

Boliden’s Indigenous People commitment

Boliden’s vision is to be the most climate friendly and respected metal provider in the world.

Respected and responsible mining companies engage with the communities where they operate, building strong relationships based on trust.

A large proportion of the focus areas for Boliden operations from exploration, project development to operations are located within areas like Sapmi the land area where the Sami and reindeer herding has specific rights. Access to land is of crucial importance to both mining and reindeer husbandry.

Boliden is committed to:

1. Engage with potentially impacted Indigenous Peoples with the objectives of: (i) ensuring that the development of mining and metals projects fosters respect for the rights, interests, aspirations, culture and natural resource-based livelihoods of Indigenous Peoples; (ii) designing projects to avoid adverse impacts and minimizing, managing or compensating for unavoidable residual impacts; and (iii) ensuring sustainable benefits and opportunities for Indigenous Peoples through the development of mining and metals projects.
2. Understand and respect the rights, interests and perspectives of Indigenous Peoples regarding a project and its potential impacts. Social and environmental impact assessments or other social baseline analyses will be undertaken to identify those who may be impacted by a project as well as the nature and extent of potential impacts on Indigenous Peoples and any other potentially impacted communities. The conduct of such studies should be participatory and inclusive.
3. Agree on appropriate engagement and consultation processes with potentially impacted Indigenous Peoples and relevant government authorities as early as possible during project planning, to ensure the meaningful participation of Indigenous Peoples in decision making. Where required, support should be provided to build community capacity for good faith negotiation on an equitable basis. These processes should strive to be consistent with Indigenous Peoples’ decision-making processes and reflect internationally accepted human rights, and be commensurate with the scale of the potential impacts and vulnerability of impacted communities. The processes should be documented in a plan that identifies representatives of potentially impacted indigenous communities and government, agreed consultation processes and protocols, reciprocal responsibilities of parties to the engagement process and agreed avenues of recourse in the event of disagreements or impasses occurring (see commitment 6 below).
4. Work to obtain the consent of indigenous communities for new projects (and changes to existing projects) that are located on lands traditionally owned by or under customary use of Indigenous Peoples and are likely to have significant adverse impacts on Indigenous Peoples, including where relocation of Indigenous Peoples and/or significant adverse impacts on critical cultural heritage are likely to occur. Consent processes should focus on reaching agreement on the basis for which a project (or changes to existing projects) should proceed. These processes should neither confer veto rights to individuals or subgroups nor require unanimous support from potentially impacted Indigenous Peoples (unless legally mandated). Consent processes should not require companies to agree to aspects not under their control.
5. Collaborate with the responsible authorities to achieve outcomes consistent with the commitments in this position statement, in situations where government is responsible for managing Indigenous Peoples’ interests in a way that limits company involvement. Where a host government requires members to follow processes that have been designed to achieve the outcomes sought through this position statement, Boliden will not establish any parallel processes.

Developer	Title	Valid from
Klas Nilsson	Indigenous People Commitment	2021-12-13
Approved by	Doc. no.	Organization
Mikael Staffas	POLY-45345-v. 1.0	Boliden Group/ Group Corporate Responsibility/ / /

6. Address the likelihood that differences of opinion will arise, which in some cases may lead to setbacks or delays in reaching a negotiated agreement in good faith. Companies and potentially impacted indigenous communities should agree on reasonable tests or avenues of recourse at the outset, to be applied where differences of opinion arise. Where commitment 4 applies and consent is not forthcoming despite the best efforts of all parties, in balancing the rights and interests of Indigenous Peoples with the wider population, government might determine that a project should proceed and specify the conditions that should apply. In such circumstances, Boliden will determine whether the company should remain involved with the project.

The commitments do not apply retrospectively, that is, to projects that had already been approved, or had started approvals and permitting processes at the time of the adoption of this commitment. Further to the commitments above, Boliden also commits operations not be incompatible with the outstanding universal value of World Heritage properties and do not put the integrity of these properties at risk.

Boliden will achieve these ambitions by:

Applying the mitigation hierarchy to address adverse impacts and deliver sustainable benefits for Indigenous Peoples. This means first to seek to anticipate and avoid negative impacts, then minimize, and as a last resort compensate and offset. It is also Boliden’s intention, when possible, to conduct reclamation after mine closure in a way that makes other land usage possible.

Work to understand and respect the rights, interests and perspectives of Indigenous Peoples. Our ambition is for constructive relationships between mining and metals companies and Indigenous Peoples that are based on mutual respect, meaningful engagement, trust and mutual benefit.

In order to find ways for the mining industry and Indigenous Peoples to co-exist in the long run, the mining industry is keen to pursue knowledge development and dialogue to provide the right framework and conditions for such co-existence. The possibilities for the remediation of former mining areas so that they may once more serve as for example functional reindeer husbandry areas is also a crucial matter within this context

Boliden commits to adopt and apply engagement and consultation processes that ensure the meaningful participation of indigenous communities in decision making, through a process that is consistent with their traditional decision-making processes and is based on good faith negotiation.

The FPIC principle can be implemented in a number of different ways. No clear legal definition exists and the interpretations used across different sectors and in different parts of the world vary. Even within Sweden and the mining industry, there is a need for different companies and Sámi villages to find ways to work towards compliance with this principle. Beyond those definitions which are most widely accepted internationally (not reproduced here), Boliden also makes the following fundamental interpretations:

- The subject which requires consultation is a land project or a project which may have an impact on reindeer husbandry which is more than just temporary (extent and time).
- When needed, consultations can be more extensive and exhaustive than what is expected from Chapter 6 of the Swedish Environmental Code. It is important to listen to traditional Sámi knowledge.
- The term free means that the consultation must not entail any financial or resource burden for the Sámi villages concerned. Compensation should be paid out in order to recompense for participation in the consultation. Additional compensation, however, must not be paid.
- Consultation should occur at as early a stage as possible, although not so early that they relate only to early ideas which may not be further developed. Contact with the Sámi village concerned

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should ordinarily be made before consultation documents are sent out; cf. Chapter 6 of the Swedish Environmental Code.

- Investigations in the project should, insofar as possible and to the extent required, highlight which aspects are relevant to the Sámi village concerned. Representatives of the Sámi village can, to this effect, be engaged as needed in projects so as to undertake such investigations.
- Throughout the entire planning process, assessments should be made continuously regarding the project's anticipated impact on reindeer husbandry by the Sámi village in relation to the significance of the project to the company and wider society.
- An agreement must be sought with the Sámi village concerned regarding the actual consequences, potential measures to minimize the impact and relevant compensation so that such an agreement may then, in turn, be used as a basis for consent.
- In the case that no joint conclusion can be reached as to whether or not a project can go ahead, the matter should be adjudicated in the order prescribed for regular approval processes.

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