

# Correspondence between RAID and Barrick

## July 2021 – November 2022

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2 November 2022

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**Re: North Mara Gold Mine**

Dear Mr Bristow,

Since our last correspondence, we have communicated via email regarding a meeting between RAID and Barrick, and I look forward to meeting your team at the North Mara mine the week of November 21.

As I mentioned in our exchanges, I would like to respond to some of the points made in your letter of 12 August 2022 to correct any misunderstandings and to provide additional information. I hope we will discuss all these matters further at the November meeting.

***The “confirmation statement”***

Your letter states that RAID had insinuated that Barrick orchestrated the “confirmation statement” from the local leadership under duress, or through fear of repercussions, by the government and that RAID was attempting to discredit local leaders.

Unfortunately, it appears you may have misunderstood the crux of our concern. We did not imply that the government had forced signatories to prepare or endorse the statement, nor do we seek to discredit local leaders. Rather, we were expressing our concerns about the fear many local residents have about criticizing the mine. During all of our recent visits to North Mara, local leaders and residents described an increasingly oppressive atmosphere in which people fear speaking out about any negative impacts of the mine. At least in part, this is due to concern that it will be seen as criticism of the Tanzanian government, which since 2019 holds a minority share in the mine. Moreover, residents’ ability to communicate these concerns, including with human rights organisations like RAID, is being limited. Such fears are part of a broader trend of narrowing civic and political space in Tanzania. This is a concern that has been noted by the Canadian government, the United Nations and international and national human rights groups.

We trust these matters are also of concern to Barrick. Hearing truthfully about any negative impacts of Barrick’s operations in Tanzania or elsewhere is surely crucial for your business. In our correspondence we were asking for Barrick’s response to how it was tackling this fear about speaking out. We further emphasized how important it was for Barrick to use its influence with government authorities to ensure local residents, journalists and human rights organisations are free to speak-out without (fear of) harassment or intimidation.

### ***Artisanal mining and access to waste rock***

Your letter states that Barrick has not considered making waste rock accessible to the community. We are perplexed by your characterisation of the consequences or legality of such a decision. For instance, the importance of artisanal and small-scale mining is [publicly acknowledged](#) by the Tanzanian government. We also understand that local residents, including at recent meetings, encouraged the mine to make waste rock accessible at a designated area in the community, and that representatives of the mine had led some to understand that the mine was planning to do so. We would be grateful for any further clarification you could provide on this matter.

### ***Reports of human rights violations***

In your previous letter, you referred to the reports of human rights violations that we had raised as extremely serious, warranting a thorough investigation conducted with the utmost care and meticulousness. You stated that you were instructing your team to investigate and to respond once such an investigation is complete. We provided you with further details of the incidents to facilitate the investigations and extended the time for you to respond. Please note that we still have not received a response.

Please allow me to once again reiterate how serious the situation appears to be based on our findings. Since our July correspondence, we have received credible reports of nine more assaults, and continue to investigate further reports of grave human rights violations. Several of these incidents appear to involve torture, and in some, people appear to be specifically targeted in coordination with mine personnel.

In total, since Barrick assumed operational control of the North Mara mine in 2019, we have now documented 32 incidents of human rights violations including shootings, incidents of torture and other assaults, resulting in six deaths. These latest incidents bring the reported death toll at the North Mara mine to at least 77 killed and over 300 wounded by police responsible for mine security, much of it after Barrick acquired the mine in 2006. These figures are based on credible reports of killings and injuries collected by international and national human rights groups and the Tanzanian parliamentary inquiry of 2016. We hope you agree that this is a situation which is untenable and must be urgently addressed.

As we have mentioned before, we will be publishing our findings shortly. As always, we welcome any response Barrick wishes to provide to the above, though in light of our publication schedule, we are unlikely to be able to incorporate any new response at this stage, though we will ensure Barrick's previous responses are fully reflected.

In the meantime, I very much hope that we will have an opportunity to discuss the human rights concerns in more detail at our November meeting. We look forward to meeting the Barrick team.

Yours sincerely,



Anneke Van Woudenberg  
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12 August 2022

Dear Ms. Van Woudenberg

I acknowledge receipt of your letter dated 21 July 2022. Corresponding through incessant letters is not an effective way of communicating, especially considering we have invited you to visit North Mara Gold Mine. However, RAID makes the insinuation that Barrick Gold Corporation and/or North Mara Gold Mine Limited have somehow orchestrated, either under duress or through fear of repercussions by the Government, the statement by the local leaders attached to our previous correspondence. Such allegations are entirely false, inappropriate and deeply disturbing but more importantly are not conducive to the transparent and good faith engagement we are attempting to establish with RAID.

I should not have to justify the sequence of events, but based on RAID's propensity to misrepresent events, I will set the record straight: on 10 July 2022, we held a meeting with the villages' leadership as part of our regular engagement with the communities and at this meeting we requested that they investigate RAID's allegations made previously. On Monday 11 July, we received your letter and shared the letter the following day with the local leadership to include in their investigations. Why this sequence of events, or the fact that we have a working relationship with our neighbouring communities for daily dialogue, would be subject to '*cause for concern*' again demonstrates how far-removed RAID seems to be from the community. I reiterate, the local leaders compiled the statement on their own accord and without influence. We will not be drawn on RAID's attempts to discredit the local leaders.

That being said, I am pleased that you have accepted our invitation to come to North Mara mine and meet with our team and the local communities where we can discuss all the various issues you have raised, including the ones introduced in the aforementioned letter. I really believe that we will only make progress on these issues if you can see the very real and tangible improvement we have made at North Mara, rather than relying on some opaque indirect feedback, which is out of line with the community at large. As such, we do not see the necessity for a videoconference call, as engaging outside of a site visit and without community engagement and our onsite team will not resolve the issues.

We can propose the week of 24<sup>th</sup> October 2022. I look forward to your response for those dates most convenient for you.

In relation to the suggestion that RAID made of dumping waste rock in the community for them to mine in an effort to curb intrusions; we have not considered this course of action for a number of obvious reasons. Notwithstanding that this is not a sustainable solution and does not align with our objective of delivering economic and livelihood projects that are sustainable long after the mine closes, it will almost certainly create more violent interactions amongst those that mine this waste rock dump as they compete to remove the rock for it to be processed. There is also the very real risk that children will be recruited to assist in the mining of the waste rock. Finally, this would be illegal as artisanal mining is

currently not legislated in Tanzania. It is for these reasons we were surprised that RAID would suggest an action that, in addition to being a violation of the laws of the country, would exacerbate the risk for human rights infringements to occur.

Lastly, if you choose to post on your website or elsewhere your 11 and 21 July letters to me, I request that you post our reply letters and their attachments, this with equal prominence so your readers will have a balanced understanding of the issues you have raised.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Mark Bristow', with a stylized flourish at the end.

**Mark Bristow**  
President and Chief Executive Officer  
For and on behalf of  
BARRICK GOLD CORPORATION



21 July 2022

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***Via Email***

Dear Mr Bristow,

**Re: North Mara Gold Mine**

Thank you for your response of 14 July. Your letter contains several misunderstandings that we believe are important to correct.

Allow me to first address a point on which we agree. We are pleased Barrick is prepared to meet with RAID. As you noted, we have written repeatedly, requesting an opportunity to engage with Barrick about the human rights concerns at the North Mara mine. In fact, we first requested such a meeting in July 2019, even before Barrick took operational control of the mine, and over the subsequent three years, we have repeated our request in writing several times. We are glad Barrick is now in a position for a meeting to go ahead and in order to expedite this, we propose that the first meeting occur by videoconference. We would be grateful if you could provide us with some options on dates that would be convenient for your team. Following that, we will, of course, also look forward to meeting your team in person in North Mara during our next visit there.

To correct the misunderstandings from your correspondence, we set out our response to each point below.

***Statement by local leaders***

You attached to your letter what you term a “confirmation statement” in Swahili (and an English translation) from a number of local leaders. We were alarmed by the circumstances of the statement and by its content.

Your letter states that you personally raised allegations of police violence made by RAID in a meeting with local leaders, including those from the 11 villages surrounding the mine “only a few days” before writing to us. From Barrick’s [news release](#) and other press coverage, we understand this meeting to have taken place before you received our 11 July letter. You said that shortly after your meeting, a number of the leaders “on their own accord” put together a “confirmation statement” denouncing RAID. The statement focuses on the most recent allegations of human rights abuses that we raised in our 11 July letter to Barrick and some of the language used is

taken verbatim from our letter, which appears odd given the timing of your meeting with the local leaders.

Within less than “a few days” and without contacting RAID or, to our knowledge, making any enquiries with the injured individuals or those who lost family members, 22 of these village authorities, including seven village chairpersons, appear to have prepared a statement characterising the allegations as “false”. The statement further asserts that RAID has “intentionally” mis-stated facts and issues and urges Tanzanian authorities “to investigate and take necessary action” against RAID, as well as calling on Barrick “to report RAID to relevant authorities for further action”. In contrast, the statement applauds the work of Barrick in North Mara, saying “We can boastfully state that, NMGM strongly observes and upholds principles of human rights and dignity.” You attached this statement to your letter to us as proof of RAID’s “lack of understanding”.

The circumstances in which this “confirmation statement” was drafted give us cause for concern. As we have reported, and conveyed to you in correspondence, we have been repeatedly told by local residents that since Barrick launched its new partnership with the government of Tanzania in 2019 (allocating it a 16 per cent share of the mine), local people have feared speaking out against the mine, at least partly out of concern that it will be seen as criticism of the government. Your letter, with the attached statement, supports the idea that there are legitimate grounds for such fear. In our correspondence we raised with Barrick that local residents had reported local meetings convened by the mine, police officials and local leaders at which at least one official issued threats. We asked Barrick to respond to these concerns.

We trust you are aware of the trend of narrowing political and civic space in Tanzania, exemplified by government restrictions on the media, political opposition and nongovernmental organizations (NGOs). Numerous [human rights groups](#) have [reported](#) on this troubling trend, including the UN High Commissioner for Human Rights who [drew attention](#) to the increasing repression of the democratic and civic space in the country. Journalists, political opposition members, and human rights defenders have been [threatened](#), [arbitrarily detained](#), [violently attacked](#), [abducted](#), and [disappeared](#). The Canadian government has added its voice, [expressing](#) particular concern regarding restrictions imposed on NGOs operating in Tanzania, referring specifically to the NGO Act, which the “confirmation statement” cites in support of taking action against RAID.

We hope you agree that it is essential that journalists and independent human rights organisations like RAID are able to conduct their work free of harassment or intimidation, and that local residents living around the mine are able to express themselves freely about their experiences, life, and views of the mine without fear of reprisals. This is consistent with the UN Declaration on human rights defenders, which [provides](#) for the right to unhindered access to, and communication with, non-governmental organizations for the protection of human rights.

Critical views expressed by local residents about the activities of the mine and how it impacts their lives may not always make for comfortable reading, but it is the work of any responsible company to hear such views, to conduct credible and transparent investigations, and to take corrective action as necessary. It is also incumbent upon Barrick -- which has [publicly assured](#) that it will not “tolerate threats, intimidation, or attacks on human rights defenders”-- to use its influence to ensure that local residents, journalists and human rights organisations, including RAID, remain free to continue their lives and to work without (fear of) harassment or intimidation. We would be grateful if you could keep us informed of the steps Barrick is taking, and will take going forward, to do so.

### ***Local leadership's awareness of RAID and its work***

Your letter states that none of the people with whom you engaged during your visit to North Mara, including village chairpersons, ward and village executive officials, the District Commissioner and the local member of Parliament, knew of RAID or our work. The “confirmation statement” from local leaders attached to your letter further states that the signatories “have not been consulted to provide opinion by RAID on allegations raised.”

You say that you found this information astonishing, and so do we. Since 2014, when RAID began to conduct research on human rights abuses at the North Mara mine, we have consistently kept local and national authorities informed of our work and sought their perspective, information, and response to our findings. In the last 12 months alone, a member of RAID's team has met with and sought responses from:

- Seven (former or current) village leaders;
- Three (former or current) Ward Councillors, with whom RAID met on several occasions during our research missions since August 2021; and,
- The District Commissioner and the District Administrative Secretary, who RAID met in Tarime in November 2021.

Amongst those we met is at least one signatory to the “confirmation statement”, who on condition of confidentiality agreed to be interviewed at length by RAID, and some of whose information was included in our March 2022 briefing.

Also in November 2021, RAID informed the local member of Parliament, Mwita Waitara, of our work in North Mara in writing and during two phone calls.

RAID also requested to participate in a civil society visit to the mine in January 2022 organised by Barrick for international and national NGOs, during which we understand the mine hosted a meeting with the 11 village chairpersons. Had Barrick not excluded RAID, despite RAID's request, from this meeting, we would also have met with village chairpersons who were unable or unwilling to meet with us in other circumstances.

In addition to local leadership, RAID has continued to engage with national authorities about our work in North Mara. For instance, in March 2022, RAID wrote to Tanzania's Inspector General of Police to inform him of our research and latest findings, seek his response and information, and request that he investigate and address concerns regarding the unlawful use of force and other reported misconduct by police officers assigned to the mine. In May 2022, RAID wrote to him again to request an in person meeting, and to Tanzania's Minister of Minerals to request the same and inform him of our research and latest findings. That same month, RAID attended the Ministry of Minerals office and police headquarters in Dodoma for further discussion. Although the Minister was unable to meet with RAID after a last minute change of plans, RAID met with the Police Commissioner of Operations and Training, informed him of our work and findings, were provided with his response, and encouraged him to open an investigation into the allegations of unlawful use of force and other reported misconduct by police officers assigned to the mine.

