

Statement by Buyat Plaintiffs

BUYAT RESIDENTS YET TO SETTLE WITH NEWMONT

Ask LBH Kesehatan to Clarify Settlement Agreement Memo

Jakarta. On 5 January 2004, the South Jakarta State Court stated that a settlement of the civil suit (No 586/Pdt.G/2004 PN.Jaksel) between Rasit Rahmat, Masna Stirman, and Juhria Ratumbahe, the three Buyat Bay plaintiffs, against PT Newmont Minahasa Raya (NMR) had been reached.

The announcement of the settlement agreement was only witnessed by the plaintiffs' lawyer, the Legal Aid Institute for Health (LBH Kesehatan), and Newmont's lawyer, Luhut MP Pangaribuan, **without the plaintiffs' attendance.**

The South Jakarta State Court's statement surprised Buyat residents, especially the three plaintiffs, as they had never asked LBHK to make a settlement with Newmont under the conditions stated in the settlement agreement memo. The settlement agreement memo does not reflect the plaintiffs' wishes.

"We never asked LBHK to arrange settlement with Newmont in such conditions, so what was the reason they did so? We've been cheated," said Rasit Rahmat, one of the plaintiffs.

On 20 December 2004, the plaintiffs attended a meeting with LBHK in Manado, North Sulawesi. At the meeting, they agreed to meet again on 5 January 2005 and continue discussions amongst themselves about a settlement.

On 28 December 2004, a statement was released by Newmont saying that the plaintiffs had withdrawn their suit against Newmont and admitted that their allegations linking Newmont's tailings to their health were unreliable. On 31 December 2004, the plaintiffs sent a letter to the Court asking for a delay of the settlement process.

"We never withdrew our suit against Newmont and we never declared our allegation about Newmont isn't reliable," said Masna Strirman, the mother of baby Andini who died several months ago.

"We just want to ask LBHK to be transparent and provide an explanation as to why they have made such a settlement without our approval. They have to disclose the deal because they are not answering our phone calls clearly," stressed Masna.

Juhria Ratumbahe stated, "I'm afraid that we're being cheated because Newmont has now dropped its defamation suit against Iskandar Sitorus [plaintiffs' lawyer], meaning that we who suffer from sickness have again been victimized for other peoples' interests."