

November 29, 2023

Dr. Liu Jincheng
Chairman, EVE Energy
No. 38, Huifeng 7th Road
Zhongkai Hi-Tech Zone
HuiZhou, Guangdong
China

SENT VIA EMAIL AND REGULAR MAIL

RE: Summary of findings for upcoming report on the environmental and human rights impacts of the nickel industry in Indonesia

Dear Dr. Liu Jincheng,

I am writing on behalf of Climate Rights International, a U.S.-based NGO that conducts research and advocacy on the human rights dimensions of the climate crisis. For the past several months, we have been carrying out research for a report that we plan to publish on the human and environmental impacts associated with nickel mining and smelting at and near the Indonesia Weda Bay Industrial Park (IWIP).

Based on more than forty interviews with community members, our research finds that nickel mining in Central and East Halmahera, North Maluku and nickel smelting at IWIP are threatening the rights of local people, harming the local environment, and contributing to the climate crisis. Community members told Climate Rights International that their lands have been taken by nickel companies, they were not able to fairly negotiate land sales, and Indigenous Peoples have been denied their legal right to Free, Prior, and Informed Consent (FPIC). In addition, pollution from industrial activities is threatening critical freshwater resources and the ecosystems that people depend on for their traditional livelihoods. Despite claims that nickel from this project is needed to power the electric vehicle transition, massive deforestation and coal use at IWIP are directly contributing to the climate crisis, making this project a climate bomb.

It is our understanding that EVE Energy holds a 17 percent stake in the PT Huayu Nickel Cobalt project at IWIP.

We want to ensure that our report accurately reflects the views, policies, and practices of relevant authorities and companies, and we hope that you or your representatives will respond to the following questions, outlined below. Any responses will be reflected in our reporting as appropriate, and we may publish your responses at our discretion and when appropriate, either in full or in part.

Questions:

1. Please provide a timeline on the permitting and construction of the nickel cobalt plant at IWIP? Is the PT Huayu Nickel Cobalt project currently operational? If yes, when did the plant begin operations?
2. Please provide underlying documentation for the PT Huayu Nickel Cobalt project at IWIP, including building permits, environmental and social impact studies, and other related documents.
3. Does EVE Energy use nickel smelted at IWIP in its electric vehicle batteries? If yes, what percentage of the nickel used in EVE electric vehicle batteries comes from IWIP?
4. What electric vehicle companies does EVE Energy supply with nickel? What electric vehicle companies does EVE Energy supply with batteries? Please provide a full list of electric vehicle companies to which EVE Energy currently supplies nickel and/or batteries, and the quantities provided to each company.
5. It is our understanding that EVE Energy's due diligence policy states that the company will not participate in or benefit from activities that do not have the free, prior and informed consent of local and indigenous peoples. What, if any, due diligence has EVE Energy undertaken to determine whether Indigenous Peoples living near IWIP and nearby mining concessions have given their free, prior and informed consent to activities affecting their land and livelihoods? If you have undertaken due diligence, what was the outcome of that due diligence?
6. What steps does EVE Energy take to investigate and respond to allegations of human rights or environmental abuses related to its activities?
7. What steps, if any, has EVE Energy taken to investigate potential human rights or environmental harms that may result from the PT Huayu Nickel Cobalt project at IWIP?
8. How will EVE Energy ensure that the PT Huayu Nickel Cobalt project at IWIP does not contribute to environmental and/or human harm, including water and air pollution?

Please provide your responses in writing. Your responses can only be considered for inclusion in our report if we receive them by December 20, 2023. Please reply in English at [REDACTED] copying [REDACTED]. In addition, please include any other materials, statistics, and/or information you think may be relevant.

I would also welcome the opportunity to speak with you or your representatives. Please let me know if you have any questions or if you would like to arrange a meeting or video conference.

Sincerely,

Brad Adams



Executive Director, Climate Rights International

