
By email: registry@ohchr.org

Stockholm, 21 May 2021

Dear Mr. A. Orellana,
Dear Mr. R. Boyd,
Dear Ms. Lawlor,
Dear Mr. González Morales,
Dear Mr. De Schutter,
Dear Mr. Arrojo-Agudo

Ref. AL OTH 90/2021
Boliden's response to your letter of 23 March 2021

We thank you for your letter dated 23 March 2021 (the "**Letter**").

The Boliden Group, including its Swedish subsidiary Boliden Mineral AB¹ ("**Boliden**"), takes its responsibility to respect human rights seriously. Boliden's core mission is to responsibly deliver base and precious metals crucial to the green transition; and thereby contribute to preventing the severe impacts of climate change to people and to the planet.² We will describe in more detail below, when addressing your questions 3–5, our efforts to respect human rights in our business activities.

We take all allegations of human rights violations very seriously, whether in relation to our own operations or those of our business partners. Accordingly, we take note of the allegations in your Letter. We have given them due and careful consideration and will address the points you have raised in more detail below. As a first step, we will provide a short factual and legal background, which is necessary for the correct understanding and unbiased evaluation of the allegations raised. In so doing, we will focus on the details that are particularly important for your understanding of the allegations raised; whether described in the Letter to us or in your parallel letter to the Swedish Minister for Foreign Affairs dated 23 March 2021.

¹ Formerly Boliden Metall AB.

² For more information about Boliden, see <https://www.boliden.com/operations> (also including links to more detailed information).

1. RESPONSES TO QUESTIONS 1-2

The allegations described in your Letter originate from Boliden's sale of smelter sludge to the independent Chilean company Promel Ltda. ("**Promel**") in the early to mid-1980s and the aftermath of this transaction; resulting in, among other things, the legal proceedings in Sweden.

1.1 The export of smelter sludge to Arica

In 1983, Boliden got in contact with Promel regarding the sale of smelter sludge. Promel was interested in using the smelter sludge for reprocessing. As a mining and smelting company, it had previous experience of extracting arsenic and other valuable metals from complex mining materials. Going well beyond common practice at the time, Boliden requested detailed written information about Promel's processes. In February 1984, Boliden's environmental manager also personally visited Promel's premises, which were situated in an industrial area in the desert outside the limits of the city of Arica. In light of the information gathered, it was concluded that Promel was an experienced and reputable industry player who was able to reprocess the smelter sludge.³

Boliden also ensured that both the Swedish and the Chilean authorities were duly informed about the intended export. The Chilean authorities received correct information about the content of the smelter sludge. They also requested and received samples for analysis before authorizing the import of the material.

A first shipment of smelter sludge was made in August 1984. Following the first shipment, Boliden Mineral's environmental manager revisited Promel in October 1984. Successful trials to process the smelter sludge in laboratories had been done at that point in time. A few weeks later, Boliden received written confirmation that Promel had started reprocessing the smelter sludge. In light of these confirmations, a second shipment was sent to Promel.

In April 1985, Boliden Mineral's head of research conducted a third visit to Promel's premises. On site, he could conclude that Promel at that point in

³ Regarding the patented procedure mentioned in the letter to the Swedish Minister for Foreign Affairs, this procedure has never been commercialised or used in practice and it was not an available option in the mid-1980s. Moreover, the purpose of exporting the smelter sludge to Promel was not to detoxicate the smelter sludge, but for Promel to use it for further extracting valuable metals and allowing Promel to sell these materials on to other actors in the metals industry.

time had processed 300 tonnes of the material, with good results. A third and final shipment of smelter sludge took place in June/July 1985.

Without Boliden's knowledge, Promel at some later point in time decided to cease its operations and abandon its plant, including most of the materials and residues generated by their own processes stored at its site, along with the smelter sludge. The reasons for Promel's decision remain unclear. It should be noted that the smelter sludge only constituted a part of all the tailings and other materials originating from Promel's own processes that were abandoned when Promel ceased its operations. Subsequently, and again without Boliden's knowledge, the local Chilean authorities later decided to allow the construction of residential areas right next to the former Promel industrial site.

