

Media statement attributed to Nevsun, provided to Human Rights Watch on March 4, 2020

Feb. 28, 2020 – Nevsun Resources Ltd. (“Nevsun”) of Vancouver advises that the Supreme Court of Canada today dismissed Nevsun’s appeal of an earlier decision by the British Columbia Court of Appeal regarding litigation against Nevsun by three Eritrean plaintiffs.

In its judgment, the Supreme Court of Canada determined that the plaintiffs’ claims may continue. The question of whether the plaintiffs may sue Nevsun for breach of customary international law has not been finally decided, and will be determined by the trial judge.

Nevsun now expects that a trial of the plaintiffs’ claims and those of other similar claimants will proceed in the Supreme Court of British Columbia in September 2021. Nevsun denies the allegations made by all of the plaintiffs and intends to vigorously defend itself in court.

Nevsun commented that no court has made any findings with respect to the merits of the plaintiffs’ allegations. The Supreme Court of Canada’s judgment does not affect an earlier decision by the Supreme Court of British Columbia that the plaintiffs’ cases may not continue as a common law class action.

Nevsun expects its indirect Eritrean subsidiary Bisha Mining Share Company (“BMSC”), which is 45% owned by the Eritrean National Mining Corporation, will continue to operate the Bisha Mine according to high standards of governance, workplace conditions, health, safety and proper protection of human rights.

There are contractual commitments in place that strictly prohibit the use of national service employees by BMSC’s contractors and subcontractors. BMSC is committed to managing the Bisha Mine in a safe and responsible manner that respects the interests of local communities, workers, stakeholders and the natural environment.

Nevsun does not intend to comment further on the judgment.