

November 30, 2023

Fachruddin Tukuboya
North Maluku Provincial Environmental Agency
Jl. Raya 40 Balbar
Sofifi 97852
Indonesia

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

Dear Mr. Fachruddin Tukuboya,

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 for 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 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. It is our understanding that the North Maluku Provincial Environmental Agency (the “Agency”) issued a letter on September 4, 2023, recommending that five mining companies (PT Weda Bay Nickel, PT Halmahera Sukses Mineral, PT Tekindo Energi, PT First Pacific Mining, and PT Karunia Sagea Mineral) halt operations due to concerns regarding water pollution of the Sagea River. Could you please provide a copy of the letter?

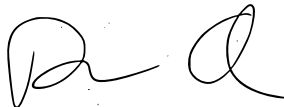
2. It is our understanding that, on September 6, the Agency stated that the pollution was not indeed related to mining based on its preliminary findings. Can you please provide the data and evidence on which you based this finding? Has there been a final report of findings? If so, please share that information.
3. It is our understanding that that the Sagea River and Bokimaruru cave in Central Halmahera have been frequently polluted with sediment since at least July 2023, particularly after rain events. What is the Agency's assessment of the cause of this increased pollution?
4. How has the Agency engaged with local residents and groups regarding concerns over pollution of the Sagea River? If so, how has it engaged them? Has the agency held public meetings? Please elaborate.
5. What steps does the Agency take when it receives allegations that a mining company has harmed the environment or violated environmental laws?
6. What steps does the Agency take to monitor environmental pollution, including air and water quality data? Does the Agency monitor air and water quality in Central and East Halmahera? If so, where specifically in Halmahera are air and water quality monitors located? Please provide any air and water quality data available.
7. If the Agency monitors air and water quality, does it make the data available to those who might be affected? How does it share that information?

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]