In 1998, the local Chilean authorities moved the smelter sludge from Promel's previous premises to a new location, Quebrada Encantada, in the desert well outside Arica, where the material was adequately covered. Promel's previous premises have subsequently been remediated and covered. It is therefore incorrect that the smelter sludge would have continued to be exposed to winds and rains after 1998 and remained a potential source of contamination for the surrounding area.

1.2 Facts relating to the procedure before the Swedish courts in 2013–2019

In September 2013, 796 residents in Arica (the "**Arica Residents**") brought a legal case against Boliden in the Swedish courts through a Swedish limited partnership named Arica Victims KB ("**AVK**").⁴ Following years of proceedings, and having heard a large number of witnesses and experts on both sides, the District Court of Skellefteå (the court of first instance) came to e.g. the following conclusions in its verdict of March 2018:

- Only about 2 per cent, i.e. 18 persons of the 796 Arica Residents, had shown levels of arsenic in their urine to even be considered as having suffered any kind of injury (irrespective of the source of

⁴ Consequently, AVK, to which the Arica Residents' claims had been transferred, was the formal claimant before the Swedish court. The summons application covered 707 individuals. A number of individuals were subsequently added and/or removed from the case while it was pending before the District Court of Skellefteå. When the judgment was rendered, it covered claims from 796 residents in Arica.

arsenic exposure). The main part of the case was denied for this reason alone.

- In relation to the alleged negligence of Boliden Mineral the District Court found:
 - That Promel had the ability to process the smelter sludge, and in fact also processed parts of the material;
 - That both the Swedish and Chilean authorities had been duly informed about the export of the smelter sludge;
 - That Boliden Mineral had acted negligently in only one limited aspect, namely in relation to Promel's open storage of the smelter sludge as observed during the second visit in April 1985. However, the District Court also found that Boliden had no legal possibilities to influence Promel's choices as regards the open storage after the completion of the sale of smelter sludge; and
 - That the remaining part of the claim should be denied for a lack of causality, as Boliden Mineral could not have foreseen that Chilean authorities would allow new residential areas to be built in the area surrounding Promel's former industrial premises.

The Arica Residents appealed to the Court of Appeal of Northern Norrland (the court of second instance). In March 2019, the Court of Appeal, concluded that the claims had been time barred. Before doing so, the Court of Appeal specifically considered whether it would amount to a denial of justice or other breach of Article 6 of the European Convention on Human Rights to consider the claims time barred. It concluded that the applicable statute of limitations was not a procedural rule, but a substantive rule. Therefore, there was nothing preventing a claimant from having a time barred claim properly assessed by the Swedish courts. Consequently, applying Swedish time bar rules did not constitute a denial of justice or other breach of Article 6.

The judgment was appealed by the Arica Residents to the Supreme Court (the court of final instance), which did not grant leave to appeal.

1.3 Boliden has a legitimate right to claim compensation for costs incurred during the court proceedings, and AVK has not fulfilled its obligations in this regard

As indicated above, the Arica Residents did not themselves appear as claimants before the Swedish courts.

Instead, the alleged claims were transferred to AVK. AVK was established with the assistance of Mr. Göran Starkebo, attorney and then partner of the Swedish lawfirm Carat, where also Mr. Johan Öberg was an attorney and partner at that time. The general partner in AVK is a Chilean company named Servicios de Asistencia Jurídica Arica Limitada (“**Arica Limitada**”). Arica Limitada is a corporate form where the partners’ responsibility for the company’s incurred debt is limited to their respective equity investment. Limited partners in AVK are three Chilean residents, who have also been involved in establishing Arica Limitada. None of these three individuals are among the Arica Residents. During the litigation, AVK was also supported by Environmental Defender Law Center and Fiscalía del Medio Ambiente.

Importantly, Boliden has never claimed compensation from the Arica Residents and has no intention of doing so.

Rules regarding allocation of costs are important in any legal system and legal proceedings are expensive. Indeed, Boliden has incurred substantial costs during the legal proceedings. As indicated in your Letter, Swedish procedural law provides that, as a main rule, the prevailing party’s legal costs shall be reimbursed in full by the unsuccessful party. The law applies in all civil cases, irrespective of the parties’ respective financial position. Boliden has been awarded full compensation for its legal costs by both the District Court and the Court of Appeal.⁵ It is in line with these laws and judgments of the relevant courts, that we have claimed compensation for our legal costs from AVK (again, not from the Arica Residents).

