

Judge orders waters allegedly polluted by U.S. miner in Indonesia to be tested

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MANADO, Indonesia (AP) - Judges at the trial of a U.S. gold mining company and its top executive accused of dumping tons of toxic waste into an Indonesian bay on Friday ordered the water to be retested later this month.

The local unit of Denver-based Newmont Mining Corp. applauded the decision which it said would help prove its innocence.

"We are happy about this, we don't have anything to worry about," said spokesman Ruby Purnomo.

Newmont's top executive in Indonesia, American Richard Ness, and his company are being held jointly responsible for the alleged dumping of mercury-laced toxins into a bay on Sulawesi Island that prosecutors say caused villagers to develop skin diseases and other illnesses.

Various studies on the water in the bay and the sediment on the sea bed have produced conflicting results. Newmont denies dumping pollutants into the bay.

Judge Ridwan Damanik said two independent companies had been commissioned to carry out fresh tests on July 28. If the results are significantly different, a third round of tests by another company will be held, he said.

Damanik said both sides in the trial, which began last month, could use the results as evidence.

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 could be fined up to US\$68,000 (euro55,855) if convicted.

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 closed.

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