

**STATEMENT OF P.T. NEWMONT MINAHASA RAYA
REGARDING SOUTH JAKARTA DISTRICT COURT RULING**

15 November, 2005

Jakarta, Indonesia - 15 November, 2005 - A panel of judges in South Jakarta District Court today ruled favorably for P.T. Newmont Minahasa Raya (PTNMR) in the civil case brought by the Indonesian Government. The ruling stated that the Court did not have jurisdiction to rule on the dispute and that the dispute should be addressed through conciliation or arbitration as stipulated in the Contract of Work between the Government and PTNMR.

"We are pleased that the judges recognized and enforced the Government's commitment to us to resolve disputes as agreed in PTNMR's Contract of Work," said Robert Gallagher, Vice President Indonesia Operations. "We look forward to engaging the Government in dialogue rather than defending ourselves against litigation. It is also a positive sign that the rule of law was followed, which will give potential investors in Indonesia confidence that their contracts will be honored."

"We have consistently maintained that the dispute should be resolved through dialogue and, if necessary, conciliation or arbitration, as outlined in our existing Contract of Work with the Government of Indonesia," said Richard Ness, President Director, PTNMR. "It is a good day, but the criminal charges against the company and me remain. In the criminal case before the Manado District Court, we will show that PTNMR our operations did not harm the area around the mine and the health of those in the local communities was not adversely affected."

The Ministry of Environment's civil claim was originally filed in March 2005, relying upon a report it prepared in November of 2004, alleging environmental pollution of Buyat Bay and seeking over US\$130 million in damages. In contrast after a thorough review by the University of Sam Ratulangi of 34 scientific research papers, the overwhelming body of evidence shows that no environmental pollution occurred. The Government has the right to appeal today's Court decision.