

Newmont says it is not to blame for death of girl close to Indonesian mine

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MANADO, Indonesia (AP) - An American executive said Friday pollutants from his company's gold mine had nothing to do with a baby's death after the tearful mother showed a court a photo of the girl covered with red scales.

Richard Ness, along with his company -- the local unit of Denver-based Newmont Mining Corp. -- are accused of allowing a gold mine to dump toxins into a bay on Indonesia's Sulawesi Island, causing villagers to develop skin diseases and other illnesses.

The trial is being closely watched by business leaders, who say a guilty verdict could set back Indonesia's foreign investment climate, and environmentalists eager to see if the government will crack down on a multinational company accused of pollution.

Ness faces up to 10 years in prison and the company a \$68,000 fine if convicted.

Musna, a 40-year-old woman who lived near the now-shuttered mine, showed the Manado District Court a photo of her baby Andini covered from head to toe with red scales. She said the child died in July 2004 at the age of five months.

Neither Musna nor prosecutors specified Andini's cause of death -- nor did they attempt to link her illness to the mine. It is not uncommon for prosecutors, severely underpaid in Indonesia, to bring people to the stand without first determining if they are suitable witnesses.

"As a father, I can feel your suffering, but I personally don't see any connection with our tailings," Ness told the court, using the technical term for mine waste.

Newmont stopped mining on Sulawesi two years ago after extracting all the gold it could. But it continued processing ore until August 2004, when the mine was permanently shut.

Last week, three villagers living close to the mine testified they had suffered from lumps and dizziness among other complaints. They also did not link their illnesses to Newmont's mine.

Prosecutor Purwanto declined to answer when asked whether medical experts planned to testify at the trial, and insisted that the charges against the company were strong.

"It all depends on what element of the indictment you are looking at," he said, without elaborating.

The trial in the North Sulawesi capital of Manado, 1,300 miles northeast of Jakarta, could take several weeks and will be a battle over conflicting test results.

The World Health Organization and an initial Environment Ministry report found Buyat Bay to be unpolluted, and a government study released in May found that traces of heavy metals in villagers living close to the mine were within normal levels.

The prosecution will present a police report showing the levels of mercury and arsenic are well beyond national standards.

Newmont has argued that the police investigation into the case was flawed and that there was no evidence of pollution or that villagers became ill.