



28 March 2023

Dear Mr Barton and Mr Stausholm,

Ahead of the Rio Tinto plc AGM on 6 April, we take this opportunity to once again raise our ongoing concerns about the current and potential impacts of your QMM operation in Madagascar, the Jadar lithium project in Serbia and the Resolution Copper Project in the USA.

QMM, Madagascar

Andrew Lees Trust and Publish What You Pay Madagascar make the following points.

Independent Studies shared with Rio Tinto since 2019 have raised the issue of elevated uranium and lead in waters downstream of the QMM mine in southern Madagascar. Despite further studies and analysis shared in 2020, 2021 and 2022, multiple exchanges and meetings with Rio Tinto personnel – including with the company's CEO and the Chief Executive of Minerals, there is still no resolution on the issue of contamination of local waterways around the QMM mine.

Rio Tinto acknowledged in 2022 that QMM's "natural" water management system is not working. According to Rio Tinto, the company has been seeking long term solutions to its process wastewater problems since 2020, when it determined that levels of cadmium and aluminium exceeded the Malagasy statutory limits for discharge and the mine risked non-compliance. At that time, due to drought conditions, QMM was able to advance a strategy to cease all discharge of its mine process wastewater into the environment. That strategy failed, as we predicted it would, as soon as cyclones and heavy rains arrived in 2022.

The JBS&G study states clearly that it does not include assessment of heavy metals or other pollutants of concern. QMM has yet to share its water and fish data from 2022 following the two tailings dam failures and release of a million cubic metres of mine basin water – despite repeated requests to do so. Pre-mining water data released finally by QMM last year, after four years of denying such baseline data exists, contradicts Rio Tinto's claim that elevated uranium downstream of the mine is all "naturally occurring".

These important discussions on water quality have stalled, despite the urgency to resolve outstanding concerns about the 2022 QMM tailings dam failures, dead fish, the fishing ban and months of conflict. As we speak, the process of compensation for losses attached to the fishing ban and beyond have caused considerable concern with reports of QMM's violation of human rights and failure to meet international standards.

We received reports that, during negotiations, local people were subject to confidentiality clauses – *essentially gagging orders* – to prevent them from discussing the QMM proposals outside of the talks with QMM. By doing so, QMM denied them access to seek

third party counsel for the negotiations, as is their right. This failure is most especially egregious as it is our understanding that Rio Tinto unequivocally accepted the Juukan Gorge inquiry in 2020 that criticised and made recommendations to Rio Tinto to cease placing such confidentiality clauses on Traditional Owners, recognising they reinforced power asymmetry and actively undermined rights to Free Prior and Informed Consent.

As well as reports of coercion and intimidation around the compensation process, we have also heard that QMM has imposed a “Zone Rouge” on rivers and lakes around the mine, e.g., Lake Besaroy, Lake Ambavarano, and the Mandromondromotra River. QMM staff told villagers they may no longer use these waterways. There is no explanation, and certainly no legality to these imposed restrictions.

We remind Rio Tinto that, at the highest level, we were promised that transparency and change around QMM social practices would be assured. So far, we have yet to see evidence of such. The lack of access to the promised Intersafe report on the tailings dam failures of 2022; lack of accountability around the grievance and compensation process currently underway; lack of pre-requisite supports and observance of entitlements to local people during recent negotiations, and the arbitrary imposition of constraints on access to natural resources are unacceptable.

We are demanding fully independent audits of QMM’s compensation process, the QMM tailings dam failures and water quality issues, which are related to QMM management of its mine tailings and mining basin. Also, an audit of the compensation and grievance processes QMM has been applying. We ask that these audits be subject to inclusion from and corroboration with agreed community and CSO representatives to ensure they are appropriate, thorough, just, and that they will ensure full disclosure, transparency and accountability. Also, that Rio Tinto commits to **righting any wrongs** and making reparation for any negative outcomes of QMM’s actions that may be identified through such audits.

Jadar lithium project, Serbia

Earth Thrive makes the following points

The key permits underpinning the project were revoked in January 2022. One of the key reasons was distrust in the company’s good intentions. Since then, the company has behind the scenes continued to engage in the process of land acquisition, lobbying with the EU officials, international and domestic politicians. Recently, your subcontractor Bechtel has started operating in the villages in Jadar Valley.

It is extremely hard to see how these activities - performed without disclosure or public information - can increase confidence in the company.

Rio Tinto claims to have made a high number of environmental studies, but over 20 years you have been present in our communities, you have not presented these studies for independent public scrutiny. There is no trust left in your science. At a two-day scientific conference organised by the Serbian Academy of Sciences and Arts in 2021, at which, among others, the Rio Tinto’s experts had the chance to present the project, (ko je odlučio/komitet za zaštitu ŽS?) the relevant Academy’s Committees jointly concluded that the project would “lead to a significant disruption of biodiversity”, “complete and direct habitats degradation”, and “permanent usurpation of agricultural production”, recommending that the project be abandoned.

