

November 29, 2023

Mr. Xiang Binghe

PT Weda Bay Nickel

Sopo Del Office Tower A, Lt. 21, Jl. Mega Kuningan Barat III Lot. 10.1-6, Kota Adm.

Jakarta Selatan, Provinsi DKI Jakarta, Kode Pos: 12950

Indonesia

CC: Mr. Pierre Noyer

PT Weda Bay Nickel (Eramet Group)

Sopo Del Office Tower A, Lt. 21, Jl. Mega Kuningan Barat III Lot. 10.1-6, Kota Adm.

Jakarta Selatan, Provinsi DKI Jakarta, Kode Pos: 12950

Indonesia

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

Dear Mr Xiang Binghe and Mr. Pierre Noyer,

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.

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**

Environmental Impacts

1. It is our understanding that the size of the PT WBN mining concession has changed since PT WBN's initial environmental impact assessment was approved in 2009. Has PT WBN submitted an addendum to its environmental impact statement? Please provide the original environmental impact statement and any addendums the company has submitted.
2. Does PT WBN collect air and water quality data? If yes, is that data made publicly available? If yes, how is it made available? Please provide the results of any air and water quality data you have compiled relating to mining concessions in Central and East Halmahera.
3. It is our understanding that the North Maluku Provincial Environmental Agency issued a letter on September 4, 2023, recommending that PT WBN halt its operations due to concerns regarding water pollution of the Sagea River. Has PT WBN halted its operations? If not, why not?
4. How does PT WBN process its mining waste, including tailings? What steps does PT WBN take to ensure that its mining activities do not harm freshwater resources.
5. Does PT WBN have climate adaptation plans, including plans to adapt to sea level rise and extreme weather events? If so, please elaborate.
6. Please describe the process by which WBN sold or transferred part of its mining concession in Central Halmahera to IWIP for the development of the 5,000-hectare industrial park. When did this land sale occur? How much did IWIP pay for the lands previously held by IWIP?

#### Human Rights Concerns

7. Is all nickel mined by PT WBN transported to IWIP for processing? If not, what percentage of nickel mined by PT WBN is processed at IWIP?
8. What companies purchase nickel ore from PT WBN?
9. Did PT WBN obtain full Free, Prior, and Informed Consent (FPIC) from indigenous communities from which it acquired land? If yes, please provide documentation, including (1) how PT WBN consulted with the communities; (2) the information provided to the communities about the purpose of the acquisition; and (3) the consent, if any, that was given.
10. Please describe the process of acquiring land in the PT WBN mining concession. Did PT WBN hold public meetings with local communities about the proposed project? If so, please provide information about the dates, locations, and attendance of those meetings. In addition, please detail the information provided to communities at those meetings.

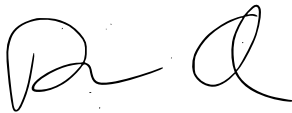
11. How was the price for land determined? Did PT WBN offer a flat rate, or did it negotiate with those occupying the land? Please provide a list of land purchased and prices paid.
12. It is our understanding that some community members have not received compensation from PT WBN for their lands. What steps has PT WBN taken to ensure that it is fairly compensating all landowners, including Indigenous Peoples for their customary lands?

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 or Bahasa Indonesia 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

[REDACTED]