### ***Corroboration of concerns about police violence***

You state that none of the leadership with whom you raised the issue corroborated RAID's concerns about police violence. Once again, as you say, this is astonishing and we have information which contradicts it.



For instance, RAID has copies of letters to the mine officially stamped by the offices of village authorities whose representatives signed the “confirmation statement”, which specifically reference issues of violence by police guarding the mine. Current and former leaders we interviewed confirmed, on condition of confidentiality, that this violence is a significant concern. In fact, the above-referenced signatory to the statement told RAID that police guarding the mine “would sometimes fire teargas bombs or kill people. When someone gets injured or killed by being shot, chaos usually erupts”. Local residents have also told RAID that they reported issues of police violence to their respective village chairperson as recently as July 2022. We also have evidence showing the local MP, Mr Waitara, speaking publicly on the issue of police violence associated with the mine.

In these circumstances, it is clear that local authorities are aware of and share concerns about violence by police guarding the mine. If, as your information suggests, at least some of those authorities are prepared to discuss such concerns with RAID and others in the surrounding communities, but not in a meeting with Barrick, this is surely an issue Barrick should seek to address.

In any event, we are surprised Barrick considers the question of whether there are concerns regarding unlawful police violence to be in doubt. While Barrick denies responsibility for the activities of the police, it has not previously disputed that police violence is widely understood to be a concern. For instance, a publicly available court document filed by Barrick’s subsidiaries in the current UK legal action shows they admit that the mine received 96 allegations of “the use of excessive force by the Police” between 2015 and 2017 alone. These admissions follow a 2016 Tanzanian Parliamentary inquiry, which received reports of 65 killings and 270 people injured by police responsible for mine security. And more recently, although Barrick denied responsibility for the actions of the police, it did not deny that any of the killings and assaults against local residents by police between December 2019 and December 2021 reported by RAID in its March 2022 briefing occurred.

### ***Provision of evidence to state agencies***

As noted above, RAID has kept Tanzanian state agencies informed of its research and findings. This includes briefing the Police Commissioner of Operations and Training, who RAID encouraged to launch an investigation into the human rights violations at and around the mine. To the extent that we can facilitate such investigations, should they be commenced, while maintaining the confidentiality and safety of those who have shared information with us, we will do so.

However, RAID’s efforts in this regard do not obviate Barrick’s responsibilities in respect of investigating and ensuring accountability for human rights violations. Considering the mine’s relationship with the police and Barrick’s partnership with the government of Tanzania, it is particularly well placed to assure that both occur. In fact, doing so would appear to be mandated by Barrick’s commitment to act in accordance with the UN Guiding Principles on Business and Human Rights which set out that companies are to use their “leverage” to seek to prevent and mitigate human rights abuses “directly linked” to their operations. We note in this regard that when RAID met with the Police Commissioner, he said that the mine had not raised any allegations of misconduct or excessive force by the police.

### ***Access to waste rock***

You state that RAID’s “lack of understanding...was further reiterated” by our question regarding whether the mine is considering making waste rock accessible to the community. We would be grateful if you could clarify how seeking Barrick’s response to that question indicates a lack of understanding.

### ***Investigation into allegations***

You state that you have instructed your team to investigate the allegations, which, as you note, are extremely serious, and that you will respond when those are completed. We welcome Barrick's decision to investigate these incidents and look forward to hearing more about the findings. We also trust Barrick will investigate the previous incidents which we raised in February 2022 and reported on in detail in March? Since you did not confirm if these we would be included in Barrick's investigations we would be grateful if you could do so.

You state in your letter that the timeframe we provided for Barrick to respond was unrealistic, and that we provided scant information. We disagree on both points. Those we interviewed requested that they remain confidential, and as we have noted, there are strong grounds to believe that their safety may be at risk if they are identified. Further, the incidents we raised should already be known to the company. We understand they occurred on the mine concession, were committed by police who were using mine vehicles, were previously notified to the mine by those involved, and/or resulted in criminal prosecutions against the injured individuals in which security personnel contracted by the mine testified.

Moreover, all of the alleged incidents follow a similar pattern to those RAID already reported on in March 2022, regarding which RAID provided extensive details and engaged in lengthy correspondence with Barrick. It is thus to be expected that Barrick would have in place measures to ensure that police activities relating to the mine are monitored and incidents investigated promptly, without RAID needing to bring them to Barrick's attention.

That said, and to assist with your investigations, reports we have received described:

- One person shot in or around February 2022
- Three people shot and two incidents of torture in or around March 2022
- One person shot and one person beaten in or around April 2022
- One person shot, one person injured by being struck, and one incident of torture in or around June 2022;
- Two people shot in or around July 2022.

We would also like to inform you that since we wrote to you on 11 July, we have received further reports of human rights violations by police in mine-related operations, including four more assaults, which we are looking into. This includes an individual shot in or around early to mid-2020.

### ***Relocation of local residents***

On a separate note, we would like to raise with you new concerns expressed to us by local residents about the relocation of residents from areas to which the mine is expanding its operations. We have received reports that in some cases, this relocation may be involuntary, that compensation has been regarded as inadequate by those being relocated, and that no suitably alternative homes or land has been provided.

As you will know, the International Council on Mining and Metals, of which Barrick is a member, has developed [principles](#) to which all company members are required to commit. These include avoiding involuntary physical and economic displacement of families and communities, and restoring or improving livelihoods and standards of living where that is not possible. Other standards by which Barrick says it is guided, including the International Finance Corporation's

Performance Standards, make similar provisions, including making available adequate housing with security of tenure at resettlement sites when relocation is not avoided.

We would thus be grateful if Barrick could provide details on the process it is following in relation to relocation of local residents around the mine. In particular, how Barrick is ensuring that involuntary relocation is avoided and, where it is not avoided, what provision is being made to ensure that the human rights of those relocated are respected and their standards of living restored or improved.

#### **Additional time to respond to RAID**

You requested further time to investigate these and other human rights concerns that we have raised. In order to accommodate your request, and allow for further engagement, we would be grateful to receive your response by 17 August 2022.

Let me again assure you that Barrick's response will be taken into account in our forthcoming publication and your response will be published in its entirety.

Please send any information to RAID at [avw@raid-uk.org](mailto:avw@raid-uk.org), and if you require any further clarifications or have questions, please do not hesitate to contact me.

Thank you for your attention to this matter.

Yours sincerely,

A handwritten signature in black ink, reading "A. Van Woudenberg". The signature is written in a cursive, flowing style.

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Executive Director

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14 July 2022

Dear Ms. Van Woudenberg

I acknowledge receipt of your letter dated 11 July 2022. I believe this is now the sixth correspondence you have written to me since late 2021 and note with regret that you continue to make serious unsubstantiated allegations against the Barrick Gold Corporation Group and North Mara Gold Mine Limited.

In the above reference letter, you have raised allegations of killings and assaults of local residents during what you described as “mine-related security operations”. These are extremely serious allegations of human rights incidents which warrant a thorough investigation conducted with the utmost care and meticulousness. As we have stated before, should RAID have any substantiated evidence of personal injuries caused by the Tanzania Police Force in the local communities surrounding the North Mara Gold Mine, you should provide this immediately to the proper public investigative and prosecution agencies in Tanzania so that these may be dealt with properly and in the appropriate manner. Let me, however, assure you that I have already instructed my team to proceed to investigate these allegations as we do not tolerate human rights violations at Barrick. However, given the seriousness of your allegations, you cannot reasonably expect that we will be in a position to respond within a 4 day timeline that you have arbitrarily set, namely before 15 July 2022. That timeframe is completely unrealistic and also inappropriate given the nature of the allegations and the scant information shared by RAID in this regard.

This being said, once the investigation has been completed, we will respond to the allegations in your letter. In the meantime, and in order to assist with our investigation, we request that you kindly share with us the reports of human rights abuses to which you refer in your letter (redacting the names of the individuals if need be).

I wanted to take this opportunity to inform you that I was at the North Mara Gold Mine only a few days ago where I met with the local leaders including the elected village chairpersons of the 11 villages surrounding the mine, ward and village executive officials, elders, as well as the District Commissioner, all in the presence of the local member of Parliament. This was a follow up meeting from one that myself and some of my executive team held with the leaders earlier this year in March. This was done as part of our continued open and transparent engagement with the local communities to understand their concerns as well as their needs and how we can be of assistance. It is based on this engagement that I am astonished by your allegations of police violence as I personally raised this issue with the leaders based off the allegations RAID has made, but none of the leadership corroborated the concerns or allegations made by RAID. In fact, more astonishing is the fact that, despite your alleged recent “missions” to North Mara, none of the people I personally engaged with knew of RAID or yourself nor

of the work you claim to be doing in the communities surrounding the mine. The leaders I met were so concerned by the issues I raised that shortly after my meeting with them at the North Mara Gold Mine, the elected village chairperson of the 11 villages surrounding the mine put together on their own accord the attached confirmation statement (an English free translation is enclosed for your convenience).

This lack of understanding of the community and on the ground engagement by yourself, was further reiterated by your query as to whether the mine is considering making waste rock accessible to the community as a solution to the intrusions. This leads me to believe that you are unfamiliar with the reality of the local residents whose interests and rights you purport to protect.

Regrettably, this begs the question of whether you actually have been engaging with the communities, as Barrick has been, or that you even have their interests at heart. Meanwhile, you continue to make serious and unsubstantiated allegations which are designed to impugn Barrick's reputation and may well be regarded as defamatory.

I was, however, pleased to read that you welcome the opportunity to meet with the Barrick team. This is something we agree with and would be more than happy to show you the numerous initiatives we have taken to improve the lives and livelihoods of our surrounding communities. We welcome engagement from any quarter and are willing to listen in good faith to any constructive feedback and suggestions for improvement. Consequently, I would like to extend a personal invitation to yourself and your team to meet with my team at North Mara to visit the communities and discuss the critical issues they are facing as well as the concerns you have raised.

If you choose to post on your website or elsewhere your 11 July letter to me or the report you have suggested will be released, I request that you post this reply letter together with the attached statement from the elected village chairpersons of the 11 villages surrounding the mine, this with equal prominence so your readers will have a balanced understanding of the issues you have raised.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Mark Bristow', with a stylized flourish at the end.

**Mark Bristow**  
President and Chief Executive Officer  
For and on behalf of  
BARRICK GOLD CORPORATION

# TAARIFA ZA VIONGOZI WA VIJJI 11 VINAVYOZUNGUKA MGOZI KUHUSU MADAI YA RAID TAREHE 13 JULAI 2022

Sisi viongozi wa vijiji 11 vinavyozunguka Mgozi wa North Mara ni viongozi na wakuu wa masuala ya ulinzi, usalama na maendeleo ya wananchi katika vijiji vyetu. Tumepata taarifa kuhusu madai ya RAID juu ya Mgozi wa Barrick wa North Mara. Tumefuatilia na tumesikitishwa sana na uchapishaji unaoendelea wa ripoti za uongo na za kudhalilisha zinazotolewa na taasisi hiyo. Mara kwa mara, RAID huchapisha ripoti kuhusu kile wanachokiita ukiukwaji wa Haki za Kibinadamu na Mgozi wa Dhahabu wa Barrick North Mara; moja ya ripoti kama hiyo yenye kichwa cha habari "Mauaji mapya na mashambulizi katika mgozi wa Barrick Gold Tanzania yavunja madai ya uboreshaji mkubwa wa kampuni". Ripoti hii imechapishwa mwezi Machi 2022. Tumefuatilia zaidi na kugundua kuwa RAID iko katika mchakato wa kuchapisha na kutoa ripoti nyingine yenye madai kama hayo. RAID inadai kwamba;

1. Wamefanya misheni mbili za utafiti katika vijiji vyetu mnamo Mei 2022 kuhusu masuala ya mashambulizi toka kwa vyombo vya usalama na kusababisha mauaji.
2. Walipokea ripoti za kuaminika za wakazi wa eneo hilo hili kwamba kuna watu waliouawa na kushambuliwa na operesheni za vyombo vya usalama kati ya Februari na Julai 2022. Wamezidi kudai kwamba watu wawili waliuawa na angalau wengine kumi kujeruhiwa vibaya baada ya kupigwa, kupigwa risasi, na/au kuteswa.
3. Maafisa wa polisi wanaolinda Mgozi mara kwa mara huingia kwenye jamii na kurusha risasi za moto na mabomu ya machozi ovyo, kuvunja mali bila kibali, kuwakamata na kuwapiga wakazi kiholela, na kusababisha uharibifu wa mali.

Haya ni madai mazito ya ukiukaji wa masuala ya usalama, kijasusi na haki za binadamu katika nchi ya kidemokrasia kama Tanzania. Tunapenda kukumbusha kwamba kwa mujibu wa Ibara za 145 na 146 za Katiba ya Jamhuri ya Muungano wa Tanzania; Serikali za Mitaa ni vyombo vya utoaji haki na walinzi wa amani, usalama na haki za binadamu katika jamii zetu.