The company compliments itself on “working with the Jadar Museum in Loznica to conduct protective archaeological excavations” of the significant Bronze age site of Paulje in the planned project area. The reality is that they just simply followed what the Law on Cultural Goods dictates, which is to finance such excavations.

Rio Tinto claims to have organised a number of meetings with civil society and the local community. This was however one-way communication, it was not “dialogue,” as shown by the fact that it took place only at the very late stage of permitting, and after critical voices were raised.

There has not been transparent and honest communication from Rio Tinto from the beginning of their operations.

Rio Tinto is overall one of the top greenhouse gas emitting companies that have significantly contributed to the warming up of our planet. You are not taking sufficient responsibility and action on your historical and present direct and associated emissions, as well as impacts of these on people, flora and fauna. With the Jadar project and your other activities you plan to directly facilitate, and profit from, putting millions of vehicles more on the roads with unforeseeable consequences to living beings the world over. This is far from the genuine and just climate action the world needs.

The project is being proposed as part of climate mitigation, with lithium and borates lauded as ‘critical raw materials’; however, this is profoundly contradictory, since extraction of jadarite would imperil access to most critical energy flows, on which living beings depend daily: grains, vegetables, fruits, water, soil... Jadar is one of the most agriculturally fertile and hydrologically rich regions in Serbia, and as such it will be central for livelihoods and survival in this century of rising temperatures and changing climate and disastrous biodiversity impacts - again, existential threats primarily caused by extractive industries.

Grounded in our commitment to protect Nature and the well-being of local communities, and because we do not trust you, we have only one demand: leave jadarite in the ground and abandon your operations in Jadar.

Resolution Copper, Arizona, USA

The Arizona Mining Reform Coalition makes the following points.

Our demand remains the same as it has since your first mine plan nearly ten years ago: just leave!

Our exhaustive review of the mine plan shows that you will not be able to mine at Oak Flat without completely destroying Oak Flat, a sacred recreational and ecological haven on public land open to all. Furthermore, you have a track record of destruction that has followed you around the world and a track record of serious problems with your block cave operations worldwide. As your proposed Resolution Copper project would be the deepest block cave mine ever attempted with abundant hot 185-degree water [85 degrees Celsius] and would require extensive pipeline, power line and other facilities spread across 45 miles [72 kilometres] of (in most cases) rugged desert terrain, your mine would fail.

Arizona is in the 23rd year of continuous drought and experts show this is the worst drought we have faced in 1,200 years. Predictions show the drought will mostly likely deepen. As a result, there is simply not enough water for our communities and the environment and for your dubious proposal. Arizonans have said clearly that water is

more important than copper, especially since there are numerous other sources of copper available in Arizona that would not destroy another 16,000 acres [6475 hectares] of precious and sacred habitat and use as much water as a city of 160,000 people..

You claim to be preparing a feasibility study to determine whether the Resolution Copper proposal is viable. Until that feasibility study is complete and shown by independent experts to be unbiased, you must stop all activities to move forward with privatizing Oak Flat.

In light of your promises to respect the will of Native Americans and local folks, and especially in light of your promises to never again destroy another Native American sacred site, you have no choice but to abandon the project. To date, instead of honouring your word, your company has consistently bullied local communities and Tribes to get your way. This is not acceptable. We have clearly said no more times than we can count, and we wonder why you cannot understand that no means no!

For the good of Rio Tinto's reputation, the financial well-being of your shareholders and our local communities, you should save us all a lot of time, money, resources, and aggravation, and decide now to abandon the project.

Attendance at the Rio Tinto plc AGM

Our organisations will be represented at the London AGM on 6 April, and we have limited ourselves in this letter to the projects about which we plan to speak. But we work closely with others who have concerns about Rio Tinto's operations in many other parts of the world. The company has spent a great deal of energy since the Juukan Gorge disaster to tell the world how Rio Tinto has been humbled and changed for the better. How it is rebuilding trust, repairing relations and listening more carefully to the concerns of its 'stakeholders'. The reported 'gagging' orders placed on Malagasy villagers around the QMM compensation process, the lack of transparency with Jadar communities in Serbia, and the complete disregard of promises to never again destroy a sacred site with the Oak Flat proposal, all suggest that Rio Tinto has far from begun to change its past behaviours. Dialogue without real action and measurable change is empty. When are you going to act?

Sincerely,

Andrew Lees Trust
Arizona Mining Reform Coalition
Earth Thrive
London Mining Network
Publish What You Pay Madagascar.