

DAME Carol Anne KIDU, Dr (Hon)
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24 March 2013

Ms. Navanethem Pillay
UN High Commissioner for Human Rights
Office of the United Nations High Commissioner for Human Rights (OHCHR)
Palais Wilson
52 rue des Paquis
CH-1201 Geneva, Switzerland

Dear Commissioner Pillay:

I am a member of the review panel for the Porgera Remediation program that was put in place by Barrick Gold in response to the violence against and rapes of women by company security personnel. The review panel's task is to deliberate on any Appeals that are lodged against the decisions made by the Independent Expert (a former Chief Magistrate in Papua New Guinea). I am also involved in preparation of the community programming component of the reparation package that will follow the assessment of claims by individual victims.

In these capacities and as a human rights advocate myself, I am supportive of the program and believe that the approach adopted is a positive one that is appropriate given the complex nature of the issues and location.

Confidentiality for the victims has been paramount in the approach for the first stage of the program which is dealing with individual victims. The second stage is community engagement involving personal empowerment programs and human rights/women's rights community conversations. It appears that this has been interpreted as lack of transparency by outside observers. It was in fact the group of internal expert advisers at program design stage and the Claims Assessment Team (mature, highly experienced Papua New Guinean women) who insisted on confidentiality and opposed any media/public announcements at the commencement of the program by Barrick. This decision was made in consultation with women on the ground in Porgera.

The second stage is a community program involving personal empowerment programs and human rights/women's rights community conversations.

I am concerned that this matter is being treated as a publicity issue by people overseas who have limited understanding of the local context and have chosen to impose their interpretation of events on the ground. No-one in the Porgera Remediation Program team has ever claimed to have a perfect solution but everyone in the team has deep concern for the victims and their communities.

I fear that the strict legal response could result in the victims becoming pawns in other people's and organisation's agendas and the "culturally appropriate" response as also advocated by Mine Watch Canada contravenes evolving PNG Government policy and also the recommendations of the recent global Commission on the Status of Women (CSW) recommendations on gender based violence. In a "culturally appropriate" response the victims' rights are rarely paramount. Male relatives are often the beneficiaries.

I submit this statement because of my concern about Mine Watch Canada's letter to the United Nations High Commissioner for Human Rights.

CAROL KIDU DBE Dr (Hons)

Recipient 2012 Pacific Regional Rights Award
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