Kama wawakilishi wa jumuiya ya wenyeji kutoka vijiji 11 vinavyozunguka Mgozi, tumefanya kazi na mgozi ili kuhakikisha uzingatiaji thabiti wa masuala ya Haki za Kibinadamu na heshima ya jumuiya ya watu wa eneo hili. Tunaweza kusema kwa majigambo kwamba, Mgozi wa North Mara unazingatia na kudumisha kwa dhati kanuni za haki za binadamu na utu ikiwa ni pamoja na kuhakikisha kuwa serikali za mitaa zinashiriki katika usalama na ulinzi wa shughuli na mali za mgozi.

Tungependa kusema kwamba, kwa mujibu wa sheria ya NGOs ya mwaka 2002 kama ilivyorekebisha, NGOs zote zinazotaka kushirikisha jamii zinatakiwa kujitambulisha katika serikali za mitaa zinakotaka kufanya kazi. Kwa bahati mbaya, hakuna hata kijiji kimoja kati ya vijiji 11 kilichopokea taasisi kama hiyo. Vile vile, kwa kuzingatia unyeti wa taarifa za masuala ya ulinzi na usalama, mateso na mauaji, tuliona mashauriano sahihi yalihatijika kufanyika kabla ya kufanya majumuisho. Vijiji hivi 11 vimekuwa vikifanya kazi kwa karibu na vyombo vyote vya dola vikiwemo vyombo vya ulinzi na usalama vya serikali, mashirika yasiyo ya kiserikali ya kimataifa,




kitaifa na ndani ya Tarime na Barrick North Mara Gold Mine bila tatizo lolote. Kwa hiyo, tukiwa viongozi wa jamii katika vijiji 11 vinavyozunguka Mgodini wa North Mara;

1. Tumesikitishwa sana na njia isiyo ya kitaalamu ambayo masuala na ukweli hupotoshwa kimakusudi.
2. Hatujashirikishwa kutoa maoni na RAID juu ya madai yaliyotolewa; wala hatujui RAID ni nani, wanamwakilisha nani na wana maslahi ya aina gani.
3. Tunalaani na kuhimiza vikali vyombo vya dola vinavyohusika kuchunguza, na kuchukua hatua zinazohitajika. Hatuna uhakika kama RAID imesajiliwa kufanya kazi nchini Tanzania na ina mamlaka ya kisheria ya kukusanya, kuchapisha na kusambaza habari kuhusu usalama wa Tanzania bila mashauriano yanayofaa.
4. Tunawasihi Asasi za Kiraia na taasisi zingine zozote husika na watu binafsi kufuata taratibu zinazoruhusiwa kisheria katika kufanya tafiti na kushughulikia masuala ya jamii, ikiwa ni pamoja na kufanya mashauriano sahihi na mamlaka husika.

Tunapenda kukumbusha kuwa, Rais wa Tanzania amekuwa mstari wa mbele kutafuta wawekezaji wa kukuza uchumi wa Tanzania na Mgodini wa Dhahabu wa North Mara ni ubia kati ya Barrick na Serikali ya Tanzania kupitia Twiga Minerals Co. Ltd. Tunawaomba Barrick kuripoti RAID kwa mamlaka husika kwa hatua zaidi na kuendelea na shughuli za Mgodini ili kunufaisha jamii za eneo la North Mara na nchi kwa ujumla.

Mwisho, ungependa kukumbusha kwamba, Barrick imekuwa na uwazi na kushirikisha wadau mbalimbali katika shughuli zake. Viongozi wa vijiji na jamii zinazozunguka North Mara wamekuwa na mazungumzo kadhaa na Mgodini katika masuala mbalimbali yenye maslahi kwa pamoja. Kama wawakilishi wa jumuiya ya eneo la North Mara, hatuna nia ya kuficha ikiwa haki za binadamu zinakiukwa na Barrick. Kando na hayo, vyombo vya habari, NGOs za ndani na serikali ya Tanzania zote zinafanya kazi na hazijagusia masuala haya wakati wowote. Tunawasihi RAID iwaache Barrick waendeleo na shughuli zake na wasitumie Mgodini na jamii maskini zinazozunguka North Mara kwa manufaa binafsi.

Ni sisi,

No.	Jina	Cheo	Kijiji/Kata	Sahihi
1.	BUNINI J. BUNINI	VC	KEWANJA	
2.	CHACHA MICHAEL BABERE	VC	NYAMWAGA	 MWENYEKITI WA SERIKALI KIJIJI CHA KEWANJA - TANIME
3.	Lucas (Kichoko)	WED	NTAROWA	

4.	PAULO MAISORI MASARA	WEO-KEMANBO	KEMANBO	
5.	MARWA NYAMANTAGE	VEO-NYAKUMBE	MAKUMBE	
6.	VENANCE B. KAROLI	WEO	KIBASUKA	
7.	ZAKWADI -F- TEMBA	VEO	NYABICHUME	
8.	HAPPINESS W. KAHALWE	WEO-NYAMWAGA	NYAMWAGA	
9.	SUMUN SANSON	VEO	KEWANJA	
10.	WINTREBA E. MURTA	VEO	MJINIKATI	
11.	MWITA M. KIRINDO	VEO	NYANGOTO	
12.	Mogasi Gasper Ntambe	VEO	KERENDE	
13.	GICHOGO GACHA NANKEN	VEO	GENKURU	
14.	GACHA MAICURI	V/C	NYAKUNGURU	
15.	MUSSA N. RAPHAEL	VEO	KOMARERA	

AFISA MTENDAJI  
KIJI CHA KEWANJA

WAKILIAJI YA KIJIZI  
KIJI CHA NYANGOTO  
9.11.68 TARIME





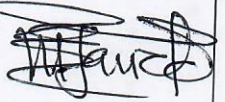


VILLAGE EXECUTIVE OFFICER  
KERENDE - TARIME

AFISA MTENDAJI  
KIJI CHA GENKURU  
TARIME

WAKILIAJI YA KIJIZI  
NYAKUNGURU

AFISA MTENDAJI  
KIJI CHA  
KOMARERA



16.	JOHN M. OTUNGA	VC	KENKUSA	
17.	Mwika magabe	V/C	KIKERENDE	
18.	STEPHANO NGIWEINA	V/C	MSEGE	
19.	Mwita M. Mtatiro	VEO	MSEGE	
20.	FAUSTINE-C. KIKERERO	VEO	MATONGO	
21.	ROBERT MARWA MAKOMYO	VEO	NYANGOTO	
22.	JAMES MAGGEWAMBURA	VEO	NYAMWAGA	
23.				
24.				
25.				

MKTI CENTRALI KIJUJI  
MSEGE  
DATE

AFISA MTENDAJI KIJUJI  
MSEGE-TARIME

AFISA MTENDAJI  
KIJIJI NYANGOTO  
KATA-MATONGO

VILLAGE OFFICE  
NYAMWAGA

## Local leaders statement from 11 Villages Surrounding the Mine on RAID allegations

We, village leaders from the 11 villages surrounding the Mine in North Mara, are the leaders and heads of safety, security and people development affairs in our villages. We have made follow up and are strongly saddened by continuous publication of false and disparaging reports by an institution named RAID. Repeatedly, RAID publishes reports on what they call abuses of Human Rights by Barrick North Mara Gold Mine; one of such report titled “New killings and assaults at Barrick Gold Tanzania mine Shatter Company’s radical improvement claims” published in March 2022. We have further made follow up and realized that RAID is in a process of making another publication on similar encounters. RAID claims that.

- They have conducted two research missions in our villages in May 2022 on issues of security assaults and killings
- They received credible reports of local residents killed and assaulted by security operations between February and July 2022. They claim further that two people killed and at least ten others badly injured after being beaten, struck, shot, and/or tortured.
- Police officers guarding the Mine regularly enter local communities and fire live ammunition and teargas indiscriminately, brake into properties without a warrant, arbitrarily arrested and beaten residents, and caused property damage.

These are serious allegation in breach of security, intelligence and human rights issues in a democratic country like Tanzania. We would like to remind that pursuant to Articles 145 and 146 the Constitution of the United Republic of Tanzania; Local Governments are the instruments of justice and custodians of peace, security, safety and human rights in our local communities.

As representatives of local community from the 11 villages surrounding the Mine, we have worked with the mine to ensure strong compliance to issues of Human Rights and respect of the local community. We can boastfully state that, NMGM strongly observes and

upholds principles of human rights and dignity including ensuring that local communities participate in security and protection of the mine activities.

We would like to state that, according to NGOs act of 2002 as amended, all NGOs wishing to engage the community need to introduce themselves in the local governments where they want to work. Unfortunately, none-of the 11 villages received such an institution. Similarly, given the sensitivity of the information on issues of security and safety, torture and killings, we thought proper consultation needed to take place before making conclusions. The 11 villages have been working closely with all state organs including state security apparatus, international, national and local NGOs in Tarime and Barrick North Mara Gold Mine without any problem. Therefore, as community leaders in the 11 villages surrounding the Mine in North Mara;

- We strongly disappointed by the unprofessional way in which issues and facts are intentionally erred and misstated.
- We have not been consulted to provide opinion by RAID on allegations raised; neither do we know who RAID is, whom they represent and what kind of interests they have. If they are engaging in credible research, they need to be open and consult relevant authorities.
- We condemn and strongly urge the relevant state organs to investigate, and take necessary actions. We are unsure as to whether RAID is registered to work in Tanzania and is legally mandated to collect, publish and share information on Tanzania security without proper consultations.
- We urge CSOs and any other relevant institutions and individuals to adhere to the procedures permitted by law in conducting research and addressing community issues, including by conducting appropriate consultations with the relevant authorities.

We would like to recall that, the President of Tanzania has been in the forefront to look for investors to promote Tanzania economy and North Mara Gold Mine is a joint venture between Barrick and Tanzania Government through Twiga Minerals Co. Ltd. We therefore, urge Barrick to report RAID to relevant authorities for further action and





11 July 2022

Mark Bristow  
President and CEO  
Barrick Gold Corporation  
TD Canada Trust Tower  
161 Bay Street, Suite 3700  
Toronto, Ontario  
M5J 2S1  
Canada

***Via Email***

Dear Mr Bristow,

**Re: North Mara Gold Mine**

We are writing again in relation to human rights concerns at Barrick's North Mara Gold Mine. We note that lawyers representing Barrick wrote to us in March 2022 regarding earlier human rights concerns at the mine stating that Barrick did not intend to engage in further correspondence with RAID. However, as we plan to publish a report shortly based on new findings, we believe it is important to seek Barrick's comment and response to a number of concerns and questions.

As previously advised, in the interests of balanced and fair reporting, we strive to reflect all relevant information in our research and publications. In addition to information in response to the concerns raised, we are happy to receive any information you believe might be relevant. Barrick's response will be taken into account in our forthcoming publication. Should you wish to respond, we will need to receive it by 15 July 2022 in order to include it in our publication.

***Reports of human rights abuses***

Since May 2022, RAID has conducted two further research missions to North Mara. During these missions, we received credible reports of local residents being killed and assaulted during mine-related security operations between February and July 2022. For the avoidance of doubt, these are additional killings and assaults to those we reported on in our March [publication](#).

For security reasons, we cannot disclose their identities, but according to these reports, two people were killed and at least ten others were badly injured after being beaten, struck, shot, and/or tortured. In all of the cases, the reports referred to police operations linked to the mine. In a number of the cases, those interviewed specifically identified a police unit known as the "Crisis Response Team".

Local residents also reported that police guarding the mine have continued to regularly enter local communities during mine-related operations, where they have fired live ammunition and teargas indiscriminately, broken into properties without a warrant, arbitrarily arrested and beaten residents, and caused property damage.

We understand that roughly 150 police officers continue to be assigned to the mine under a memorandum of understanding between the police and mine, pursuant to which the mine pays, equips, accommodates, and feeds the assigned officers. We also understand that the mine continues to provide benefits to other police officers in the region, including the use of vehicles, provision of fuel and accommodation, and payments.

During our research, we were also informed of meetings attended by community members that were convened in local villages by mine personnel, village leadership, and the police, in or around April 2022. At least four people we interviewed who attended the meetings said that at least one official threatened violence against local residents should they or their family members enter the mine site without permission, including that those who did so would be shot.

RAID was informed that people had communicated with the mine regarding some of the incidents described above. None of those interviewed were aware of a grievance mechanism at the mine or of any action taken by the mine to provide remedy for the harm caused .

We would be grateful for Barrick's response to these concerns and findings, including what steps Barrick (including Twiga Minerals and North Mara Gold Mine Ltd) has taken, or plans to take, to investigate these incidents, what the findings were, and what remedy, if any, has been provided for any harm suffered.

Above any general response, it would also be helpful for Barrick to specifically address in its response: (i) whether the "Crisis Response Unit" is providing services to, in, and/or around the North Mara mine and when this commenced; (ii) if the mine is providing ammunition to the police; and (iii) if the mine is giving consideration to making waste rock accessible to local communities, especially since access to waste rock appears to be a major motivator for incursions onto the mine site.

Once again, we would like to emphasize the importance of publishing the current and previous versions of the Memorandum of Understanding between the mine and the Tanzanian police. Being transparent about the mine's agreement with the police is not only consistent with best practice, it would also better inform local communities about the nature of the mine's relationship with the police.

As we have consistently conveyed to Barrick, we would welcome the opportunity to meet with you or other Barrick representatives, including from the North Mara mine, to further discuss our research findings and our recommendations. We hope engagement on these important issues will be possible, particularly as our findings indicate a troubling rise in violence against local residents. We remain open to have such a meeting at your convenience. Please do not hesitate to reach out to me at [avw@raid-uk.org](mailto:avw@raid-uk.org) if this is of interest.

