAMS MINE, HEMLO GOLD FIELD. PHOTO: TECH CORP MINE



### PLACER'S LEGACY:

## BARRICK FIGHTS RESPONSIBILITY AND LETS MARINDUQUENOS SUFFER

In the Spring of 2006, when Barrick Gold took over Placer Dome, Inc. it inherited a law suit initiated by provincial authorities on the Philippine island of Marinduque.<sup>129</sup> The suit, filed on October 4, 2005 in a Nevada court, charged that 27 years of irresponsible mining by Placer Dome (1969-1996) had caused immense damage to the island of Marinduque and its people. Placer Dome was 39.9 percent owner of the Marcopper Mining Corporation and managed the two Marcopper copper mines that destroyed one bay and two major river systems on the island of Marinduque.<sup>130</sup> Rather than settle the case, compensating Marinduquenos for lost livelihood and funding efforts to rehabilitate the damaged eco-systems, Barrick is waging an expensive and lengthy legal battle to avoid responsibility.

The now abandoned Marcopper mines and waste dumps sit in the Province of Marinduque, a small heart-shaped island near the middle of the Philippine archipelago, where they continue to contaminate the soil, air and water of the island. Most of the island's 200,000 citizens are fishers and farmers, and many rely for their daily food on what they can harvest from their rivers, sea, and land.

Nearly three decades of Placer Dome's management of the Marcopper mines created one mining-related environmental disaster after another.<sup>131</sup>

**Calancan Bay** – Since 1975 the food security and health of 12 fishing villages around the bay has been severely affected by mining activities. For 16 years, from 1975 to 1991, Placer Dome oversaw the surface disposal of more than 200 million tons of mine tailings directly into the shallow waters of Calancan Bay. The dumping covered corals, seagrasses and the bottom of the bay with 80 square kilometers of tailings. A large portion of the waste – exposed in a tailings causeway in the bay and by low tides – regularly blows into nearby villages. The tailings also leach metals into the bay and are suspected of causing lead poisoning in local children. In 1998, the Philippine Government declared a state of calamity for health reasons for Calancan Bay villages because of lead contamination.

**Mogpog River** - In 1991, Marcopper built an earthen dam in the mountainous headwaters of the Mogpog River to keep



silt from a waste dump for the new San Antonio mine, from flowing into the river. The townspeople of Mogpog had vigorously opposed the dam project, fearing impacts on the river they use for food, for water for themselves and their animals, and for washing. In 1993, when the dam burst, flooding destroyed houses, water buffalo and other livestock, and crops. Two children were swept to their deaths. Marcopper's resident manager, Placer Dome's Steve Reid, denied responsibility, blaming unusually heavy rainfall from a typhoon.<sup>132</sup> The Mogpog River remains heavily contaminated with acid and metals from mine waste that continues to seep through the faulty dam.

### The Boac River Tailings Spill Disaster of 1996

On March 24, 1996, another massive tailings spill at the Marcopper Mine filled the 26-kilometer-long Boac River on Marinduque with 3-4 million tons of metal-enriched and acid-generating tailings. The spill happened when a badly sealed drainage tunnel at the base of the Tapan Pit burst. The mined-out pit, high in the central mountains of the island, had been used since 1992 as to store tailings from the adjacent San Antonio mine. An investigative team from the United Nations visited the island shortly after the tailings spill and noted: "it is evident that environmental management was not a high priority for Marcopper."<sup>133</sup>

### Placer Cuts and Runs

Following the Boac River disaster, Placer Dome promised to plug the tunnel, clean up the river and the seashore, and compensate the affected people. But in 1997, Placer Dome divested from Marcopper through a wholly owned Cayman Island holding company called MR Holdings. In 2001, Placer Dome left the Philippines and left the people of Marinduque with heavily polluted ecosystems.

TITLE PHOTO: MARCOPPER MINE, MARINDUQUE, BELOW: TAILING PIPES  
PHOTOS OF MARINDUQUE: CATHERINE COUMANS



## FAMATINA SAYS NO TO BARRICK GOLD

This year, in the Argentine province of La Rioja, a small group of dedicated neighbors took on Barrick Gold, forcing it to suspend operations on the Famatina range. Their efforts led as well to the ouster of a corrupt pro-mining provincial governor closely tied to Barrick Gold. The activists were fighting to save their mountain range from open-pit mining exploitation.

