



Australian National Contact Point
for the OECD Guidelines for Multinational Enterprises

Update

December 2021

Complaint by Human Rights Law Centre (on behalf of
affected individuals) regarding Rio Tinto

Published 22 December 2021

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UPDATE STATEMENT DECEMBER 2021

1. In September 2020, the Australian National Contact Point (**AusNCP**) received a complaint (**Complaint**) from the Human Rights Law Centre (on behalf of 156 villagers near the Panguna mine in Bougainville, Papua New Guinea) (**Notifiers**) regarding the mining company **Rio Tinto**. The Complaint concerns the OECD Guidelines and impacts arising from previous mining operations at the Panguna mine site, which Bougainville Copper Limited, a company that was majority owned by Rio Tinto, used to operate.
2. In the Complaint, the Notifiers identified concerns under the OECD Guidelines and sought three commitments from Rio Tinto, to (1) engage to help find solutions and undertake formal reconciliation as per Bougainvillean custom; (2) fund an independent environmental and human rights impact assessment and to develop recommendations to address these; and (3) contribute to a fund to help address harms caused by the mine and assist rehabilitation.
3. The AusNCP accepted the Complaint in and offered its good offices, under the OECD Guidelines, to facilitate the parties' engagement. Since November 2020, the parties have engaged through the AusNCP's good offices conciliation processes to help resolve the Complaint. The parties agreed to first focus on the environmental and human rights impact assessment, which can then inform the parties' engagement on the other aspects in the Complaint.
4. In July 2021, the parties agreed on preliminary processes and committees to progress work on the impacts concerning the Panguna mine, in an accountable and transparent way, and involving other stakeholders. Throughout the second half of 2021, the parties continued working with various stakeholders in Bougainville and Papua New Guinea, to establish a committee to oversee the impact assessment work. The committee held its first meeting in Buka at the offices of the Autonomous Bougainville Government on 30 November 2021 and will be meeting regularly as the impact assessment work progresses.
5. The AusNCP welcomes the progress made by the parties to date on the impact assessment of the Panguna mine. The AusNCP good offices process will continue, but with less frequent meetings, while the impact assessment phase is underway with the stakeholder committee on Bougainville.
6. The content of this statement was agreed with the parties and the AusNCP Independent Examiner. The statement is available on the AusNCP website at <https://ausncp.gov.au>.

7. Enquiries regarding the progress with the impact assessment of the Panguna mine should be directed to the parties' respective media contacts:

Human Rights Law Centre: Michelle Bennett M+61 419 100 519
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Rio Tinto: Jonathan Rose M +61 447 028 913; Matt Chambers M +61 433 525 739

Enquiries regarding AusNCP's Update Statement should be directed to the AusNCP Secretariat: Secretariat@ausncp.gov.au; telephone: +61 2 6263 2224.

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Independent Examiner

Australian National Contact Point for the OECD Guidelines for Multinational Enterprises