In the meantime, should you wish to respond to the concerns set-out in this letter, we invite you to respond by 15 July 2022 to [avw@raid-uk.org](mailto:avw@raid-uk.org)

Thank you for your attention to this matter.

Yours sincerely,



Anneke Van Woudenberg  
Executive Director



10 March 2022

Wilbert B. Kapinga  
Managing Partner  
Bowmans Tanzania Ltd  
2<sup>nd</sup> Floor, The Luminary  
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Masaki, Dar es Salaam  
PO Box 78552  
Tanzania

***Via Email***

Dear Mr Kapinga,

**Re: North Mara Gold Mine**

Thank you for your letter. We regret that Barrick has not responded to most of our questions relating to recent human rights incidents at the North Mara mine. Although we understand that Barrick does not intend to correspond further, we believe it is important to address several misrepresentations of RAID's position and partial interpretations of the human rights framework upon which your client relies.

**Ongoing court proceedings**

Your letter states that it is your understanding that RAID is "involved with" court proceedings in the High Court of England and Wales against Barrick's subsidiaries. To clarify, RAID is an independent, non-governmental organisation. It is not a party, nor a legal representative of any parties, to the proceedings underway against Barrick subsidiaries in the High Court.

The human rights incidents we raised with Barrick in correspondence on 14 February and 25 February 2022, on which we sought Barrick's response, are not subject to the legal proceedings. These incidents of killings and assaults occurred [after](#) those at issue in the proceedings. We remain of the view that there is nothing about the current proceedings that should prevent Barrick from addressing such incidents, which are of a very serious nature.

**RAID's recent correspondence**

Your letter states that our most recent correspondence is "legalistic and accusatory". We do not agree with that characterisation. We have sought to engage constructively with Barrick since it assumed operational control of the North Mara mine in an effort to improve the deeply troubling human rights situation, including proposing on multiple occasions a meeting with Mr. Bristow or his team where these issues could be further discussed. As we noted in our last letter, Barrick refused RAID's proposal.

Our most recent research has found continuing reports of serious human rights abuses. We sought Barrick's response to these reports, as we do for all companies where we find such reports credible. Barrick did not respond to most of our questions. Your client raised other issues. We addressed these, corrected a number of inaccuracies and gave Barrick a further opportunity to clarify any information it considered inaccurate.

### **Correcting the record**

Your letter states that Barrick has sought to "engage with RAID to 'correct the record'" and that RAID "continually makes serious and factually incorrect allegations concerning our client's commitment to redressing human rights violations".

We do not believe that this is an accurate description of what has occurred. RAID requested Barrick's response to credible reports that it had received concerning serious human rights abuses by police assigned to the North Mara mine, including killings, assaults and dangerous conduct during mine security operations that placed children and other local residents in harm's way. RAID informed Barrick that those interviewed were unaware of any grievance mechanism at the mine and that local leaders and residents increasingly expressed fear of speaking out.

Barrick did not engage to "correct the record" on any of these issues. It declined to address the allegations concerning the reports of recent human rights violations. It stated that it had a grievance mechanism, but provided no information about how that mechanism functions or how it can be accessed so that those harmed may be informed of its availability (which, *prima facie*, raises concern about it meeting effectiveness criteria under the UN Guiding Principles on Business and Human Rights (UNGPs) endorsed by Barrick). It stated that the mine does not employ, "supervise, direct or control" the police, which "operates under its own chain of command".

In our follow-up response, we sought to clarify our understanding of the relationship between the mine and the police based on interviews with the police, mine security personnel, local leaders and local residents, as well as our understanding of the mine's Memorandum of Understanding with the police. We set out 11 points detailing the support the mine provides to the police and the integration of the police within the mine's security structure. We requested that, if Barrick considered any of this information to be inaccurate, it identify that information and provide what it considers to be the correct information.

Your letter does not respond to this request, but instead simply asserts that Barrick is not liable or responsible for actions by the police.

Notwithstanding your client's decision to disengage with us on these matters, we would press upon Barrick the need to be transparent and accountable. Barrick should publish, at a minimum, the mine's Memorandum of Understanding with the police, all third party human rights assessments in full, and full procedures for its grievance mechanism. Local Tanzanian communities, who are directly impacted by the mine's operations, have a right to such information.

### **Barrick's liability for acts of the Tanzania police**

Your letter states that "[c]onsistent with the Voluntary Principles for Security and Human Rights...companies operating abroad are not liable for the acts of the police forces of the host countries in which they are operating".

That is not RAID's understanding of the Voluntary Principles or the law. The Voluntary Principles are a non-binding, multi-stakeholder initiative that do not address, let alone determine, questions of liability. Furthermore, we [understand](#) that the question of Barrick subsidiaries' liability for the



acts of the police assigned to the North Mara mine is, in fact, an issue to be decided in the current UK court proceedings.

### **Barrick's responsibility for the conduct of the Tanzania police**

Your letter states that "RAID's starting point appears to be that as a matter of law and fact Barrick and/or North Mara Gold Mine Limited is responsible for the alleged conduct of the Tanzania Police Force" and that this starting point is inaccurate. We find Barrick's response on this matter perplexing, as it appears inconsistent with its own public assurances and with those underlying human rights standards it says it follows.

As we noted, Barrick has [expressly](#) committed not to tolerate human rights violations committed by, amongst others, "third parties...related to any aspect of our operations". Even if, as Barrick says, the mine does not employ, control, supervise or direct the police, Barrick thus accepts that it has a responsibility for violations involving the police that are "related to" its operations. Barrick's own [reporting](#) also accepts that human rights impacts by the Tanzanian Police Force operating under its MoU with the mine "relate to" the company's operations.

Further, as we also noted, Barrick's [Human Rights Policy](#) states, "We are committed to and always strive to act in accordance with the UN Guiding Principles on Business and Human Rights [UNGPs], the OECD Guidelines for Multinational Enterprises, and the Voluntary Principles on Security and Human Rights". Your letter confirms that North Mara Gold Mine Limited has a memorandum of understanding with the Tanzania Police Force. Where a company has a "business relationship" with another entity, including state security forces, these instruments provide that it will have a responsibility regarding human rights violations by that entity.

For instance, the UNGP's provide that a company's responsibility to respect human rights "requires" that they avoid causing or contributing to adverse human rights impacts, and remedy those it does cause or contribute to. They further provide that this responsibility requires companies to seek to prevent and mitigate impacts that are "directly linked to" their operations by their business relationships. Preventing and mitigating impacts includes using "leverage", which exists where a company has "the ability to effect change in the wrongful practices" of another entity. According to Barrick's [own reporting](#), its memorandum of understanding with the police allows it to "require" particular standards of conduct by the police.

Your client places an emphasis upon RAID raising incidents of wrongdoing by the Tanzanian police force with the authorities. We have always pressed, and will continue to press, the Tanzanian authorities about human rights violations by police. Barrick describes its Twiga joint venture with the Tanzanian government (of which North Mara mine is a key asset) as a "triumph of partnership". Barrick therefore ought to be well placed to exert the maximum leverage on its partner over police conduct and impunity. The UNGP's state: "for as long as the abuse continues and the enterprise remains in the relationship, it should be able to demonstrate its own ongoing efforts to mitigate the impact and be prepared to accept any consequences – reputational, financial or legal – of the continuing connection."

The [OECD Guidelines](#) largely replicate the UNGP provisions in the relevant respects, and the Voluntary Principles expressly [recognise](#) that a company's "responsibility" to respect human rights extends specifically to their relationship to state security forces. That responsibility, moreover, includes taking "appropriate measures" to ensure that those "credibly implicated in human rights abuses" do not provide security services.

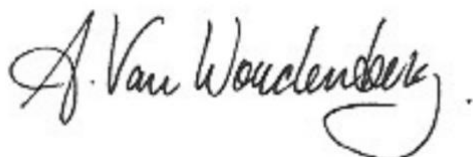
In our view, therefore, Barrick has itself already recognised, and has committed to live up to, a responsibility for actions by security forces (such as the Tanzanian police) with which it has a relationship, at least where those actions may have human rights impacts. The position that

Barrick has a responsibility for the actions of the Tanzanian police assigned to the mine who it pays, feeds, accommodates, and equips, and who are integrated into the mine's security structure, appears wholly consistent with Barrick's own public commitments.

#### **Further correspondence**

We regret that Barrick has decided not to engage further with RAID. However, should Barrick change its mind, we remain committed to engage to try to improve the human rights situation at the North Mara mine. As we said in our letter of 25 February, we will publish Barrick's response in full.

Yours sincerely,

A handwritten signature in black ink that reads "A. Van Woudenberg". The signature is written in a cursive, flowing style with a large loop at the end.

Anneke Van Woudenberg  
Executive Director

Cc: Mark Bristow, President and CEO Barrick  
Martin Welsh, General Counsel, Africa and Middle East



# BOWMANS

## BOWMANS TANZANIA LIMITED

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Your Reference: RAID  
Date: 7 March, 2022

Ms. Anneke Van Woudenberg  
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Email: [avw@raid-uk.org](mailto:avw@raid-uk.org)

*By Email*

Dear Ms. Van Woudenberg,

We act for Barrick Gold Corporation. Considering the ongoing court proceedings at the High Court of England and Wales which we understand RAID is involved with against our client and due to the legalistic and accusatory nature of RAID's most recent correspondence, our client has asked that we respond to your letter dated 25 February 2022.

As RAID is aware, our client has worked tirelessly to mainstream human rights across its operations, and its human rights policy is rolled out across its sites, including at the North Mara Gold Mine.

It was mentioned to RAID previously that all of Barrick's sites, including at the North Mara Gold Mine, have an effective grievance mechanism in place to address community grievances, and every effort is being made to promote and encourage the ongoing use of the grievance procedure within the local community.

Our client has sought on several occasions to engage with RAID to "correct the record". As stated in its letter of 22 February 2022, our client has described its commitment to human rights, the approach to security at the North Mara Gold Mine, stakeholder engagement and the grievance mechanism, third party human rights assessments, and the role of the Tanzanian Police Force. Notwithstanding this and earlier correspondence, RAID continually makes serious and factually incorrect allegations concerning our client's commitment to redressing human rights violations. As to this:

1. RAID's starting point appears to be that as a matter of law and fact Barrick and/or North Mara Gold Mine Limited is responsible for the alleged conduct of the Tanzania Police Force. That is inaccurate.
2. The Tanzania Police Force is a state body with its own duties under Tanzanian law towards members of the public. Our client (as with any other private entity) is not responsible for the



# BOWMANS


conduct of the Tanzania Police Force. To the contrary, the Tanzania Police Force operates solely under its own chain of command in accordance with its own regulations.

3. Neither our client or North Mara Gold Mine Limited employs or has employed the Tanzania Police Force. There is no such thing as "mine police" as you suggest. The fact that there is a Memorandum of Understanding between North Mara Gold Mine Limited and the Tanzania Police Force, does not change this.
4. Consistent with the Voluntary Principles for Security and Human Rights, (i) companies operating abroad are not liable for the acts of the police forces of the host countries in which they are operating; and (ii) governments have the primary role of maintaining law and order. Further, our client has always complied with the Voluntary Principles for Security and Human Rights to reduce the risk of abuses by the Tanzania Police Force and promote respect for human rights generally.

Further to the above, we nor our client intend to engage in any further correspondence as it is clear RAID is unwilling to accept our client's position despite the reassurances our client has provided. However, we would ask, as before, that to the extent that RAID holds evidence of wrongdoing by the Tanzania Police Force, including of any alleged personal injuries involving the Tanzania Police Force, RAID, as a matter of priority, shares that information with the appropriate prosecuting authorities in Tanzania. Our client will cooperate fully with any complaint to the Tanzania Police Force or any other appropriate prosecuting authority.

Finally, we would ask that the contents of this letter and our clients' letter of 22 February 2022 are published in full in any forthcoming report by RAID.

Yours Sincerely,



Wilbert B. Kapinga  
**MANAGING PARTNER**

cc: Martin Welsh  
General Counsel, Africa and Middle East  
Email: [Martin.Welsh@barrick.com](mailto:Martin.Welsh@barrick.com)



25 February 2022

Mark Bristow  
President and CEO  
Barrick Gold Corporation  
TD Canada Trust Tower  
161 Bay Street, Suite 3700  
Toronto, Ontario  
M5J 2S1  
Canada

***Via Email***

Dear Mr Bristow,

**Re: North Mara Gold Mine**

Thank you for your 22 February 2022 reply to our letter, although we regret that you have not answered many of our questions or provided the materials we requested. Nevertheless, your response raises several additional questions that we hope you will be a position to answer. We would also like to address a number of misunderstandings set out in your letter.

For ease of reference, we have replicated the headings from your letter and set out the questions in **bold**.

**Nguvu Moja Security Company**

Thank you for confirming that Nguvu Moja are unarmed. As we wrote in our previous letter, considering that the police are more heavily armed than the Mine's private security contractor, and appear to operate with impunity, we hope you will agree that such an arrangement should not result in an expanded role for the police assigned to the Mine.

In this regard, Barrick's [statement](#) that the police "only enter the mine site when requested by senior management" seems particularly relevant (similar provision was made under previous versions of the Mine's Memorandum of Understanding with the police).

As part of our research, RAID has been informed by former Mine security personnel and police that, while this provision was in effect under the Mine's MoU, police have regularly operated on the Mine site, including for periods as part of joint patrols with Mine internal security.