In early 2006, Barrick Gold had announced a new gold mining project high on Mt. Famatina in the province of La Rioja. The provincial governor, Ángel Maza, was the mining firm's key ally and a supporter of the neoliberal reforms of the 1990s. He and other officials worked alongside former President Carlos Menem, mining companies, and international finance organizations to privately rewrite the country's mining codes, thereby handing transnational mining companies incentives, tax breaks, legal protection, and environmental impunity for their extractive projects.<sup>136</sup>

While he was supporting these policies, Maza became co-owner of the YAMIRI, a mineral exploration and development company, and the mining concessions on Mt. Famatina. He would later pass that property, which had been state-owned, to Barrick Gold.<sup>137</sup>

When Barrick SUVs began to ply the dusty roads of La Rioja, community members grew nervous. A group of four women met in the town of Famatina in March 2006 and formed the "Self-Organized (Autoconvocados) Neighbors of Famatina for Life." They opted for "horizontal" grassroots organizing with shared decision-making, a structure that had been used effectively in many community struggles in Argentina. Soon a series of smaller, inclusive groups sprang up in towns and villages around Mt. Famatina. Autoconvocados from Famatina, Chile-



Famatina, Argentina

ASSEMBLY OF MOTHERS AGAINST MINING IN JÁCHAL, SAN JUAN ARE FIGHTING FOR CLEAN WATER FOR THEIR CHILDREN AND EXPOSING THE CORRUPT POLITICIANS RESPONSIBLE FOR MINING CONTAMINATION. PHOTO: DAVID MODERSBACH

cito, Pihuil, Chañarmuyo, Los Sauces and others villages joined forces, putting politics aside and concentrating on the important issues at hand: learning about and spreading the word on the environmental, social, cultural and economic consequences of open-pit mining.<sup>138</sup>

Word was passed through community meetings, local newspapers, flyers, tabling, and town hall meetings. Residents gathered with agricultural producers, tourism guides, teachers, and local political officials to talk about mining threats to the delicate glacier systems. They discussed sustainable development and promoting the health of Famatina. These producers, teachers, and workers met in turn with their organizations and took their message to the capital of La Rioja: "If the mines are built, we cannot produce, and what little we do produce will be contaminated and we will not be able to sell it."

### Legislation to Ban Open-Pit Mining

It was not long before allegations of corruption surfaced. Vice Governor Beder Herrera, in abrupt change of heart, introduced a bill in the provincial legislature to prohibit open-pit metals mining in the province. Approved by the legislature, it called for a binding public referendum on the question of open-pit mining to be held on July 29, 2007.

The autoconvocados, emboldened but mistrustful of the entire political process, decided to blockade the mining road at Peñas Negras, some 9,300 feet up Famatina, forcing Barrick to suspend activities on March 14, 2007. The blockade continues to this date (4/24/07), and according to activists, will continue until Barrick Gold and the threat of open-pit mining are gone from La Rioja.

### The Fall of Governor Maza

Governor Maza said he would veto the bill, but he never got his chance. On the weekend of the blockade, the legislature passed an extraordinary measure to suspend Maza and bring him to trial for corruption.<sup>141</sup>

### Destruction of Evidence

When the La Rioja legislature formally suspended Governor Maza for corruption and called for a prohibition on open-pit mining, ex-Gov. Maza hunkered down in his office in the capitol building, refusing to leave. While mining industry spokespersons spoke out to defend him and Barrick Gold, Maza and his party hired thugs and security guards to pose as Maza supporters and demonstrate and riot in the streets.

When provincial police dispersed the "supporters" with tear gas and escorted the ex-governor out, it became clear what happened during the night: the Maza administration had carried out a systematic destruction of all paperwork, burning the Maza machine's computers and files along with all documents linking him to Barrick Gold and other improprieties. Maza also caused bureaucratic mayhem by maliciously burning paperwork for many health and school public employees.<sup>140</sup>

ACCOUNTABILITY:

# UN to Canada: HOLD YOUR CORPORATIONS ACCOUNTABLE FOR HUMAN RIGHTS ABUSES

In March 2007, the United Nations Committee on the Elimination of Racial Discrimination (CERD) issued a formal recommendation to Canada. It called on Canada to better regulate and monitor its mining corporations abroad when they are operating on indigenous lands and to complete a report within the next 12 months on corporate activities. This ground-breaking recommendation marks the first time a United Nations Treaty Body has formally urged government accountability for corporate behavior outside Canadian boundaries.

