

November 30, 2023

Prof. Ir. Tutuka Ariadji, Director General
Ministry of Energy and Mineral Resources
Ibnu Sutowo Building, Jl. HR. Rasuna Said Kav. B5
Kuningan, South Jakarta, 12910
Indonesia

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 Prof. Ir. Tutuka Ariadji,

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 illegally 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 from nickel mining and coal use at IWIP are directly contributing to the climate crisis, making this project a climate bomb.

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 in the Ministry of Energy and Mineral Resources 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. How does the Ministry of Energy and Mineral Resources vet and assess the environmental and social impact assessments of mining projects? What specific factors does the Ministry consider in its assessment? Does the Ministry work with the Ministry of Environment and Forestry or any other government agencies to assess the environmental and social impact of mining projects? If so, please elaborate.

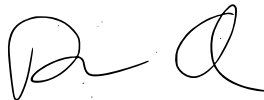
2. Has the Ministry denied any mining permits on the grounds of potential environmental or human harms? If yes, please explain.
3. How does the Ministry monitor mining companies' activities?
4. What steps does the Ministry take when it receives allegations that a mining company has harmed human rights or the environment or violated environmental laws?
5. Does the Ministry carry out public hearings as part of the licensing process for all mines? If not, what factors dictate whether or not the Ministry holds public hearings? What steps does the Ministry take to ensure meetings regarding mining licenses are accessible for members of the public, including mining-impacted communities?
6. What steps is the Ministry taking to combat climate change?

Please provide your responses in writing. Your responses can only be considered for inclusion in our report if we receive them by December 21, 2023. Please reply in English or Bahasa Indonesia at [REDACTED], copying [REDACTED]. In addition, please include any other materials, statistics, and/or information you think may be relevant.

I 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

[REDACTED]