**Question:**

- 1. How is the provision that police do not enter the mine site unless requested by senior management monitored and enforced? How often have the police entered the mine site since Barrick resumed operational control?**

## ***Stakeholder Engagement and Grievance Mechanism***

Your letter states that Barrick has worked “to ensure that [the community grievance mechanism] is accessible to all community members”, and Barrick has [committed](#) “to act in accordance with the UN Guiding Principles on Business and Human Rights”, which [provides](#) that grievance mechanisms should be, amongst other things, accessible, predictable and transparent.

As we wrote to you, those we interviewed in the communities around the Mine told us they were not aware of a grievance mechanism, let alone how to access it or how it operates. We would therefore like to stress the importance of publishing and pro-actively communicating the standard operating procedure and any other materials relevant to the operation of a grievance mechanism at the Mine, so that those who seek to use any grievance mechanism can do so in the knowledge of its operation. Without doing so, it is difficult to see how a grievance mechanism could meet Barrick’s human rights commitments (including effectiveness criteria under the UNGPs), or how Barrick’s record of registered and resolved grievances was achieved.

## ***Third-Party Human Rights Assessments***

Your letter states that “[t]he independent auditors who have undertaken thorough investigations at the North Mara Gold Mine since November 2019, have publicly commented on the considerable improvement that has occurred with...security matters at the mine since Barrick took over”.

The only public comments by an auditor or assessor that we are aware of relating to such investigations were made by Synergy following its November 2019 site visit ([here](#) and [here](#)). However, those comments are made by an appointee of the Mine’s refiner; did not refer to “considerable improvement” regarding security matters, but rather to findings made during the assessment that security forces at the Mine represented a “high priority” risk; and concluded that “risk management” required improvement, necessitating ongoing monitoring.

To our knowledge, Synergy has made no other public comments regarding the Mine. To date the full Synergy report has not been published, though we urge you to put this into the public domain. The Mine’s refiner MMTC-PAMP has [referred](#) to a December 2020 review by Synergy, but Synergy representatives advised RAID that this review was not based on an assessment conducted by Synergy, but involved comments to MMTC-PAMP on materials provided by Barrick. This desk-based review was also not published.

Your letter also refers to “local and national human rights and civil society organizations” that were invited “to undertake independent assessments at the Mine”. We are aware that the Mine invited a number of Tanzanian and international civil society organisations (though not RAID, despite our request to attend) to visit the Mine in January of this year. However, we understand that the invitation was for the purpose of engagement and did not involve any form of assessment by those organisations.

### **Questions:**

- 2. Could you please identify where we may find the public comments by auditors referenced in your letter?**
- 3. Could you please provide further details regarding the human rights and civil society organisations referenced in your letter as being invited to undertake assessments, and where we may find information about these assessments?**

## **RAID and Synergy**

We feel that it is also important to correct the record on Synergy's most recent assessment. RAID did not, as your letter states, "decline...to participate after being invited to contribute" to Synergy's February 2022 assessment. On the contrary, on 25 January 2022, RAID met via videoconference with two members of the Synergy team prior to their site visit to North Mara and briefed them at length on the findings of RAID's research and concerns regarding the human rights situation at the Mine. The contact with Synergy was initiated by RAID.

As you will recall, in your letter to us of 30 July 2021 declining our proposal of a meeting until the UK High Court proceedings and LBMA's investigation had "run their course", you informed us that Barrick had "suggested a further independent site review take place" under the LBMA's auspices. We responded, seeking further details about the review, including when it would occur, emphasising the importance that civil society and those harmed by the operations at North Mara be given the opportunity to participate. You responded that it "would be inappropriate" for Barrick to comment on it at that time.

Thus, on 17 December 2021, having reached out to the LBMA directly and been advised to contact Synergy, RAID emailed the latter to propose a meeting.

Having sought information from Barrick, the LBMA and Synergy, RAID only learned on 20 January 2022 that Synergy was planning a site visit of several days beginning 31 January. On 28 January, Synergy informed RAID that it had confirmed it would have its own vehicle and translator. The Synergy team asked if there was anyone RAID would like to arrange for them to meet.

As explained fully to Synergy in correspondence, RAID asked Synergy for its Terms of Reference prior to us making any such arrangements, which it regrettably did not provide. We did suggest a wide range of representative people and civil society organisations for Synergy to interview. RAID also connected Synergy with the legal representative of the claimants in the current High Court action so that arrangements could be made for Synergy to meet individuals who had representation.

We also note that the published analysis regarding Synergy's November 2019 assessment did not, as your letter states, culminate with statements issued by Synergy and PAMP. RAID [responded](#) to those statements and has yet to receive a response from either Synergy or MMTC-PAMP. Moreover, in March 2021, five civil society organisations, including Global Witness and RAID, wrote an [open letter](#) to the LBMA expressing serious concerns about the functioning of its Responsible Sourcing Programme.

## **Tanzania Police Force**

Your letter states that "North Mara Gold Mine Limited does not supervise, direct or control any mission, assignment or function of the Tanzanian Police Force. The Tanzanian Police Force operates under its own chain of command and makes its own decisions on strategy".

Yet Barrick's [2020 Annual Report to the Voluntary Principles on Security and Human Rights](#) states that the Mine has an MoU with the Tanzanian Police Force under which police officers are "assigned to the site" and receive "support". It further states that the MoU "requires" the assigned officers to comply with particular standards and stipulates the terms on which they may receive support.

UN experts have [raised](#) concerns about the nexus between extractive companies and state security forces, finding that "the close association between State security forces and extractive companies raises questions about whose interest the public forces are defending." In making that

finding, the experts relied on evidence submitted concerning the relationship between the North Mara Mine and Tanzanian police.

In the course of our research, RAID has been informed by personnel who were employed at the Mine, police officers, and local leaders, that police assigned to the Mine site: (i) include members of the Field Force Unit; (ii) are regularly rotated, generally at least every three months; (iii) receive at least 50,000 Tanzanian shillings per day paid for by the Mine in addition to their regular governmental salary (more if they are senior officers); (iv) are accommodated in barracks provided by the Mine (with at least one more senior officer accommodated within the Mine site); (v) are provided meals by the Mine or a Mine sub-contractor; (vi) use Mine vehicles; and (vii) are provided with fuel and maintenance for Mine vehicles, for other Tanzanian police vehicles used by police assigned to the Mine, and those used by one, or more, other senior police officers in the region.

Those interviewed by RAID also described various ways in which police officers assigned to the Mine site are integrated within the Mine's security operations, for instance: (viii) by sharing radio frequencies; (ix) via the regular presence of a police officer in the Mine's control room; (x) through designation of locations of deployment; and (xi) by applying agreed practice regarding individuals arrested during Mine security operations (for example, police taking those arrested to security personnel at the Mine to note their personal details and take their photos).

#### **Questions:**

- 4. Does Barrick consider any of the information listed in points (i) through (xi) above to be inaccurate? If so, please could you identify the specific information considered inaccurate and provide the information that Barrick considers accurate.**
- 5. Could you please clarify what type of "support" police officers receive under the MoU and how it is provided?**

Once again, we would like to take this opportunity to strongly urge you to publish the MoU with the police. UN experts have [emphasised](#) the importance of extractive companies publishing memoranda of understanding with state security forces, stressing that keeping such arrangements confidential "prevents public scrutiny and accountability for the contents, implementation and overall conduct of security providers in the extractive industry".

#### ***Allegations Raised by RAID***

Your letter states that "it would not be appropriate to discuss any allegations raised by RAID outside of the English High Court proceedings". RAID, of course, is not a party to the proceedings. While we understand a reluctance to comment in relation to the cases currently before the court, the allegations set out in our recent letter concern new incidents that are not subject to these proceedings. As such, there should be no legal impediment preventing Barrick from commenting on the allegations of extremely serious human rights abuses that we have raised, or sharing information that would enable accountability and remedy. Our experience with other companies is that their involvement in court proceedings has not prevented them from engaging with RAID or commenting on matters that are not subject to legal proceedings.

Your letter further states that "North Mara Gold Mine Limited would not be expected to monitor or police the Tanzania Police Force when the Tanzania Police Force undertake their day-to-day policing activities outside of the perimeter of the Mine", nor would it "always be aware of what policing activities the Tanzania Police Force undertake in the local communities".

As you will have noted from our letter, some of the new human rights incidents reported to us occurred within the Mine perimeter (even if narrowly defined by the wall). Others occurred just



outside the Mine walls and were described as incidents which were part of Mine security operations, including on a so-called Mine-owned road that runs alongside the Mine wall. Barrick's Report to the VPs states that "[p]olice conduct is monitored through CCTV cameras whenever police come on site" and former Mine personnel, interviewed by RAID, said that CCTV cameras also cover areas near to, but outside, the Mine's perimeter, including some nearby villages.

In fact, a letter to RAID from Acacia Mining of 7 March 2016 states that the Mine "continually monitor[s] the security situation in *and around* the Mine", including through "appropriate security infrastructure (such as cameras and CCTV)", and that "any allegation of human rights involving Tanzanian police deployed on *or around* NMGM" is followed up on by the Mine (emphases added). Acacia described such monitoring as "consistent with our commitment to the Voluntary Principles on Security and Human Rights".

We further note that Barrick's Report to the VPs states: "Both sites [North Mara and Bulyanhulu] have signed a memorandum of understanding (MoU) with the Tanzanian Police Force to maintain law and order *in relation to the areas around the mine sites.*" (Emphasis added)

Based on this information, it appears that Barrick clearly recognises that agreed policing extends outside the Mine's perimeter, however that is defined.

#### Questions:

6. **Could Barrick provide comment on the human rights concerns we have raised that occurred after September 2019, and are therefore outside the scope of the current UK legal proceedings?**
7. **Does Barrick consider the information as to the scope of CCTV coverage and oversight of police assigned to the Mine to be inaccurate?**
8. **If the Mine no longer monitors the police assigned to the Mine site when they operate in "areas around" the site under the MoU, how does the Mine assure compliance with the standards that its MoU requires of the police?**

#### Reporting Abuses to Tanzanian authorities

Finally, you have encouraged RAID to share the evidence of "personal injuries" involving the police with the appropriate prosecuting authorities. With other civil society organisations, RAID [wrote](#) to the previous President of Tanzania urging a judicial investigation into the unlawful use of force by Tanzanian police at the Mine, and met with Tanzanian authorities regarding police conduct at the Mine, including in 2018 with the Minister of Constitutional and Legal Affairs. Tanzanian civil society groups with whom RAID partners have continued that engagement. We can assure you that we will continue to raise our concerns about human rights abuses at the Mine with Tanzanian authorities.

However, the efforts by civil society groups, including RAID, to raise human rights concerns regarding Tanzanian police assigned to the Mine do not absolve Barrick of its own responsibility. Barrick's own policies recognise its responsibilities. For example, Barrick's [Human Rights Policy](#) states that "[w]e do not tolerate violations of human rights committed by our employees, affiliates, or *any third parties acting on our behalf or related to any aspect of one of our operations*" (emphasis added). It further states, "[i]n our relationships with host governments...*we do our utmost to avoid being complicit in adverse human rights impacts*" (emphasis added). The human rights incidents set out in our recent letter fall squarely within the scope of Barrick's human rights commitments.

Problematic behaviour by the Tanzanian police have also been reported by others. For example, the US State Department, in its latest [Country Report on Human Rights Practices: Tanzania](#), states: “Members of domestic security forces committed numerous abuses....In some cases the government took steps to investigate and prosecute officials who committed human rights abuses, but impunity in police and other security forces and civilian branches of government was widespread.”

In light of the serious human rights abuses we, and others, have documented over many years, we urge you to initiate with the Tanzanian government (which is now a partner with Barrick in Twiga Minerals), a thorough, independent, transparent and credible investigation into the reports of human rights abuses at the North Mara Gold Mine, calling on involvement from international human rights experts, such as the UN Working Group on Business and Human Rights, UN and/or African special rapporteurs, and/or other African Union special mechanisms. The findings of such an investigation should be published in full.

We also again urge you, as we [did](#) to Acacia Mining and Barrick in June 2019, to urgently reconsider the security relationship between the Mine and the Tanzanian police in light of the reports of the police’s continued involvement in serious human rights violations with impunity.

**Intention to publish a report**

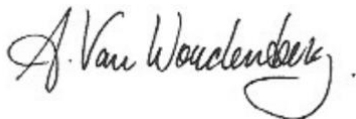
In light of our publishing schedule, we would be grateful to receive your response by 2 March 2022.

Let me once again assure you that Barrick’s response will be taken into account in our forthcoming publication and your response will be published in its entirety. Likewise, we trust our reporting about the human rights situation at the North Mara mine will similarly be reflected in Barrick’s publications regarding human rights and sustainability.

Please send any information to RAID at [avw@raid-uk.org](mailto:avw@raid-uk.org), and if you require any further clarifications or have questions, please do not hesitate to contact me.

Once again, thank you for your attention to this matter.

Yours sincerely,



Anneke Van Woudenberg  
Executive Director

Ms. Anneke Van Woudenberg  
Rights and Accountability in Development (RAID)  
Studio 204, Screen Works, 22 Highbury Grove,  
Highbury East,  
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United Kingdom  
N5 2EF

22 February 2022.

Dear Ms. Van Woudenberg,

Thank you for your letter of February 14, 2022.

