



Barrick Gold: killings and violence against local communities (Tanzania)

Sector: Gold mining

Issues: Right to life, violence and unlawful killings

The companies: **Barrick Gold** is one of the largest gold mining companies in the world. It is headquartered in Canada. **Barrick Tz Ltd** is a fully owned UK subsidiary of Barrick Gold. Barrick Tz, previously known as Acacia Mining, operates three mines in Tanzania and is the country's largest gold producer.¹ One of these mines is the North Mara mine, located in the Tarime district.

Affected rights holders: The **Kurya** or **Kuria** people are the majority ethnic group of Tarime district.² Before the arrival of the mine, they lived on agriculture, livestock and artisanal mining. For the development of the mine, some of the Kurya people were forced to sell their land below value. Others who were able to remain were cut off from their traditional farming land or suffered from the environmental impacts of mining due to insufficient buffer zones between residential areas and mine property.³

Details:

In 2020, ten Tanzanians brought a claim against Barrick Tz Ltd to the UK High Court for serious human rights violations by security forces and the local police at the North Mara mine.⁴ The local Tanzanian police force has a written agreement with the mine to provide security in and around the mine in exchange for payment, equipment and accommodation. Together with the mine's own security guards, they have allegedly been responsible for the deaths of at least 77 people and wounding another 304 since 2006.⁵

The claim alleges three killings and multiple assaults through beatings and shootings by the security forces and police. One of these instances occurred when some of the claimants were gathered around the body of a nine year old girl who was crushed in a road accident with a mine vehicle. The crowd was dispersed by security forces and/or the police allegedly opening fire without warning.⁶

In 2022, a total of 21 Tanzanian claimants also filed a case against the parent company Barrick Gold in Canada. Moreover, in 2022 a claim was filed in the High Court in London against the London Bullion Market Association (LBMA), which certifies gold as free from human rights abuses, for wrongly certifying the North Mara gold mine. Both cases are ongoing.⁷

How could a UK Business, Human Rights and Environment Act have made a difference?

In our assessment, under a UK Business, Human Rights and Environment Act, Barrick Tz Ltd would have been obliged to ensure that both private guards and public forces employed or contracted to provide security at the North Mara mine acted in full compliance with international human rights standards. This includes those relating to security and human rights. This would have included clear contractual clauses making respect for human rights a condition for the provision of security services, effective monitoring and complaints mechanisms, and severe consequences for non-compliance, including termination of the agreement.

While the legal action is ongoing and liability is yet to be determined, in our view, the UK Business, Human Rights and Environment Act could have facilitated access to justice for the Kurya claimants. Once they proved the harm, the onus would have been placed on Barrick Tz to demonstrate that it met its duty to prevent. Under the UK law, it is possible that a court might have also considered criminal liability.

Endnotes

- 1 Dun & Bradstreet (accessed 23 January 2023), "[Barrick Tz Limited](#)".
- 2 Raid (13 December 2022), "[Barrick's Tanzania gold mine one of the deadliest in Africa](#)".
- 3 Raid (13 December 2022).
- 4 Raid (10 February 2020), "[Tanzanian Victims Commence Legal Action in UK against Barrick](#)"; Raid (14 August 2020), "[More Tanzanian human rights victims join UK legal action against Barrick](#)".
- 5 Raid (13 December 2022).
- 6 Raid (10 February 2020).
- 7 Leigh Day (13 December 2022), "[Legal claim launched against London Bullion Market Association following the deaths of two artisanal miners](#)".
- 8 BAT (2022), "[Annual Report and Form 20-F 2021](#)" 9; Imperial Brands (2022), "[Annual Report and Accounts 2021](#)" 72.