

Porgera Joint Venture - Illegal “Mining”¹

Illegal mining is a complex and difficult issue to manage and one of the principal challenges of mining at Porgera, Papua New Guinea, a country where a relatively low standard of living is evident.

Illegal miners are people who evade PJV’s perimeter security and enter the mine property, or the Special Mining Lease (SML), without permission with the intention of stealing gold-bearing ore. Those involved in illegal mining are trespassers and are breaking the law.

This differs from artisanal and small-scale miners, who generate income from labor-intensive mining activities, based on either formal legal or informal mining rights. This type of mining activity uses limited technology and often involves traditional panning and sluicing methods to recover gold from creek beds, river benches and other locations. Barrick and PJV have an interest in a mutually respectful and peaceful coexistence with lawful artisanal and small-scale miners.

Conversely, illegal mining breaches the provisions of the following laws of PNG: the Mining Act, the Summary Offences Act, the Criminal Code and the laws governing the Porgera Joint Venture.

The Porgera gold mine is one of the largest resource projects in the country and the largest private sector employer in Enga province. The mine provides jobs for several thousand local people and generates substantial economic benefits for the area. The PJV employs 2,500 full-time employees and over 500 contractors. The mine’s economic contribution to PNG gross domestic product (GDP) is approximately 11 per cent. The mine has invested a total of approximately US\$60 million in health and social services, infrastructure and community development projects.

Porgera - An operation that attracts illegal miners

Since the mine commenced operation in 1990, there has been very significant in-migration to the Porgera Valley and an escalation in crime and violence. During this period, the population in the Valley has increased roughly from 5,000 to between 45,000 to 50,000 people today, with a large influx of migrants and squatters to Porgera from other areas of Enga, the Southern Highlands and beyond. Very few illegal miners are originally from the Porgera Valley.

Regular incursions by illegal miners into the open pit, the ore stockpiles and the waste areas at Porgera are common. Porgera employs a group of specially trained community relations officers who will approach the intruders and engage them in a non-threatening, non-violent way. During these interactions, they attempt to explain the dangers of illegal mining and the risks of accessing the pit with no appropriate safety measures in place and encourage them to leave the area peacefully.

In recent years, criminal behaviour in and around the mine has become much more aggressive and has often involved armed individuals. Frequently they enter the mine site in large groups prepared to come into direct conflict with security personnel, who are responsible for the safety of the mine and its employees.

On a daily basis, local police are faced with armed individuals illegally invading the mine to steal gold-bearing ore. The invaders may become the focus of law enforcement action but only as a result of their own decision to invade the Special Mining Lease area and pit.

Illegal Mining and Human Rights

The PJV strictly adheres to PNG law and is committed to upholding the Voluntary Principles on Security and Human Rights, the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials and the UN Code of Conduct for Law Enforcement Officials. Consistent with Barrick's security model, security personnel at Porgera receive training in and are required to operate based on the Voluntary Principles and to uphold PNG laws. In accordance with the Voluntary Principles, defensive force is to be used only as a last resort. Lethal force is only used when a life is at stake.

The PJV has facilitated human rights training for PNG mobile police squads, based on international human rights laws and the Voluntary Principles. This training initially involved the United Nations Development Program. In late 2007, PJV collaborated with the International Committee of the Red Cross (ICRC) on human rights training, engaging ICRC-accredited trainers and using an ICRC training module.

In 2008, the PNG police integrated formal human rights training as a part of its training programs for both the mobile squad and new recruits. As a result, the training program that had been previously facilitated by the PJV has become part of the curriculum at the PNG Bomana Police College and is used as a module for management courses. This training is delivered by ICRC-accredited instructors.

The PJV continues to advance the adoption and implementation of the Voluntary Principles in all relevant formal agreements with the Royal Papua New Guinea Constabulary.

Illegal Mining and Safety

Safe work practices are non-negotiable at Porgera. There are strict safety rules and procedures in place that minimize risk and ensure the safety of employees. This ranges from safety systems and practices governing work procedures to codes of conduct governing how employees are expected to conduct themselves to avoid harm, particularly while working in active mining areas where explosives and heavy equipment are used and seismic activity may be a factor.

The issue of illegal miners at Porgera relates directly to safety. Illegal miners are frequently unfamiliar with the significant risks associated with mining operations and the geological structures of the pit wall. As such, by entering unsafe areas of the mine and active mining areas, these individuals routinely put their own lives and the lives of employees at risk.

The design of the open pit at the operation and the unstable nature of some of its geological structures make the pit walls an extremely dangerous place for people who are untrained and unfamiliar with these surroundings. Despite this, some illegal miners still attempt to access the pit and the old underground mine workings via the sheer face of the pit wall. The risk of serious injury or death due to falling is extreme in this situation.

Communications and Information

Effective communications within the wider community is essential to building greater awareness and understanding of mining operations and the risks and dangers associated with trespass and illegal mining. The PJV engages in community-based public education campaigns on the unlawful nature and risks associated with illegal mining and trespassing. Community awareness programs are also aimed specifically at illegal miners to ensure that people trespassing on the mine site are aware that it is unlawful and dangerous to do so, and they could be injured or killed by rock falls, dangerous ground or heavy machinery.

Those who refuse to heed the warning and stop this activity are made aware that they may be apprehended by security personnel and prosecuted through the courts. Information is also given about large fines that can be imposed by the courts.

¹ The activities of intruders who invade the pit is not “mining” in any conventional sense. The intruders are simply collecting and removing – stealing – ore once it has been exposed by the blasting and mining activities of PJV.