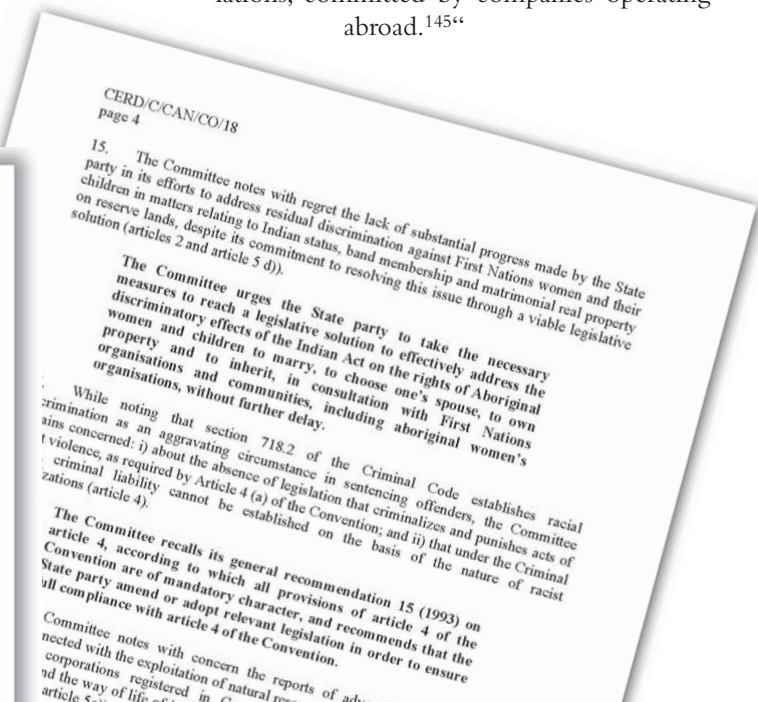
*In its recommendation, the committee based its concerns on “reports of adverse effects of economic activities connected with the exploitation of natural resources in countries outside Canada by transnational corporations registered in Canada on the right to land, health, living environment, and the way of life of indigenous peoples living in these regions ...:*

*...the Committee encourages the State party to take appropriate legislative or administrative measures to prevent acts of transnational corporations registered in Canada which negatively impact on the enjoyment of rights of indigenous peoples in territories outside Canada. In particular, the Committee recommends to [Canada] that it explore ways to hold transnational corporations registered in Canada accountable. The Committee requests [Canada] to include in its next periodic report information on the effects of activities of transnational corporations registered in Canada on indigenous peoples abroad and on any measures taken in this regard. (Para. 17, Concluding Observations on Canada)*

The CERD recommendation followed on the heels of reports by several indigenous organizations and communities on the behavior of Canadian mining companies, in particular, Barrick Gold. The reports emphasized that this was not the first time Canada had undergone scrutiny for the behavior of its corporations. In its 14th Report, adopted on June 26, 2005, Canada’s Standing Committee on Foreign Affairs and International Trade had condemned Canada’s mining corporations acting abroad.<sup>142</sup>

The Standing Committee issued a number of recommendations to Canada to reign in its corporate behavior abroad. To date, neither Canada nor companies including Barrick have implemented these recommendations.

In 2003, before the Standing Committee review and recommendations, the UN Special Rapporteur on Toxic Waste and Products had made special note of Canadian corporate behavior and lack of accountability. The report also noted that illicit movement and dumping of toxic and dangerous products and wastes by Canadian corporations had adversely impacted human rights.<sup>143</sup> The rapporteur recommended “that particular attention is paid to allegations relating to threats to the traditional lifestyles and rights of indigenous groups”<sup>144</sup> and called on “the Canadian and other Governments to explore ways of establishing extraterritorial jurisdiction over human rights violations, committed by companies operating abroad.”<sup>145</sup>



## RESPONSIBLE INVESTMENT :

## HOW ETHICAL ARE ETHICAL SCREENERS AND “ETHICAL FUNDS”?

The socially responsible, or “ethical,” investment industry is growing by leaps and bounds. In the US this market was estimated at 2.37 trillion Canadian dollars in December 2005. In Canada it is worth approximately 500 billion Canadian dollars.

