

# Update statement

Complaint submitted by

Human Rights Law Centre (on behalf of affected individuals)

against

Rio Tinto

13 December 2024

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1. This statement summarises recent developments in ongoing conciliation facilitated by the Australian National Contact Point for Responsible Business Conduct (AusNCP) between the Human Rights Law Centre (HRLC) and Rio Tinto. The conciliation arises from a complaint by HRLC, on behalf of affected individuals in Bougainville, Papua New Guinea, to the AusNCP against Rio Tinto about human rights and environmental impacts arising from the legacy of mining operations at the Panguna mine in Bougainville.
2. This is the fourth update statement by the AusNCP about the ongoing conciliation. Further details about the complaint and the parties' engagement are available in earlier AusNCP statements published in July 2021,<sup>1</sup> December 2021,<sup>2</sup> March 2023,<sup>3</sup> and an updated Initial Assessment in September 2023.<sup>4</sup>
3. On 6 December 2024, a Panguna Mine Legacy Impact Assessment Phase 1 Assessment Report (PMLIA) was published.<sup>5</sup> The PMLIA has been produced (through two years' independent assessment and analysis) as a result of negotiations and engagement between Bougainville community leaders, Rio Tinto, HRLC and other relevant stakeholders.
4. HRLC and Rio Tinto have each released public statements following the publication of the PMLIA.<sup>6</sup>
5. The AusNCP considers the PMLIA's publication an important milestone for the conciliation between the parties. As I have previously observed, the issues involved in this complaint and related processes are complex. The AusNCP commends the parties' constructive engagement on the issues raised. The parties' engagement has been robust, but courteous and constructive, and has involved other interests and actors where appropriate. This engagement has led to significant progress: agreeing the scope and terms of the PMLIA, establishing an oversight committee and secretariat, including multiple community representatives, arranging and resourcing the PMLIA, and assisting in the finalisation and dissemination of its report and both parties' efforts to ensure that the PMLIA process and final report remained independent.

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<sup>1</sup> Australian National Contact Point for Responsible Business Conduct (AusNCP), *Update July 2021 – Complaint by Human Rights Law Centre (on behalf of affected individuals) regarding Rio Tinto*, AusNCP, Australian Government, 2021, accessed 3 December 2024.

<sup>2</sup> AusNCP, *Update December 2021 – Complaint by Human Rights Law Centre (on behalf of affected individuals) regarding Rio Tinto*, AusNCP, Australian Government, 2021, accessed 3 December 2024.

<sup>3</sup> AusNCP, *Update March 2023 – Complaint by Human Rights Law Centre (on behalf of affected individuals) regarding Rio Tinto*, AusNCP, Australian Government, 2023, accessed 3 December 2024.

<sup>4</sup> AusNCP, *Initial Assessment – Complaint by Human Rights Law Centre (on behalf of affected individuals) regarding Rio Tinto*, AusNCP, Australian Government, 2023, accessed 3 December 2024.

<sup>5</sup> The full report (in English) and a summary (in English and Tok Pisin) are available on the Panguna Mine Environmental & Human Rights Impact Assessment - Oversight Committee Secretariat (PMLIA OC Secretariat) website: PMLIA OC Secretariat, 'Updates', PMLIA OC Secretariat website, n.d., accessed 6 December 2024.

<sup>6</sup> Rio Tinto, *Panguna Mine Legacy Impact Assessment report released* [media release], Rio Tinto website, 6 December 2024, accessed 8 December 2024.  
Human Rights Law Centre (HRLC), *Major environmental damage and human rights impacts to Bougainville communities confirmed by independent investigation into Rio Tinto's former Panguna mine* [media release], HRLC website, 6 December 2024, accessed 8 December 2024.

6. The AusNCP conciliation process continues and in 2025 is expected to cover other aspects of the complaint including questions about addressing impacts, rehabilitation, and reconciliation (as raised in the original complaint) consistent with the OECD Guidelines for Multinational Enterprises on Responsible Business Conduct (OECD Guidelines).
7. The AusNCP has made no determination on the merits of the complaint or assessed whether Rio Tinto's actions were consistent with the OECD Guidelines.
8. Before finalising this statement, comment was sought from the parties.
9. Enquiries regarding the PMLIA should be directed to the parties' media contacts:
  - 9.1 **HRLC:** Thomas Feng, Engagement Director, +61 431 285 275, [thomas.feng@hrlc.org.au](mailto:thomas.feng@hrlc.org.au)
  - 9.2 **Rio Tinto:** Matt Chambers, Media Relations, Australia, +61 433 525 739, [media.enquiries@riotinto.com](mailto:media.enquiries@riotinto.com)
10. Other enquiries regarding this update statement should be directed to the AusNCP Secretariat: [Secretariat@ausncp.gov.au](mailto:Secretariat@ausncp.gov.au); telephone: +61 2 6263 2224.
11. This statement is available on the AusNCP website at [ausncp.gov.au](https://ausncp.gov.au).

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