

[The following email was sent by Barrick on April 23, 2015 to a wide range of stakeholders advising them of the assessment process.]

Dear [name],

Barrick and the Porgera Joint Venture in Papua New Guinea are establishing an independent review to assess the *Olgeta Meri Igat Raits* Remedy Framework. This is consistent with our longstanding public commitment to do so, and following the recommendation of the United Nations Office of the High Commissioner for Human Rights (OHCHR). The information below provides background on the objectives, structure, and upcoming actions associated with this review.

Assessment Objectives

The Remedy Framework was designed to be aligned with the UN Guiding Principles on Business and Human Rights, which were about to be endorsed by the UN Human Rights Council when development of the Framework began in May 2011. Consistent with the OHCHR's recommendation, the primary objective of the independent review is to assess the Framework against the effectiveness criteria for non-judicial remedy mechanisms in Guiding Principle 31 and other relevant standards. As such, we hope the review will capture and share the many lessons we have learned throughout this multi-year process, providing a source of learning for us, companies, governments, civil society, and others, and insights into the impact that the program has had on claimants who have received remedies.

Assessment Process: Overseen by External Committee of Experts

The review for the Remedy Framework will be an independent process, overseen by a committee of recognized international experts in human rights, violence against women, and the resource sector (External Committee). The External Committee will operate independently of Barrick to review and comment on the assessment team's research methodology, the stakeholder engagement process, the conduct of the desk-based and onsite research, and a draft of the assessment team's report. The External Committee members are:

[Christopher Albin-Lackey](#), a senior researcher in Human Rights Watch's Business and Human Rights Program. Chris led Human Rights Watch's investigation of human rights impacts of the Porgera Gold Mine, and the report he prepared in 2011, "Gold's Costly Dividend", was a key moving force behind Barrick's decision to design and implement the Remedy Framework.

[Dahlia Saibil](#), a visiting professor at Osgoode Hall Law School in Canada, whose research focuses on the prevention of sexual exploitation in mining communities. She previously served in various capacities at UN Women, as a Programme Coordinator on the Gender Team of the UN Development Programme, and as a policy analyst and Crown prosecutor for sexual violence for the Ministry of the Attorney General of Ontario.

[Lelia Mooney](#), Director for Latin America and the Caribbean for Partners for Democratic Change. She also plays a leadership role in the American Bar Association (ABA) Section of International Law, represents Partners' on the Board of Directors of the Voluntary Principles on Security and Human Rights, and is the Editor of the ABA's "Promoting the Rule of Law: A Practitioner's Guide to Key Issues and Development." She has over twenty years of experience designing, managing and evaluating complex

governance, rule of law, gender and social inclusion, conflict management and transformation, resource governance and multi-stakeholder engagement projects across the globe.

We anticipate that under the External Committee’s guidance, the assessment will be structured to follow four stages:

1. *Planning and contextual research*: A review of relevant documents and stakeholder commentary relating to the Remedy Framework.
2. *International stakeholder engagement*: Interviews with Barrick personnel and international stakeholders—including those who have been critical of the Remedy Framework—to obtain their insights regarding, and understand their perspectives on, the Remedy Framework.
3. *Onsite stakeholder engagement*: A site visit to the Porgera Gold Mine and neighbouring communities to engage with local stakeholders regarding their experience with the Remedy Framework. The local stakeholders will include women who received remedies by participating in the Remedy Framework and those who did not receive remedies, did not know about the Remedy Framework, or chose not to access the Remedy Framework, local organizations, and individuals who participated in the oversight and implementation of the Remedy Framework. Specific protocols will be developed to ensure the informed consent and security of stakeholders in Papua New Guinea; suggestions of experts with stakeholder engagement experience at and around the Porgera Gold Mine will be incorporated into those protocols.
4. *Report development and finalization*: A public report analyzing the Remedy Framework. Barrick and the External Committee will each independently review and comment on the report. Final discretion over the report’s content will remain with the assessment team, in consultation with the External Committee.

Assessment Team Members

The assessment team consists of Enodo Rights’ Yousuf Aftab and Stephanie Garrett.

Among his recent activities, Yousuf has developed human rights guidance for the UN Global Compact’s Human Rights and Labour Working Group, advised UNICEF on practical implementation of the Children’s Rights and Business Principles, and developed human rights training for Canadian Business for Social Responsibility. He has previously served as counsel to UN Global Compact, the American Civil Liberties Union, and the government of Southern Sudan in constitutional negotiations. Yousuf also has experience assessing human rights and the rule of law as a law clerk at the Supreme Court of Canada.

Stephanie is an expert in stakeholder engagement and women’s rights, particularly in the resource sector. She has extensive experience engaging with women regarding rights impacts, including on behalf of the Organization of American States, the Government of Canada, and resource companies. Most recently, Stephanie led a team on behalf of UN Women to assess the policing and prosecution of sexual violence in Asia and the Pacific. The project entailed extensive engagement—including over 240 interviews—with international organizations; public officials from Thailand, Vietnam and India; and victims of sexual violence in each of these three countries. Stephanie led both the methodological assessment design and the stakeholder engagement processes. She previously worked for Canadian

Business for Social Responsibility and has a graduate degree in Gender and Development from Cambridge University.

Contact by Assessment Team

The research and assessment process is currently in its early stages. The assessment team also has begun contacting international stakeholders, and you may have received an e-mail from them (or soon will), seeking to obtain your perspective.

At this early stage, I wish to tell you about the process and invite you to share any comments or questions regarding the assessment scope and structure proposed above. Please feel free to reach out to the External Committee, the assessment team, or me at any point. (All relevant contact information is below.)

Yours sincerely,

Peter Sinclair
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