Investors who are looking for a responsible way to invest their money rely on specialized research firms to screen companies on their social and environmental performance. This research is then used by ethical fund companies who market shares to their investors.

Soon after Barrick Gold took over Placer Dome, Jantzi Research reviewed the company and found it “ineligible” as an ethical investment (June 6, 2006).<sup>146</sup> The reasons for this decision were very good indeed. Jantzi’s noted, among other things: massive outstanding environmental, economic and human health impact legacies at the disastrous Marcopper Mine in the Philippines, which Jantzi’s said Barrick Gold should address rather than fight legally; a history of lack of consultation with the Western Shoshone in the U.S., which Jantzi’s said Barrick should address by engaging with the Western Shoshone and addressing their concerns; environmental concerns including Riverine Tailings Disposal at the Porgera Mine in Papua New Guinea, which Jantzi’s said Barrick should commit to not doing at future mines without the strong support of local communities; human rights concerns related to the killings of at least eight civilians by security guards at the Porgera Mine, which Jantzi’s said Barrick should avoid through management systems and programs and reporting on its performance; the local opposition to Barrick’s proposed Pascua Lama mine in a sensitive glacier area in Chile.

In spite of Jantzi’s determination that Barrick did not pass muster as an “ethical” company, Ethical Funds, which relies in part on Jantzi’s research, continued to advise investors that Barrick was a responsible company to hold in their portfolios. Before Barrick’s Annual General Meeting in 2006, Ethical Funds sponsored a shareholder resolution that asked Barrick Gold to commission an independent third party review of the level of support for its Pascua Lama project.<sup>147</sup> As Barrick agreed to commission a review, Ethical Funds withdrew the proposal and

continues to sell Barrick to its customers.<sup>147</sup> The review Barrick commissioned sets out what Barrick has done in the way of consultation. However, it does not indicate the level of support for the project.

In February of 2007, Jantzi Research decided that Barrick has sufficiently pulled up its socks to now meet the eligibility requirements of a responsible company.<sup>148</sup> How did Barrick manage that in less than one year? Jantzi Research says that the company has “made progress” in addressing some of Jantzi’s concerns and that other areas of concern have been “substantially mitigated” by “additional information” the company provided to Jantzi Research. Among other things, Jantzi Research found that: Barrick is now engaging with the Western Shoshone as stakeholders; Barrick has agreed to revise the Pascua Lama project – a condition of the Chilean Government – by now mining under the glaciers, and has agreed to monitor its impacts; Barrick is also constructing a fence around its Porgera Mine and is reviewing its security guidelines and policies.

While Barrick has successfully mitigated its image for the time being, time will tell how these ethical investment groups respond to the fact that the affected Western Shoshone communities continue to oppose Barrick’s presence in their communities, or the fact that Barrick’s activities near the proposed Pascua Lama mine have been linked to between 50 and 70 percent decreases in the mass of the three glaciers<sup>149</sup>, while this project is still met with much local resistance. Meanwhile, Jantzi Research notes that it still has concerns over the issues at the Marcopper Mine and Riverine Disposal, among others things.

For now, Jantzi Research appears to have buckled under the pressure of the mighty dollar. Jantzi regularly compares the performance of its ethical picks (Jantzi Social Index) to the S&P/TSX composite Index and the S&P/TSX 60, and on May 11 and September 15 of 2006, Jantzi Research noted that not including Barrick Gold had “hurt the [Jantzi Social Index] most.”<sup>150</sup> The Ethical Funds Company is happy to continue selling Barrick shares.

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# CONCLUSION AND RECOMMENDATIONS

The stories told in this report reflect the dirty side of gold mining: massive water depletion, indigenous struggles, government repression, waste, pollution, and poverty. These situations also reveal a story other than of environmental devastation, that of community resistance, grassroots organizing, and courageous leadership.

As the world's largest gold mining company, Barrick represents not just the abuses of one company, but the abuses of an entire industry.

In light of these facts, we recommend that Barrick meet with affected communities and negotiate in full faith with them, recognizing their rights to the land, and accepting local jurisdiction over environmental and human rights conflicts and abuses. Barrick should also compensate victims of past abuses for which it is responsible.