As stated in your letter, “in the interests of balanced and fair reporting, we strive to reflect all relevant information in our research and publications...can assure you that Barrick’s response will be taken into account in our forthcoming publication”, we are therefore writing to you on the basis RAID will want to publish a fair and balance report and as such we expect our response to be published in its entirety within RAID’s publication.

## **The Barrick Group’s Commitment to Human Rights**

Respect for human rights is a foundational value at the Barrick Group of companies and a central part of our sustainability vision. We have zero tolerance for human rights violations wherever we operate. We seek to avoid causing or contributing to human rights violations and we actively facilitate access to remedy for credible allegations.

Our commitment to respect human rights is codified in the Barrick Group’s standalone Human Rights Policy which was released in January 2020 following the merger between Barrick Gold Corporation and Randgold Resources Limited. As you will see the policy is informed by the expectations of the UN Guiding Principles on Business and Human Rights (UNGPs), the Voluntary Principles on Security and Human Rights (VPs), and the OECD Guidelines for Multinational Enterprises.

## **The Barrick Group’s Approach at North Mara Gold Mine**

### **Nguvu Moja Security Company**

Upon assuming operation control at North Mara Gold Mine, Barrick replaced the international security firm that previously provided security at the mine, with Nguvu Moja Security Services, a 100% Tanzanian owned and managed security company. Nguvu Moja’s primary functions are to provide security at the main entrance gate at the North Mara Gold Mine, monitor CCTV cameras, undertake internal patrols within the mine perimeter, enforce compliance of the North Mara Gold Mine’s security policies and procedures, and be first responders to security incidents within the perimeter of the mine.

All Nguvu Moja personnel are unarmed and regularly receive formal training including human rights training together with the following:

- Basic legal principles regarding security and the legal framework in which Nguvu Moja operates at the North Mara Gold Mine;
- International Security and Human Rights Principles and the VPs; and
- Barrick's Human Rights Policy and Security Standards, including Barrick's Use of Force standard.

### **Stakeholder Engagement and Grievance Mechanism**

With our approach to stakeholder engagement, Barrick has created relationships of trust and mutual understanding necessary for a successful long-lasting partnership throughout the various communities at North Mara. We have expanded the opportunities and forums to ensure regular stakeholder engagement, and access to lodge community grievances. The mine has also focused on recruiting locally wherever the necessary skill sets are available.

The engagement platforms to enhance transparency and communication between the mine and our host communities includes:

- Continuous engagement with the local community through the mine's Community Relations Office which is located outside of the mine within a neighboring village to ensure our community relations team is easily accessible for all, within the surrounding communities.
- Monthly meetings between the mine and the villages that provide personnel for the SunguSungu security program. This is an open forum where issues of common interest and concerns are addressed and the remedy for critical issues collectively reached.
- Community Development Committee (CDC) meetings, which are an instrument for sustainable community development. The CDC comprises of local and religious leaders, representatives from the local authority, and representatives for the youth, women, elders and people with disability. The CDC oversees all community development projects and provides an additional forum to deal with any community concerns.
- Joint initiatives between the mine and the host communities to discuss issues of interest and concern, and implement the necessary solutions, such as participatory water monitoring, organizing community tours of the mine, and bilateral meetings with Village Chairpersons and Village Executive Officers to discuss security matters among others.

Since assuming operational control at the North Mara Gold Mine, Barrick has worked to improve the community grievance mechanism to ensure it is accessible to all community members. We have also worked to resolve grievances in a timeous manner, and to resolve historic grievances. We track the number of community grievances lodged on a weekly, monthly and quarterly basis. This helps us to understand and address any community concerns and identify patterns which can then be addressed.

The grievance mechanism is accessible to all in the surrounding communities, and grievants are encouraged to express themselves freely without fear of reprisal. A third-party ethics hotline is also available and allows community members to anonymously report a concern via the phone or online; this is further described in detail in both our [Sustainability Report](#) and our [Human Rights Report](#). Each grievance is carefully managed so at any one time we are able to demonstrate where in the resolution process the grievance sits and the work done to resolve matters.

Barrick's commitment to resolve grievances is demonstrated as follows:

- When Barrick took over the operation of the North Mara Gold Mine in September 2019, there were 84 outstanding grievances, which included longstanding legacy grievances and appeals.
- At the end of 2021, North Mara Gold Mine Limited had resolved and closed 73 of the legacy grievances, demonstrating our commitment to building strong relationships with the communities and addressing any concerns.
- The number of grievances has steadily decreased since 2019, with 45 grievances lodged in 2020, and due to the continuous engagement with our communities by our sustainability teams, only 10 grievances were lodged by the community in 2021.
- We engage and work with Clan Elders to resolve grievances. The Clan Elders are trusted members from the community, and represent the interests of community members, especially the vulnerable groups.
- A grievance is only closed once the remedy is agreed by both the grievant and the mine.

### **Third-Party Human Rights Assessments**

We have undertaken numerous third-party human rights assessments at North Mara Gold Mine since assuming operational control. RAID has previously publicly commented on those third-party human rights assessments and therefore Barrick would like to highlight the nature and content of the assessments that have occurred to avoid any misunderstanding RAID may have.

The independent auditors who have undertaken thorough investigations at the North Mara Gold Mine since November 2019, have publicly commented on the considerable improvement that has occurred with environmental and security matters at the mine since Barrick took over operational control.

In 2019 an external assessment was conducted by the independent assessment firm, Synergy Global Consulting (Synergy), who were appointed by the gold refinery MMTC-PAMP in conjunction with the London Bullion Market Association (LBMA) and their Responsible Sourcing Programme. Synergy's assessment included various interviews with North Mara Gold mine employees, community members, and with the RAID's London office.

In January and February 2022, Synergy conducted a follow up assessment at North Mara Gold Mine. This assessment included consultation with not only North Mara employees, but also community representatives, and other human rights and civil society organizations in the region and elsewhere in Tanzania. It should be noted that Synergy conducted external interviews independently, with no Barrick observers or translators involved.

In addition to Synergy's work, North Mara Gold Mine has invited local and national human rights and civil society organizations to undertake independent assessments at the Mine. International human rights experts, Avanzar LLC, completed a Human Rights Assessment and VPs training at North Mara Gold Mine over the course of 2020 and assisted in developing an Action Plan for continued Human Rights improvements at the mine.

### **RAID and Synergy**

Following Synergy's 2019 independent site assessment, RAID issued a [public statement in July 2020](#) making allegations that the assessment lacked independence, a lack of meetings with civil society

organizations and substantiated evidence. This published analysis culminated in both [Synergy](#) and [MMTC PAMP](#) issuing statements of their own reaffirming Synergy's independence, and providing a detailed explanation of Synergy's work and the process undertaken.

Considering therefore RAID's public statements of the unsatisfactory nature of Synergy and MMTC PAMP's site assessment in 2019 and the articles RAID subsequently published thereafter, it is unfortunate that RAID declined to participate after being invited to contribute to Synergy's February 2022 assessment.

### **Tanzania Police Force**

RAID's letter makes many factually incorrect references to "*Mine Police*" and deliberately misleading references to "*Police employed by the Mine*". No police officers are (or have been) employed by North Mara Gold Mine Limited. The roles and duties of the Tanzania Police Force are prescribed by law, are under the authority of the State and, according to the relevant legislation, the Tanzania Police Force's role is to preserve law and order within the community.

Should RAID continue to make such inferences, it would demonstrate RAID's intention to issue a statement in full knowledge that it was deliberately misleading.

RAID's letter infers collusion and likely inappropriate behavior between the North Mara Gold Mine Limited and the Tanzania Police Force; this is denied to the fullest extent possible – such inferences may be considered defamatory by North Mara Gold Mine Limited.

North Mara Gold Mine Limited does not (nor would it be expected to) control an independent police force which is an institution of State created and governed by legislation and the Tanzania Constitution. North Mara Gold Mine Limited does not supervise, direct or control any mission, assignment or function of the Tanzania Police Force. The Tanzania Police Force operates under its own chain of command and makes its own decisions on strategy to deal with incidences as one would expect from a police force - for RAID to suggest otherwise is both inaccurate and simply not true.

### **Allegations Raised by RAID**

RAID have highlighted in its letter incidences involving the local community and the Tanzania Police Force that occurred outside the perimeter of the North Mara Gold Mine.

Due to the ongoing litigation at the High Court of England and Wales concerning members of the local communities surrounding the North Mara Gold Mine who have made allegations against the Tanzania Police Force, it would not be appropriate to discuss any allegations raised by RAID outside of the English High Court proceedings. Accordingly, we do not intend to rectify here the many misleading statements and allegations in RAID's letter.

However, we would state that as with any other private company, North Mara Gold Mine Limited would not be expected to monitor or police the Tanzania Police Force when the Tanzania Police Force undertake their day-to-day policing activities outside of the perimeter of the Mine. Indeed, North Mara Gold Mine would not always be aware of what policing activities the Tanzania Police Force undertake in the local communities or elsewhere in region for that matter.

RAID makes mentions it holds evidence of alleged personal injuries involving the Tanzania Police Force yet has chosen to withhold and/or delay sharing that information with the appropriate prosecuting

authorities in Tanzania. It is our strong view that any corroborated evidence of wrongdoing by the Tanzania Police Force that RAID has access to, be passed to the Attorney General and the Director of Public Prosecutions of Tanzania as soon as possible.

### **RAIDs Intention to Publish**

I trust the above information provides RAID with the appropriate corrections to RAID's misleading statements, and a deeper understanding of the Tanzania Police Force's roles and responsibilities. Barrick is not able to comment on matters that are currently before the High Court of England and Wales or in relation to the Tanzania Police Force's actions outside the North Mara Gold Mine's perimeter or elsewhere in Tanzania.

I have also outlined our approach and commitment to Human Rights, which is evidenced through the results of several independent human rights assessments undertaken since 2019, the most recent of which RAID declined to participate. The North Mara Gold Mine continues to work to improve relationships with our host communities through increased accessibility and engagement and work with our local partners to be responsible stewards.

Finally, RAID should forthwith pass any substantiated evidence of personal injuries caused by the Tanzania Police Force in the local communities surrounding the North Mara Gold Mine to the proper public investigative and prosecution agencies in Tanzania so that these may be dealt with properly in the appropriate manner.

Yours Sincerely,



**Mark Bristow**

President and Chief Executive officer  
for and on behalf of  
BARRICK GOLD CORPORATION

14 February 2022

Mark Bristow  
President and CEO  
Barrick Gold Corporation  
TD Canada Trust Tower  
161 Bay Street, Suite 3700  
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M5J 2S1  
Canada

***Via Email***

Dear Mr Bristow,

**Re: North Mara Gold Mine**

We are writing to you about further human rights concerns at the North Mara Gold Mine in Tanzania. We plan to publish a report shortly based on our new findings and seek Barrick's comment and response to a number of questions.

As you know, RAID has closely monitored the human rights situation in North Mara since 2014. We repeatedly raised concerns with Acacia Mining, its predecessor Africa Barrick Gold, and with Barrick Gold (as majority shareholder), regarding the excessive use of force by Tanzanian police employed by the Mine against local residents which was resulting in an alarming number of deaths and injuries. When you took over as the CEO at Barrick, we reached out to you to discuss our concerns in more detail, proposing a meeting with you and your team.

Following Barrick's acquisition of the remaining shares in Acacia Mining in September 2019, which brought the North Mara Mine back under Barrick's direct operational control, we have continued to monitor the human rights situation. Since September 2019, RAID has conducted six research missions to North Mara, and interviewed dozens of local residents, local authorities, human rights defenders, village leaders, former and current security personnel, including police, and former Mine staff, amongst others. I'm afraid we continue to receive credible and disturbing reports of human rights abuses by police employed at the Mine. These are set out below.

We plan to publish a report based on our findings and seek Barrick's response to a number of questions which you will find attached. In the interests of balanced and fair reporting, we strive to reflect all relevant information in our research and publications. In addition to information in response to the questions raised, we would be happy to receive any other information you believe might be relevant. We can assure you that Barrick's response will be taken into account in our forthcoming publication. In light of our publishing schedule, we would be grateful to receive your response by 23 February 2022.

***Reports of human rights abuses***

RAID received credible reports of local residents being killed and others suffering serious injuries by police employed by the Mine since September 2019. These reports described the incidents set



out below. Please note that all references to the police are references to police officers employed by the Mine.

- In or around December 2019, a young man was shot and killed by Mine police around the tailings area near Nyabirama pit while complying with directions by the police to leave the area.
- In or around December 2019, a teenager was chased by Mine police into a pond, which had not been blocked off, around the tailings area near Nyabirama pit, where he drowned.
- In or around April 2021, a young man was injured by Mine police while on a road that runs along the Mine wall through Nyabichune village. The injuries are understood to have caused his death. Local residents told RAID that assaults and arbitrary arrests by Mine police along this road are common. Many say they have no choice but to use this road given the lack of alternative routes.
- In or around June 2021, a young man and woman on a motorcycle were deliberately struck by a Mine vehicle driven by the Mine police, causing them severe injuries.
- In or around July 2021, a young man was shot and killed as he was fleeing the Mine police outside the Mine gate by Nyabichune village. As part of the same incident, another young man was arrested and beaten by the Mine police, who subsequently detained him in a Mine vehicle, where he was subjected to further assaults and denied access to medical treatment.
- In or around September 2021, a young man was shot and injured by Mine police stationed at a Mine road. The young man was riding a motorcycle in Nyabichune village at the time.
- In or around December 2021, a young man was killed near Gokona pit after being struck in the head by a projectile, believed to be a sound bomb fired by Mine police.
- In or around December 2021, Mine police broke into the home of a Kewanja village resident and beat him.
- In or around December 2021, a young man was shot and injured by Mine police outside the wall enclosing Gokona pit.
- In or around December 2021, a young man was shot and injured by Mine police while walking along a road by the Mine wall that runs by Nyabichune village.

