

# BIODIVERSITY ADVISORY PANEL (BAP)

**Subject: Respond to ARRC Statement regarding concerns over impacts on the Tapanuli orangutan and its habitat of the mining activities at the Martabe Gold Mine in Indonesia**

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4 April 2024

To whom it may concerns.

Considering recent ARRC's statement<sup>1</sup>, dated 28<sup>th</sup> March, regarding Martabe gold mine project in which some references were made to and against Biodiversity Advisory Panel (BAP), in a good faith, BAP needs to clarify several points below:

- BAP was established in 2021 and its functionalities has since evolved in response to changing situation including inability of ARRC to carry-out its intended role because of regulatory restrictions. It should be a top priority for conservation community globally to ensure Martabe gold mine is implementing biodiversity-protection best practices at any time in the presence of an overseeing body with sufficient and relevant knowledge and experience to the issues at hand. As a group of national scientists, we are being advantaged by having greater access to the information available and to do the works in relevant sites of concern which are nonexistence to ARRC. This asymmetry is of course unfortunate and we're hopeful for improvement, but it will be unwise to put our focus and resources to things we cannot fully control amidst pressing issue of orangutans and biodiversity conservation.
- We noted ARRC's doubt about our independence and its accusation of conflict of interest. It is unfortunate but understandable given our nature of interaction between BAP and ARRC.
  - On *independence*, PTAR and BAP have published a joint statement<sup>2</sup> emphasizing the importance of BAP's autonomy as the basis of engagement. In it, PTAR guarantees our freedom of speech and right to make public any disagreement between BAP and PTAR in relations with BAP's recommendation regarding specific development proposal. In our view this is not just empty words as evidenced by the recent avoidance of more than 100 hectares of area which was originally designed as tailings management facility. Size-wise, it is the equivalent reduction of more than 10 percent of total life-of-mine footprint. That is significant but seems to be underappreciated, including by ARRC. Through exactly similar impact assessment processes, supported by detailed orangutans and vegetation surveys as well as clear understanding of method proposed exploration activity, we concluded that the proposed development was low impact and agreed for TUA exploration program to commence conditional to PTAR adherence to agreed risk mitigation implementation. For clarity, we have not agreed on any further mining activity and shall maintain this status quo until future scientific understanding and availability of mitigation actions may support the alternative.
  - On *conflict of interest*, separation of issues is in order. As previously mentioned, roles of BAP have evolved since its initial engagement. In its initial peer review role, we reviewed relevant documents available in PTAR data room published by PTAR and its consultants over the years of the mine operation, including the original Hatfield report which was part of the AMDAL, critical habitat assessment and numerous flora and fauna surveys. BAP did

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<sup>1</sup> [https://www.arrctaskforce.org/files/ugd/74ba36\\_8cd3d28252d0498c9437aa9ad762b4ca.pdf](https://www.arrctaskforce.org/files/ugd/74ba36_8cd3d28252d0498c9437aa9ad762b4ca.pdf)

<sup>2</sup> [https://agincourtresources.com/wp-content/uploads/2023/04/BAP\\_SOI\\_30JAN2023\\_revised-2nd.pdf](https://agincourtresources.com/wp-content/uploads/2023/04/BAP_SOI_30JAN2023_revised-2nd.pdf)

not review its own data. During the process, we identified the need to do a confirmatory and independent transects survey to which PTAR agreed. Because of resourcing and logistic challenge post pandemic, BAP agreed to task one of its member to manage the survey work but exclude her, by way of Chinese wall mechanism, from subsequent review work of this particular data. Eventually, BAP found no fatal flaw in PTAR and its consultants works.

From this point forward, the role of BAP has been slightly adjusted to be part of adaptive, collaborative governance system in continuous risk identification and mitigation process of Martabe gold mine. However, it retains its main function as independent external body of experts and maintains its independency to PTAR. Regarding conservation programs, including offset, BAP doesn't act as the doer but as an independent peer reviewer of works carried out by PTAR and/or its consultants.

It is saddening that ARRC, composed of fellow scientists and some of whom we do know in person, to think that we are willing to trade our decades of dedication in scientific community, credentials, and credibility with less than \$1,000 per month per person of consulting fee. We are not that cheap. Most of us are faculty member of respectable universities in Indonesia adhering to a set of professional and ethical code of conduct. We do take different stances toward various proposed conservation programs, including splitting view among BAP members about whether or not the offset project is a good idea. However, it is reckless and disheartening to accuse us without evidence that any BAP member is benefiting and has vested interest in any PTAR's conservation program just because his/her support to a particular conservation program. This false accusation can have a lasting personal impact, including reputational damage, to any BAP member and punishable by most national laws (for example, Section 300 of the Canadian criminal code: "Everyone who publishes a defamatory libel that he knows is false is guilty of an indictable offence and liable to imprisonment for a term not exceeding five years").

Above all, we in BAP do really care, professionally and personally, about survival of both orangutans and Batangtoru ecosystem. They are essential part of global ecosystem and need to be preserved. However, in doing so, it is important to approach the issue with care by taking into account different perspectives and positions of stakeholders involved holistically to formulate and implement effective solution. Predicting project impacts on biodiversity and ecosystem services over the long term is complex and warrants implementation of adaptive management where mitigation and management measures are responsive to changing conditions and the results of monitoring throughout the project's lifecycle. We are part of the system that is working exactly like that. This is an open system and we are hopeful that ARRC soon be part of this collaborative effort.



Dr. Suci Atmoko



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