



Mr. Mark Bristow
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Sent per email - Mark.Bristow@barrick.com

January 5, 2024

Mr. Bristow:

Re: Response to your [letter](#) and [statement](#) of December 13, 2023 in regard to [MiningWatch Canada's report](#) of December 12, 2023

Thank you for your communications of December 13, 2023. With this, we respond to issues you raise.

1) You state that MiningWatch Canada's report of 2023 "only recycled allegations that were made in October 2022." In September/October of 2022 we initiated an investigation into the forced eviction of Indigenous Kuria people in Komarera and Kewanja villages to make way for the expansion of Barrick's North Mara Gold Mine in Tanzania. We investigated the eviction process that was underway, as it had unfolded up to that point - *prior* to the destruction of homes, lands and sources of food security and livelihood that started in November of 2022. We published a [report](#) of our findings in October 2022, and we alerted Barrick to our concerns regarding alleged human rights abuses, violence, coercion and impoverishment associated with the eviction process in a [letter](#) of October 2022. We communicated our findings and concerns with Barrick, *prior* to the destruction of people's homes and means of food security, in the hope that Barrick would halt the eviction process and align it with international human rights norms and best practice standards, to avert even more egregious harm to the affected Kuria.

In October 2023, we expanded both the number and scope of our interviews to identify a fuller range of impacts and human rights abuses alleged for each stage of the eviction process in Komarera and Kewanja, *including impacts derived from the actual bulldozing of homes, lands and properties, which started in November 2022*. We detail these findings in our [December 2023 report](#). We also expand on a separate harmful eviction process at the North Mara Gold Mine that started in 2012, in which villagers have yet to be compensated.¹

2) In the [statement](#) you have published on your website, you note that the "compensation plan included the following principles: No forced evictions: The forced eviction or removal of any person from their land, or the use of violence when dealing with any person, is strictly prohibited...."

¹ MiningWatch Canada. 2023. [Evicted for Gold Profits: Indigenous Kuria forced off land in expansion of Barrick Gold's North Mara Gold Mine in Tanzania](#). Section 5.

MiningWatch’s research in [2022](#) and [2023](#) found that the eviction process in Komarera and Kewanja included, among others, reported intimidation, coercion, threats of violence, actual violence, and lack of informed consent from the affected Indigenous Kuria. We also found that the Kuria villagers we spoke to did not wish to be removed from their homes and lands. In fact, prior to the destruction of their houses, belongings and crops, 54 went so far as to seek legal protection from eviction by gaining restraining orders through the courts in two separate suits to stop the bulldozing of their properties. We also found that during the eviction process, people signed documents under duress, often without being able to read or being aware of their contents. In order to get copies of their evaluation papers, and of documents they had been told to sign, villagers first had to sign off on the compensation they might receive.

In sum, we found that the eviction process in Komarera and Kewanja meets the definition of forced eviction as set out by, among others, the United Nations,² the International Finance Corporation Performance Standards,³ with which Barrick says it is compliant,⁴ and the International Council on Mining and Metals (ICMM),⁵ of which Barrick is a member.

3. In your [letter](#) to MiningWatch and in your on-line [statement](#) you again raise concern about “illegal activities” related to your land acquisition, including “fraudulent land speculation,” noting that “[s]peculators use various means to illegally develop areas through infrastructure development or crop planting, after a moratorium has been established and are thus illegal.” MiningWatch has noted a singular focus on this issue, even though Barrick also says these activities were undertaken by a “minority of bad actors” (December 2023 [letter](#) to MiningWatch).⁶

As we detail in our [report](#), Barrick should pay far more attention to the harm caused by restrictions placed on thousands of villagers regarding use of their land for food security and income after a “moratorium date” had been declared. The gap between the date of imposed restrictions on land use and the date on which villagers may receive some compensation was as long as two years for villagers from Komarera and Kewanja, and as long as ten years in another eviction case related to the North Mara mine, in which villagers ultimately never received compensation.⁷ Kuria from Komarera and Kewanja reported to MiningWatch that once they had been told they could no longer harvest from, nor plant on, their lands, they started to experience food insecurity, had to borrow money to buy food, or find alternative sources of income.

4. Your letter to MiningWatch notes that “Barrick has made significant progress in dealing with legacy issues that were inherited, including legacy land issues.” Barrick has had majority ownership of the North Mara Gold Mine since 2006, when the mine was acquired as part of the acquisition of another

² See among others, Office of the High Commissioner for Human Rights. Forced Evictions, Fact Sheet No. 25/Rev.1. 2014. P. 3. <https://www.ohchr.org/sites/default/files/Documents/Publications/FS25.Rev.1.pdf>

³ International Finance Corporation. Performance Standard 5. Land Acquisition and Involuntary Resettlement. <https://www.ifc.org/en/insights-reports/2012/ifc-performance-standard-5>

⁴ Barrick Sustainability Report 2022. P. 37. https://s25.q4cdn.com/322814910/files/doc_downloads/sustainability/Barrick_Sustainability_Report_2022.pdf

⁵ ICMM. Land acquisition and resettlement: Lessons learned. https://www.icmm.com/website/publications/pdfs/social-performance/2015/guidance_land-acquisition-and-resettlement.pdf

⁶ See also Barrick Sustainability Report 2022. P. 33. https://s25.q4cdn.com/322814910/files/doc_downloads/sustainability/Barrick_Sustainability_Report_2022.pdf

⁷ MiningWatch Canada. 2023. [Evicted for Gold Profits: Indigenous Kuria forced off land in expansion of Barrick Gold’s North Mara Gold Mine in Tanzania](#). Section 5.

Canadian company, Placer Dome Inc. The human rights abuses related to land issues discussed in MiningWatch's [report](#) of 2023 started in 2012,⁸ when Barrick had 73.9% ownership in the North Mara Gold Mine through African Barrick Gold plc. In regard to the evictions in Komarera and Kewanja, the eviction process started in 2020 when Barrick had 84% ownership.

5. Finally, your published [statement](#) says: "We had previously requested MiningWatch Canada to detail their due diligence process to ensure that they are not amplifying and supporting illegal activities. MiningWatch Canada declined." Our research process is transparent in our reporting. We prioritize speaking to directly affected people. Through multiple in-depth individual accounts we arrive at an understanding of broadly shared experiences. We enhance our understanding by, among other things, reviewing relevant documents that we gather. These documents are referenced in the more than 150 footnotes in our report. Given the alleged violence people experienced in the forced eviction process, and the wider context of mine-related violence,⁹ we are particularly careful not to expose people to potential retribution for speaking about their experiences, especially as the Kuria we met with are already marginalized and have been made more vulnerable through the loss of their homes and lands. The only things we have declined to share with Barrick are names or images that may expose individuals to further harm. Barrick has provided no evidence that our reporting on human rights abuses related to forced evictions supports "illegal activities."

We find in Barrick's responses to our reports of [2022](#) and [2023](#) a disconcerting *lack of specific response* to the many serious allegations of human rights violations and impacts of the forced evictions that we raise, including: homelessness, food insecurity, families that have been dispersed, social conflict, children who are no longer going to school, malnourishment, other health impacts and impoverishment. Rather than take umbrage with the information MiningWatch provides, and reprimand the messenger, we hope Barrick will respond to the humanitarian crisis that has been caused by the forced evictions by ensuring remedy to make whole all who have been harmed.

Sincerely,



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⁸ *Ibid.*

⁹ See <https://www.barrickontrial.ca>