RAID was informed that several people had communicated with the Mine regarding some of the incidents. None of those interviewed were aware of any action taken by the Mine to provide remedy for the harm caused, or aware of a grievance mechanism at the Mine. In interviews conducted by RAID, local leaders and others are saying they are increasingly fearful to speak out against the Mine, in part due to closer ties between Barrick and the Tanzanian state. This is a marked change from RAID's previous research in the area.

In addition to the incidents described above, RAID also received reports of police from the Mine entering nearby communities, including Nyabichune and Kewanja, and breaking into homes without a warrant, in what appear to be deliberate attempts to harass and/or intimidate residents. They also described the police as arbitrarily arresting and beating residents, as well as firing teargas and live ammunition indiscriminately, including around children. For example, local residents reported Mine police firing teargas near children in late January 2022 and in early

February 2022 in or around Nyabichune village. On a previous occasion in or around 2017, a one-year-old girl was reportedly badly affected by teargas fired by the Mine police. She continues to suffer from the after-effects.

### ***Employment of Nguvu Moja***

While some of the reports of abuses we received date from shortly after Barrick resumed control of the Mine in September 2019, many relate to the last 12 months, coinciding with Barrick's appointment of Nguvu Moja as its security provider. RAID was told that Nguvu Moja have a more limited role in the provision of security than previous security providers at the Mine. We would be grateful to know if this is correct and have added this question to those set out below. If this is the case, has it been accompanied by an increased role for the Mine police? The reports we have received indicate there may be an expanded role for the Mine police in the security and related operations at the Mine. Considering the longstanding human rights concerns over the conduct and impunity of the police employed by the Mine, we find this troubling.

### ***Ongoing employment of police at the Mine***

As these reports indicate, the police's ongoing employment at the Mine continues to be central to many of the human rights-related concerns raised by local residents and leaders. Amongst other things, it is widely perceived to align the police with the Mine at the expense of local communities. Particularly given that victims of assault are generally required in Tanzania to obtain PF3 forms from the police, which are difficult to obtain if the police have perpetrated the assaults, it can also impede access to medical treatment.

RAID has also received reports that police employed at the Mine have been engaging in unlawful activities that include dangerous and reckless driving and ongoing, large-scale theft from the Mine, as well as soliciting payments for access to the Mine and its gold-bearing material. The theft is said to include fuel, food and gold-bearing material, amongst other things.

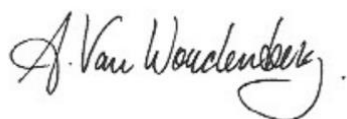
The theft of gold-bearing material is described as often involving collusion with Mine staff, financiers from outside the area, and frequently entails providing access for people from outside the Mine, including to underground and other high-value parts of the Mine. As you know, RAID has previously requested further information from Barrick regarding reports of one such incident, but understands that this practice is common.

### ***Intention to publish a report***

In light of our publishing schedule, we would be grateful to receive your response by 23 February 2022. Please send any information to RAID at [avw@raid-uk.org](mailto:avw@raid-uk.org) and if you require any further clarifications or have questions, please do not hesitate to contact me.

Thank you for your attention to this matter.

Yours sincerely,



Anneke Van Woudenberg  
Executive Director

# Questions from RAID to Barrick Gold

To: Barrick Gold

From: RAID

Date: 14 February 2022

Subject: Human rights concerns at North Mara Gold Mine (the “Mine”), Tanzania

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We would welcome responses to the following questions. Please note, references to Barrick should be read to include Twiga Minerals and North Mara Gold Mine Limited.

## ***Reports of human rights abuses***

1. What steps has Barrick taken to investigate the incidents described in our letter, what were its findings, and what remedy, if any, has been provided for any harm suffered?
2. Barrick’s 2021 Human Rights Report states that “There have been no new security-related incidents raised to group level in the two years since Barrick acquired the remaining minority interest in Acacia”. What reporting system does Barrick have in place to ensure that such incidents are raised to group level and how is it monitored and enforced?

## ***The Mine’s relationship with the police***

3. Barrick’s 2020 Sustainability Report states that actions since 2019 include “reviewing the relationship with the local police to establish clear boundaries”. What was included in the scope of the review, what issues were identified as requiring clear boundaries, and what measures did Barrick implement to establish them?
4. Barrick’s 2020 Sustainability Report states that “Police now only enter the mine site when requested by senior management to engage on criminal matters”. In what circumstances were police entering the mine site previously and how are they prevented from entering unless requested?
5. Barrick’s 2020 Sustainability Report states that “We also no longer keep ammunition stored on site”. Where is the ammunition now stored, what does it consist of, and how does Barrick ensure that it is used in a lawful manner?
6. Other than measures described in Barrick’s 2020 Sustainability Report, what changes has Barrick implemented in relation to the employment and operation of the police at the Mine?
7. How many discharges of live ammunition by the police have been recorded since Barrick assumed operational control?
8. What measures does Barrick have to ensure that those injured by police employed at the Mine receive prompt and appropriate medical treatment, and how are they monitored and enforced?
9. What measures does Barrick have to ensure that local residents can express themselves freely without facing reprisals should they be critical of the Mine or those in its employ?

### ***Theft by the police***

10. What steps has the Mine taken to prevent police soliciting payments for access to the Mine and/or police theft from the Mine, including in relation to gold-bearing material and colluding to bring people onto the Mine site?
11. Since Barrick resumed operational control of the Mine, what is the value of gold-bearing material and fuel it has lost due to police-related theft? And what was the value of gold-bearing material and fuel that was lost due to such theft during the period under Acacia Mining?

### ***Accountability of the police***

12. How many police officers have been removed from the Mine due to unlawful conduct since Barrick resumed control, and how many of those were for the use of excessive force?
13. Is Barrick aware of any police officers employed at the Mine being disciplined or prosecuted for unlawful conduct, including the use of excessive force? If so, please describe what the relevant unlawful conduct was and the nature of the discipline and outcome of the prosecution.

### ***Provision of security by Nguvu Moja***

14. Can you please describe the role of Nguvu Moja in provision of security at the Mine, and any differences from previous security providers?
15. Barrick's 2021 Human Rights Report states that "all weapons" were removed from "all sites in 2019". Does this mean that no Nguvu Moja or Mine staff are permitted to carry any weapons at or around the Mine?
16. If Barrick considers weapons unnecessary to secure the Mine, why does it continue to employ armed police?

### ***Grievance mechanism***

17. Barrick's 2021 Human Rights Report states that it has a grievance mechanism in place at the Mine, with grievances tracked on a monthly basis. Can you please provide a breakdown of the grievances received at the Mine since September 2019, including the number and nature of the grievance, how many resulted in remedy, and the remedy provided?
18. We would be grateful if Barrick could provide copies of the standard operating procedure and any other documents governing any grievance mechanism at the Mine.

### ***Public disclosure***

19. We would also be grateful if Barrick could provide the following materials, which we have been unable to find in your public facing materials:
  - a. Copies of the memoranda of understanding with the Tanzanian police that have been in place for the Mine since the version dated August 2014;
  - b. Copies of the human rights impact assessments conducted by Avanzar and of the full assessments conducted as part of the London Bullion Market Association

Responsible Sourcing Programme since November 2019, which are referenced in Barrick's 2020 Sustainability Report.



17 December 2021

Mark Bristow  
President and CEO  
Barrick Gold Corporation  
TD Canada Trust Tower  
161 Bay Street, Suite 3700  
Toronto, Ontario  
M5J 2S1  
Canada

***Via Email***

Dear Mr Bristow,

**Re: North Mara Gold Mine**

Thank you for your 6 December 2021 response to our letter concerning reports of individuals trapped underground at the North Mara Gold Mine (the Mine) in late 2020.

We wish to be helpful on this matter and are considering reaching out to Tanzanian authorities, as you have suggested. We would be grateful if you could provide contact details for those leading the respective investigations and/or task forces you mentioned in your letter so we can direct any concerns to the appropriate persons.

Before doing so, we would like to clarify several matters raised by your letter.

***Findings of investigations***

Your letter states that investigations by the Mine and Tanzanian authorities, including a Regional and District Security Committee, “did not locate any Tanzania residents who are not members of the mine’s personnel (as termed in your letter) at the Gokona underground mine”

Your letter further states that “day-to-day mining activities at the Gokona underground mine were suspended whilst the mine’s emergency team and the Tanzania authorities satisfied themselves following their systematic investigation underground, that there were no unauthorised individuals within the mine.”

These statements are not inconsistent with unauthorised individuals having been within the Mine previously, nor becoming trapped there for an extended period. We note in this regard that then Mara Regional Commissioner Adam Malima [confirmed](#) in April 2021 that an investigation had found that such individuals had previously been within the Mine. Specifically, he stated that an ongoing investigation “shows that there were people who entered and came out of the underground of the mine.”

As noted in our previous letter, Mr Malima publicly named five individuals suspected of financing the scheme, as well as two other suspects who were needed to complete the investigation. He

stated that these suspects were obliged to report to the Mara Regional Police Commander or the Police Commander of Tarime-Rorya before the police began searching for them, indicating there was an ongoing police investigation at that time.

As Regional Commissioner, Mr Malima must have been aware of at least the investigation by the Regional and District Security Committee; it may, in fact, have been the investigation on which he based his announcement.

To clarify what the investigations referenced in your letter encompassed and what conclusion were reached, could you please:

- 1) Provide the dates for: (a) when the respective investigations commenced and ended; (b) when the mining activities at the Gokona underground mine were suspended; and (c) when the systematic investigation underground occurred.
- 2) Confirm whether Barrick is aware of any information found as part of the investigations indicating that individuals had accessed an underground area of the Mine in December 2020 and/or January 2021 without prior, formal authorisation, as the Regional Commissioner's announcement indicates.

If Barrick is aware of such evidence, please also describe what the evidence was and what steps were taken on the basis of it.

- 3) Explain on what grounds the Mine "understands that the allegations of intrusion at the Gokona underground mine were merely rumours which is not supported by any credible evidence" when the Regional Commissioner's investigation concluded that people had accessed underground areas and that financing such conduct merited criminal investigation.
- 4) Provide the information that the police shared that led the Mine to conclude that an investigation at Gokona pit was warranted.

### ***Enquiries regarding missing persons***

Your letter refers to meeting with local communities and checking for missing persons reports.

*The Guardian's* January 2021 [article](#) referenced in our letter states that relatives of seven "missing men" who "fail[ed] to emerge from pits of North Mara Gold Mine" had notified the Office of the District Commissioner seeking help in finding them.

The article provides details from the relatives regarding the individuals and their entry to the Mine. It states that the seven individuals entered "the pits on December 5 to scavenge for gold ore and had not returned" and includes the names of six of the "missing men": Charles Mashiku, Nyagwisi Charles, Mnanka Werema, Mahiri Tereni, Matiko Merenga, and Isaka Kambarage. The Regional Commissioner's announcement also named Nyagwisi Charles Marwa as a suspect.

To clarify the evidence considered as part of the Mine's investigation, could you please:

- 5) Confirm whether Barrick investigated what happened to the individuals who were reported missing, and if so, describe the findings.
- 6) Explain what, if any, steps Barrick has taken as regards these seven individuals.

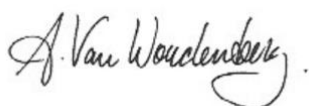
### ***Correcting statements***

Finally, you stated in your correspondence that RAID's "letter makes a number of inaccurate comments". We would greatly appreciate it if you could identify the statements that Barrick believes to be inaccurate and why. This is important for any constructive engagement we might seek with Tanzanian authorities on this matter.

We remain open to meet with you or your staff to further discuss these and other human rights concerns. We understand that a site visit to North Mara for civil society groups is due to be organised in early January 2022 and look forward to receiving more details about this. The visit would provide an opportunity for RAID personnel and other civil society groups to hear more about the human rights and other security policies that Barrick has been implementing at the mine.

Thank you so much for your attention to this matter. We look forward to hearing from you, and would be grateful to receive your response by 7 January 2021.

Yours sincerely,

A handwritten signature in black ink, reading "A. Van Woudenberg". The signature is written in a cursive style with a large, looping initial 'A'.

Anneke Van Woudenberg  
Executive Director

Cc: Martin Welsh, General Counsel, Africa and Middle East



Anneke Van Woudenberg  
Rights and Accountability in Development (RAID)  
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United Kingdom

6 December 2021

Dear Ms Van Woudenberg

## **North Mara Gold Mine**

I refer to your letter dated 25 November 2021 enquiring about the alleged intrusion of non-mining personnel from the surrounding communities at the Gokona underground mine earlier this year.

The Tanzania Police informed the North Mara management team that they had heard of rumours of 7 intruders had allegedly entered the Gokona underground mine. Following receipt of that information a number of thorough investigations of the Gokona underground mine were conducted by the North Mara management team, the specially formed District Commissioner's Task Force, the Regional and District Security Committee, the National Task Force (consisting of members from the President's Office, Director of Criminal Investigations, Ministry of Minerals, Mining Commission, and representatives from State security), and the Tanzania Police Force. Those investigations did not locate any Tanzania residents who are not members of the mine's personnel (as termed in your letter) at the Gokona underground mine.