We also recommend that the Canadian government create measures to hold corporations accountable. In particular, we recommend that Canada:

- **establish standards and reporting obligations for Canadian companies;**
- **references international human rights standards and provides for the creation of human rights guidelines for the application of these standards;**
- **incorporates these standards into binding legislation so that compliance is mandatory;**
- **includes provisions for withholding government services from companies in cases of serious non-compliance; and**
- **creates an ombudsperson's office of independent international experts to receive complaints regarding the operations of Canadian companies world-wide and to assess corporate compliance with the standards.**

NOTE: THESE ARE THE RECOMMENDATIONS OF CORPWATCH AND NOT NECESSARILY THOSE OF THE ASSOCIATE GROUPS



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## RESISTANCE:

## OTHER ORGANIZED ACTIONS AGAINST BARRICK

Barrick's operations have destroyed livelihoods and the environment around the world, as the numerous examples in this report illustrate. Communities from Argentina to Papua New Guinea have organized to demand their basic human rights and resist the exploitation of their natural resources.

They use strategies like grassroots organizing, lawsuits, formal declarations, and protests to communicate their dissatisfaction to the world.

This report is being released on the occasion of Barrick's 2007 annual meeting, which has been declared an International Day of Action Against Barrick Gold by affected communities in six countries.

Nor is this the first time that groups have protested against the company. A few such past protests include:

**ARGENTINA:** October 20, 2004: The Madres Jachaleras Autocnocados and four other groups in Jachal, Argentina, held its first Congress in Defense of Natural Resources. It also featured a "No a la Mina" ("No to Mining") rock festival, attracting hundreds of youth.

**CHILE:** June. 4, 2005: An estimated 2,500 people protest against the Pascua Lama Project in Vallenar, Chile. On the same day, a thousand people marched in Santiago, while solidarity events were held in Barcelona, London, and Cambridge.

November 11, 2005: Citizens presented a letter with over 18,000 signatures to the President of Chile, but were met with police violence when they tried to place chunks of ice in front

of the La Moneda government palace. The next day, more demonstrations were held in Vallenar and Santiago.

January 25, 2007: 80 people peacefully close an intersection of the roads in Alto del Carmen, to stop mining trucks going to Pascua Lama.

**PERU:** April 11-12, 2007: A 48 hour "unemployment strike" was held to demand the cancellation of contracts with Barrick's Pierina Mine, Peru. While this protest was supported by the president of the Ancash region, Caesar Alvarez, that did not stop the police from violently repressing the protesters, and killing a nineteen year old boy. This is the third year in row that police have violently clashed with thousands of protesters at a Barrick protest in the Ancash region. (see page 4)

**AUSTRALIA:** Community opposition to the Lake Cowal gold mine dates back 12 years. Wiradjuri activists and supporters have been protesting against the mine for seven years. Actions at Barrick's Australian and Canadian headquarters and mine site convergences since 2002 have attracted Australian and international demonstrators. In 2006 and 2007, protestors shut down the mine, resulting in arrests.

**PNG:** April 24, 2007: Local landowners blocked the access route to the mine and forced operations to stop at Barrick's Porgera gold mine.

TITLE PHOTO: MARCH AGAINST BARRICK IN VALLENAR, CHILE JUNE 2005. PHOTO: LUIS MANUEL CLAPS

### Transnational Mining Tribunal: The Case of Barrick Gold Corporation in Latin America (Chile, Argentina and Peru)

On November 25, 2006, a panel of judges from civil society groups ranging from Amnesty International Chile, to religious and indigenous rights groups, heard testimonies from civil society and traditional communities from Chile, Argentina, and Peru at the Transnational Mining Tribunal in Santiago, Chile. The panel judged "that the mining firm Barrick Gold Corporation is responsible for serious environmental, social, cultural, and economic affronts as a product of its policies, programs and actions against the territories and peoples of Argentina, Chile, and Peru." The judges sentenced Barrick "to immediately pay just restitution to the victims of its policies, programmes and actions, and to restore the ecosystems affected by its mining investments." PHOTO: ISABEL ORELLANA



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**Coalition to Protect Lake Cowal [www.savelaakecowal.org](http://www.savelaakecowal.org)**

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**Grupo No A Pascua Lama, Montreal**

**BARRICK'S DIRTY SECRETS**

**COMMUNITIES WORLDWIDE RESPOND TO GOLD MINING'S IMPACTS**