

Rio Tinto response to Business & Human Rights Resource Centre

The Business & Human Rights Resource Centre invited Rio Tinto to respond to concerns raised in the following items:

- "Rio Tinto attacked from all sides", London Mining Network, 16 Apr 2009
<http://londonminingnetwork.org/2009/04/rio-tinto-attacked-from-all-sides/>
- Letter to Rio Tinto, Susan J. LaFernier, Vice President Keweenaw Bay Indian Community, 9 Apr 2009
- "Rio Tinto in Colombia: joint venture in destruction?"; London Mining Network, Apr 2009

06 May 2009

We thank the Business & Human Rights Resource Centre for the opportunity to respond to concerns raised by the London Mining Network and the Keweenaw Bay Indian Community in the items above.

Rio Tinto's relationships with communities involve consultation to open new facilities, to run existing ones and to close them safely and responsibly at the end of their productive lives. Wherever we operate we seek to understand the social, environmental and economic implications of our activities, both for the local community and for the overall economy.

Murindó copper project

The Murindó copper project in Colombia is managed and operated by Muriel Mining Corporation. Rio Tinto has an option to joint venture with Muriel Mining Corporation. Rio Tinto is not currently conducting its own exploration in Colombia and maintains a limited presence in country.

Eagle mine project

In December 2007, following many years of exploration activities, Rio Tinto announced the investment of US\$300 million in the development of Eagle, a high-grade nickel and copper mine in the upper peninsula of Michigan, US. The Eagle mine project is managed by wholly owned Rio Tinto business unit Kennecott Eagle Minerals Company, based in Ishpeming, Michigan, about 20 miles south of the mine project. Michigan's Upper Peninsula is home to other ongoing mining operations, and is a historic and storied mining region, with many communities built around their mining heritages.

It is estimated that the construction of the Eagle mine will take two years, followed by eight years of operations, and two years of reclamation activities. The mine is expected to create up to 180 predominantly local, full time jobs. The local workforce has substantial mining, engineering, and geologic sciences experience, a direct result of a longstanding mining industry. As such, the Eagle mine project has received strong interest for employment opportunities from many throughout the area.

All required state environmental permits to construct the mine have been received. Legal challenges to the issued permits were filed in December 2007. Two of the four challenges have been resolved in favour of the state regulatory departments without appeal. The decision for the outstanding challenges is pending.

Community relations

Rio Tinto has earned significant community support for the Eagle mine project over the last five years. Notably, this support has been demonstrated by townships near the mine, as well as other organisations, passing resolutions welcoming Kennecott Eagle Minerals Company, their families and contractors to their communities to live and work. A coalition of six counties has enacted

support resolutions, written letters of support and has testified at public hearings in support of the project.

There has also been opposition to the mine from some local organisations. In the interest of transparency, Kennecott Eagle Minerals Company established a Community Advisory Group, comprising of approximately 20 representatives from business, civic, governmental and environmental backgrounds, in 2004.

Community outreach

The Eagle project team began engaging the community in dialogue years in advance of the company's announcement of the intention to build a mine. The Eagle project team remains committed to open and solutions-oriented engagement focused on ensuring the mine project, and related business interests, are developed, conducted, and as appropriate, closed in tune with the long term social, economic and environmental interests of the community.

The Keweenaw Bay Indian Community, whose reservation is located approximately 30 miles west/northeast of the mine area, has voiced opposition to the mine and is a participant in legal challenges to the permitting required for its construction.

Rio Tinto respects the diversity of opinion to both mining and to this project. Listening carefully to a range of perspectives enables the Eagle project team to better understand the needs and priorities of the community, and take these into account in their planning.

With respect to native cultural heritage at the mine project, a comprehensive cultural heritage assessment, as required by law, and as appropriate to the area's strong native heritage, has been conducted.

The Eagle project director has reached out to the Keweenaw Bay Indian Community several times to establish a relationship and dialogue conducive to ensuring accurate information exchange, and the building of a longer term relationship. Outreach and invitations to meaningfully discuss the Keweenaw Bay Indian Community's concerns were extended in 2004 and 2005 until the Keweenaw Bay Indian Community advised the Eagle project team by letter that the organisation did not wish to continue with further discussions.

The Keweenaw Bay Indian Community was invited to participate as a member of the project's Community Advisory Group at the outset, but declined the invitation.

Rio Tinto's approach to human rights

Rio Tinto actively supports human rights in a manner consistent with the United Nations' Universal Declaration of Human Rights. Our commitment is reflected in our statement of business practice *The way we work* and our complementary guidance documents on Human Rights and Business Integrity.

Rio Tinto was involved in developing the Voluntary Principles on Security and Human Rights, together with the governments of the United States, the United Kingdom, Norway and the Netherlands; other companies operating in the extractive and energy sectors; and non-government organisations. We have supported these principles since their announcement in 2000. We are also a founding member of the United Nations Global Compact, a voluntary initiative for businesses that are committed to aligning their operations and strategies with ten universally accepted principles in the areas of human rights, labour, the environment and anti-corruption.

Business partners, such as associate companies or joint ventures where we do not have operating responsibility, as well as principal contractors, suppliers and others with whom we have a substantial involvement, are expected to maintain high standards themselves.

We inform them of Rio Tinto's principles and policies and work with them where appropriate to support their adoption of policies consistent with our own.

We will continue to invite representatives from the London Mining Network and the Keweenaw Bay Indian Community, and we extend an invitation to other interested stakeholders such as the Cedar Tree Institute (Michigan), to meet directly with those involved in the projects regarding concerns identified in the items above. Our offer to establish dialogue with the Keweenaw Bay Indian Community and North Woods Wilderness Recovery to discuss concerns regarding the technical design, and corresponding safety aspects, of the Eagle mine project remains.

We welcome open and constructive dialogue with all stakeholders and gratefully receive all comments and feedback.

[The Way We Work](#)

[Human Rights guidance](#)

[Business Integrity guidance](#)

[Communities policy](#)

[Sustainable Development Review 2008](#)

[Rio Tinto and the United Nations Global Compact](#)

[Voluntary Principles on Security and Human Rights](#)

[United Nations Global Compact](#)

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