The North Mara management team held various meetings with the local communities surrounding the mine, and checked for missing persons reports at local police stations. From its enquiries, the North Mara Gold Mine understands that the allegations of intrusion at the Gokona underground mine were merely rumours which is not supported by any credible evidence. This view is also held by the separate investigations undertaken by the Tanzania authorities.

Both the Barrick Gold Corporation Group and the North Mara management team took the allegations seriously, and day-to-day mining activities at the Gokona underground mine were suspended whilst the mine's emergency team and the Tanzania authorities satisfied themselves following their systematic investigation underground, that there were no unauthorised individuals within the mine.

Your letter makes a number of inaccurate comments, and is speculative in places. I do not intend to rectify those misleading statements instead, and what would be more productive, is for you or your colleagues in Tanzania to disclose to the Tanzania authorities any corroborated evidence you have obtained that is contrary from the conclusions of the investigations undertaken by North Mara Gold Mine, the District Commissioner Task Force, the Regional and District Security Committee, the National Task Force and the Tanzania Police Force. I would encourage you to do this as soon as possible. I and my team would also appreciate a copy of any report RAID may file.

To your last point, our position on discussing the London Bullion Market Association's independent investigation of the North Mara Gold Mine remains as set out in our letter of 30 July 2021. It would be inappropriate for Barrick Gold Corporation to comment on that investigation until it is completed, and the pending personal injury cases at the High Court of England and Wales are concluded.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'D. Bristow', with a stylized flourish at the end.

**Dr D Mark Bristow**  
President and Chief Executive Officer  
for and on behalf of  
BARRICK GOLD CORPORATION



25 November 2021

Mr. Mark Bristow  
President and CEO  
Barrick Gold Corporation  
TD Canada trust Tower  
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Toronto, Ontario  
M5J 2S1  
Canada

***Via Email***

Dear Mr. Bristow,

**Re: North Mara Gold Mine**

We are reaching out to you to request Barrick's response to a serious incident in which individuals became trapped underground at North Mara Gold Mine (the Mine). We hope you might be able to provide answers to a number of questions we have.

We have taken note from your letter of 30 July 2021 that Barrick wishes the UK High Court and the LBMA's processes to complete before meeting with RAID to discuss broader human rights issues, but we believe this incident at the Mine merits us reaching out to you.

From two research missions to the North Mara area and from local press reporting, we have learned there was a serious breach of security at the Mine a year ago in early December 2020. According to credible and well informed sources, we understand seven Tanzanian residents, who were not Mine employees, gained access to a secure underground area for the purpose of taking gold-bearing rock. According to our sources, the incident seems to have been well organized, with private financial backers and involvement of Mine personnel. Some of the individuals involved in the scheme may have been duped into participating, unaware of the specifics of where they were going or what they would be doing.

Sources we spoke to said the group of seven individuals were expected to remain hidden in the underground area of the Mine for several days to collect gold-bearing rock. However, while conducting their activities, the group of seven were trapped when the tunnel in which they were hiding collapsed following blasting at the Mine. According to information we received, they had little food and very limited supplies of water. In late January 2021, after approximately 40 days trapped underground, the group of seven finally emerged. They were covertly removed from the Mine premises by Mine personnel.

[Media](#) and [government](#) sources publicly reported on this extraordinary incident. On 23 January 2021 a [news article](#) reported seven were feared dead after "vanishing" in Mine pits. According to this report, the individuals entered the Mine on 5 December and had not been found. Also in January 2021, the Hon. Mwita Waitara, Member of Parliament for the Tarime Constituency, gave a [public address](#) in which he said that the government had received news of people believed to

be trapped at the Mine and had gone to the Mine to ensure that the individuals were found. In April 2021, the Regional Commissioner was reported as [saying](#) that while “no one is currently trapped underground...the investigation shows that there were people who entered and came out of the underground of the mine.” The Regional Commissioner named five individuals suspected of criminal conduct in funding the scheme.

We expect that an incident of this nature at a Barrick mining operation was alarming for you and your team, especially when Mine personnel may have colluded with those responsible for what appears to be criminal activity. What is especially concerning from our perspective is the length of time the group of seven were trapped underground and what, if any, action the Mine took to extract them. Notwithstanding the group’s intention or foreknowledge of this apparent illicit scheme, they managed to make it past the Mine’s security with assistance of Mine personnel and were on the Mine’s premises when they became trapped, which placed a duty of care upon the Mine.

During our research, credible sources also told us this was not the first incident of this nature and that organised crime between private financial backers and personnel employed by the Mine was not uncommon. Some reported that the Tanzanian police who guard the Mine under an arrangement with the Mine may play a role in such activities.

We have found no public reporting from Twiga Minerals or Barrick about this incident, either to the market or to local stakeholders. If such reporting does exist, do please let us know. We are also not aware of any information provided by the Mine to the relatives of those who were trapped during this long ordeal.

We would be grateful for clarification from Barrick on what occurred during the incident referred to above (see our questions attached). In addition to information in response to the questions raised, we would be happy to receive any other information you believe might be relevant. We would be grateful to receive your response by 3 December 2021 so we can take it into account alongside our consideration of other information we have received. The actions Barrick took during and after the incident will be reflected in any public reporting we may do on this incident.

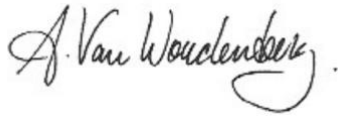
I also wish to take this opportunity to correct a misperception from your last correspondence to us. You said that RAID had noted “significant improvements” on how the Mine was responding to human rights concerns, but I’m afraid this is not accurate. We remain concerned about the human rights situation at North Mara, particularly as the Mine’s ongoing process to acquire local land and force residents to sell their homes appears to be exacerbating tensions. A recent [posting](#) by the Regional Commissioner refers to the use of the police to avoid delays in assessing the land to be acquired. Furthermore, according to our latest research, there is no functioning grievance mechanism at the Mine.

While my last email to you noted our understanding, based partly on Barrick’s public statements, that Barrick had “rolled-out a number of new policies and procedures on human rights, grievance mechanisms, security issues and other community related matters,” we have not yet seen the publication of the underlying documents or clear evidence of tangible improvements. Of course, we remain hopeful that such an outcome will be achieved.

In your 30 July 2021 letter to us, you referred to a site review being organised with MMTC-PAMP and the LBMA. We would be grateful to receive further details about this review, including what it will involve and when it is due to occur. We trust civil society groups (including RAID) and those harmed by the operations at North Mara will be given the opportunity to provide input, since without such contributions the review would risk being incomplete and partial.

We remain open to meet with you or your staff to further discuss these and other human rights concerns. I hope we may be able to do so in the near future. In the meantime, I look forward to your response to our questions.

Yours sincerely,



Anneke Van Woudenberg  
Executive Director

**Questions from RAID:**

Please note, references to Barrick should be read to include Twiga Minerals and North Mara Gold Mine Limited.

1. When did Barrick become aware that individuals may have been trapped within the Mine and what steps did it take in response?
2. Where in the Mine were the individuals trapped?
3. Did Barrick take steps to assist the individuals after they were trapped? If so, what steps did Barrick take?
4. What humanitarian or other assistance did Barrick provide to the seven trapped individuals once they emerged from underground? Please describe the assistance and when it was provided.
5. What steps did Barrick take to contact, liaise with and support the relatives of those trapped during and after the incident?
6. What measures has Barrick taken to investigate the incident and what were its findings?
7. Has Barrick taken steps to hold those in its employ accountable for involvement in the incident? If so, please describe these steps.
8. Is Barrick aware of any steps taken by Tanzanian authorities to hold those who organized the scheme to account?
9. Is Barrick aware whether police stationed at the Mine were involved in this scheme or other similar schemes in the past? If yes, what action was taken?
10. Has Barrick notified the market, the Tanzanian government, local communities or otherwise made a public statement regarding the incident?

North Mara Gold Mine

30 July 2021

Dear Mrs Van Woudenberg,

Thank you for your email of 13 July 2021. I am pleased that RAID has recognised the progress that North Mara Gold Mine Limited (North Mara) has made relating to the legacy social and environmental issues at the mine following Barrick Gold Corporation's (Barrick) acquisition of Acacia Mining plc (Acacia) in September 2019. Whilst significant improvements have been made through, as you note, new policies and procedures, an updated grievance mechanism and the establishment of a Community Development Committee, we do however recognise there is further work to be done and as such remain committed to continuing our community development and our local content programme in Tanzania.

As you well know, we have and remain engaged with the LBMA, through MMTC-PAMP, in fulfilling the review process that was requested by them based on allegations made through their Responsible Gold Guidance process. Barrick welcomed this independent review of North Mara and as such invited Synergy Global Consulting (Synergy) to conduct an independent third-party on-the-ground evidence-based assessment. The site visit took place in November 2019 only two months following the acquisition by Barrick of Acacia, however, we were confident that, even at this early stage, the review would recognise the actions North Mara had already taken as well as consider the plans we had developed, many in conjunction with the Government of Tanzania, that were still to be implemented.

The findings of this independent review were disclosed in an executive summary through the LBMA and the recommendation of the independent third-party assessment of North Mara (based on OECD Due Diligence Guidance and LBMA Responsible Gold Guidance) was that MMTC-PAMP continues trading with North Mara, whilst the focus continues on progressive improvement of the mitigation of and reporting on the identified risk areas.

I am pleased to note that since this independent review and report, Barrick has not only consistently reported progress against the recommended actions to the LBMA but the Sustainability Strategy for North Mara has continued to be implemented, which has focused on:

- **Partnering with our communities** - In the 23 years operating in emerging Africa, Randgold (which was subsequently merged with Barrick) built its license to operate on a commitment to economically empower our host countries and communities through a partnership model. This means that we invest in real partnerships with mutual responsibility. It is not always easy, but it is at the heart of our approach. This partnership is epitomised by our Community Development Committees or CDCs – and I am pleased to report that there is a fully functioning CDC at North Mara putting the community at the heart of the decision making process. To date we have implemented numerous community projects including the funding of 21 Agribusiness projects, building of schools and health clinics along with the upgrade of local and regional roads.
- **Sharing the benefits** - We hire and buy local wherever possible – this builds capacity, and keeps and injects money into the community. We have made significant progress at North Mara and in 2020 where we procured \$46,372,198 worth of goods and services from the region.
- **Engaging and listening to stakeholders** - We believe the most effective community engagement is managed and delivered at the local level. This was absent before Barrick acquired Acacia, and since then North Mara has worked tirelessly to communicate our vision to the communities and ensure they understand they are an important part of the future success of the operation. This engagement has also provided a forum for the resolution of long outstanding community grievances or to discuss the risks and opportunities linked to the mine

# BARRICK

in a fair and open manner. This has, in conjunction with the updated grievance mechanism, seen us resolve the majority of the 84 open grievances the mine had at the start of October 2019 after Barrick assumed Acacia and now stands at 19 open grievances, six of which were legacy, at the end of 2020.

We continue to engage with MMTC-PAMP and the LBMA on our progress and have suggested that a further independent site review take place to verify this progress. It is our understanding that the LBMA will release a summary of the findings thereafter.

It is also important to note that in January 2021, independent human rights consultants, Avanzar, visited North Mara to provide training to the mine's security forces and local police on human rights and the Voluntary Principles on Security and Human Rights and to conduct a human rights impact assessment. A summary of this assessment and others conducted for the group will be published in a separate Barrick Human Rights report due for release in the next few weeks.

You will be aware of a number of North Mara personal injury cases that are pending with the High Court of England and Wales. These alleged incidents occurred at the North Mara mine prior to our acquisition of Acacia. Shortly after the acquisition, in September 2019, we immediately met with the claimants' lawyers and in order to resolve the issue we agreed to let them instigate proceedings in the UK High Court, where an adjudication process can be managed by a competent authority. Based on these court proceedings and the LBMA's independent investigation that is currently occurring at North Mara, and considering RAID's stated public interest in both, we believe it is appropriate to allow these processes to run their course, with findings publically disclosed, before we meet with you and your team.

However, once the investigation is completed and the High Court cases resolved we would welcome the opportunity to discuss the mine's development with you.

Yours sincerely



Mark Bristow  
President and Chief Executive Officer

Delete Archive Report Reply Reply all Forward

### Meeting with RAID on North Mara



Anneke Van Woudenberg

Smiley, Reply, Reply all, Forward, More options

To: Bristow, Mark

Tue 7/13/2021 5:13 PM

Cc: + 2 others

Dear Mr. Bristow,

I am reaching out to request a meeting with you and/or your team to discuss the security and human rights situation at the North Mara mine in Tanzania.

We were in touch previously when Barrick was closing the Acacia transaction. At that time, Barrick was revisiting the CSR programmes and related issues around the mine site.

We understand that Barrick has since rolled-out a number of new policies and procedures on human rights, the grievance mechanism, security issues and other community related matters over the past year.

We would appreciate an opportunity to meet with you and/or your team working at North Mara mine to better understand the changes that Barrick has implemented.

Please do let us know when you and/or your team might be available over the coming weeks to meet virtually with us.

I look forward to hearing from you.

Best regards,

Anneke Van Woudenberg

Anneke Van Woudenberg  
Executive Director

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