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Papua New Guinea: Forced Evictions and destruction of property by Police in Porgera must end

Amnesty International calls for immediate action to protect more than 1,000 people who have been left homeless after police officials in Papua New Guinea forcibly evicted them by burning down their homes.

On 27 April 2009 police officials burned down 50 houses within the Porgera mining area, owned and operated by Canadian-based Barrick Gold Corporation. More than 200 police had been sent to the area as part of an operation to deal with the law and order situation in Porgera District, Enga Province. The police alleged that people living in these homes were squatters responsible for illegal mining and other criminal activities. A further 300 houses of villagers living near the mine are also reported to have been burnt down as part of the same operations.

According to reports received by Amnesty International, these evictions were carried out in breach of international law, without giving prior and adequate notice, and without consultation with those affected. The families have not been provided with any alternative accommodation.

Papua New Guinea is under an obligation under international human rights standards to only carry out evictions as a last resort, and to explore all feasible alternatives to evictions to avoid or minimise the use of force. Forced evictions are recognised as a gross violation of human rights and should never be used as a punitive measure.

Moreover the company operating the mine and governments should abide by internationally recognised Voluntary Principles on Security and Human Rights that give clear guidance to both companies and governments about the use of security. Both the company responsible for the mine, Barrick, and the PNG government need to act on these standards and ensure the protection of people's human rights.

There are fears that more homes may be destroyed as Internal Security Minister Sani Rambai has reportedly attempted to extend the police deployment in the province for a longer period.

Amnesty International urges:

- The Royal Papua New Guinea Constabulary to immediately stop the forced eviction of people in the Porgera Valley and the destruction of their properties.
- The Papua New Guinea government to carry out a full and independent investigation into the forced evictions and the manner in which they were carried out and bring those responsible to justice. The authorities also need to ensure that all victims of the forced evictions receive adequate reparation, including adequate alternative accommodation and compensation.

- The PNG government to immediately ensure that all victims of forced evictions are provided with emergency relief including shelter, food, water and access to medical assistance.
- The PNG government and Barrick Gold Corporation to prioritise the needs of villagers within the mine area and work to ensure a fair process for relocation with appropriate and adequate compensation.
- The Canadian Government, which recently became engaged in the Voluntary Principles on Security and Human Rights, to insist that Barrick Gold Corporation implement those principles and assist the company to do so.
- Barrick Gold Corporation to apply the principles set out in the Voluntary Principles on Security and Human Rights.

Background

Forced evictions are evictions that are carried out without adequate notice or consultation with those affected, without legal safeguards and without assurances of adequate alternative accommodation. They are defined by the UN Committee on Economic, Social and Cultural Rights as “the permanent or temporary removal against their will of individuals, families and/or communities from the homes and/or land which they occupy, without the provision of, and access to, appropriate forms of legal or other protection. As a party to the International Covenant on Economic, Social and Cultural Rights and other international human rights treaties which prohibit forced eviction and related human rights violations, including the International Covenant on Civil and Political Rights (ICCPR), Papua New Guinea has an obligation to stop forced evictions and to protect the population from forced evictions.

Barrick Gold Corporation and Porgera

Barrick Gold Corporation is a Canadian mining company and the largest producer of gold in the world, with 27 mines in operation. Through its subsidiary, Barrick operates the Porgera gold mine in Papua New Guinea and owns 95% of the mine, which in 2008 produced 627,000 ounces of gold (gold prices averaged US\$871 per ounce in 2008). Barrick took over the Porgera mine in 2006 through the acquisition of the prior operator, Placer Dome.

There are a number of villages within the mine area, which covers some 2,350 hectares of land. The Porgera Landowners Association, which represents the approximately 10,000 indigenous residents living within the mine area, has called for a fair relocation process for the residents.

Many locals look for gold in the tailings, waste rock piles, or the open pit of the mine. Locals claim that they practiced alluvial gold mining before the mine operation began, that it was a legal and important source of income, and that they continue to mine due to poverty and lack of land for subsistence farming. The locals’ gold mining is considered illegal by Barrick, as it occurs within the company’s Special Mine Lease area. This tension has been the source of conflict at the mine site. Since commencing operation in 1990, the mine has been associated with several violent deaths. The mine has also been heavily criticised for the impacts of its environmental practices. On 30 January 2009, the Norwegian Government Pension Fund excluded Barrick from its investment portfolio for “causing severe environmental damages as a direct result of its operations”.

The Voluntary Principles on Security and Human Rights

The governments of the United States, the United Kingdom, the Netherlands and Norway, companies in the extractive and energy sectors ("Companies"), and non-governmental organizations ("NGOs"), all with an interest in human rights and corporate social responsibility, developed these

principles to guide companies in maintaining the safety and security of their operations within an operating framework that ensures respect for human rights and fundamental freedoms.

Since March 2009, the Canadian government has committed to promoting implementation of the Principles as part of the government's strategy for the Canadian extractive sector operating outside of Canada.

The Principles state that:

- Companies should use their influence to promote the following principles with public security: (b) force should be used only when strictly necessary and to an extent proportional to the threat; and (c) the rights of individuals should not be violated
- In cases where physical force is used by public security, such incidents should be reported to the appropriate authorities and to the Company. Where force is used, medical aid should be provided to injured persons, including to offenders.

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