The Swedish Enforcement Authority has repeatedly concluded that AVK does not have any enforceable assets. Following the Swedish Supreme Court’s decision not to grant leave to appeal, we eventually filed a bankruptcy petition against AVK. During the ensuing bankruptcy proceedings, it was confirmed that AVK had been established for the sole purpose of representing the Arica Residents against Boliden, that there had never been any actual economic activity in the company and that it had never had any

⁵ The question was not reviewed by the Supreme Court, as the Supreme Court did not grant leave to appeal. Thus the ruling of the Court of Appeal stands also in this respect.

assets.⁶ AVK had consequently not taken any measures to enable it to pay for Boliden's legal costs in the event that AVK's claim was denied by the Swedish courts; despite being aware that potential future legal costs would be significant. From these facts, it appears legitimate to ask whether AVK ever did intend to make good for its foreseeable obligations, or if the company was set up purely as means for avoiding liability for potential costs for the proceeding. In connection with the bankruptcy proceedings, the court-appointed independent official receiver also filed a report regarding the suspicion of a crime with the Swedish Police Authority in relation to AVK's activities.

1.4 Boliden's decision to refer certain ethical questions to the Swedish Bar Association does not constitute threats or intimidation

We do not agree that either our letter to the Swedish Bar Association, the related cover letter to Mr. Johan Öberg and Mr. Göran Starkebo, or the way we have addressed these with them, were intended to or could be considered as threats or intimidation in the way these concepts are used to describe illicit actions against human rights defenders. The Swedish Bar Association's Code of Conduct provides a framework for the professional and ethical standards to be observed in all lawyers' professional activities. Filing the complaint with the Disciplinary Committee of the Swedish Bar Association was merely done in order to clarify whether Mr. Johan Öberg and/or Mr. Göran Starkebo's actions were indeed appropriate for members of the Swedish Bar Association. In doing so, Boliden took several steps to ensure that our actions would not have any silencing or chilling effect on Mr. Johan Öberg and Mr. Göran Starkebo's efforts to defend the rights of the Arica Residents. We waited until after the case had been finally decided by all available instances of the Swedish courts. We did not send these letters to anyone else and we have not taken any action to create a silencing or chilling effect by making them public. To the contrary, we have been very cautious to keep the disciplinary proceedings confidential and have not involved anyone else (besides our external legal counsel) in this matter. The disciplinary proceedings have become public entirely because of Mr. Johan Öberg's and Mr. Göran Starkebo's own decision and acts to make them public.

⁶ The official receiver concluded that AVK (i) had no known assets, (ii) had not been able to present any accounting documentation, and (iii) had never had any bank or client accounts. AVK's legal counsel also conceded to the bankruptcy petition.

We have raised the following questions with the Disciplinary Committee of the Swedish Bar Association:

- The ethical rules of the Swedish Bar Association provide that contingency fee agreements are not allowed, unless there are “particular reasons”. Access to justice is one such reason. Boliden recognizes that contingency fee agreements might have been relevant in this case to enable the Arica Residents to seek remedy. However, also in these cases, the ethical rules of the Swedish Bar Association require that the lawyer’s economic interest in the matter cannot be disproportionate and the agreed fee must be reasonable.
- In our opinion, Mr. Johan Öberg’s and Mr. Göran Starkebo’s own economic interests in the matter were disproportionate and the agreed fees unreasonable compared to the ethical rules of the Swedish Bar Association. According to the contingency fee agreements between the Arica Residents and Arica Limitada, had the claim been successful, Mr. Johan Öberg and Mr. Göran Starkebo would not only have been entitled to full compensation according to their hourly fee for all hours spent on the case, but also a significant share of the awarded damages, equaling an amount of SEK 18.8 million plus accrued interest (i.e. around USD 2 million). Considering the regular annual turnover of their legal practice at that time, this would give Mr. Johan Öberg and Mr. Göran Starkebo a very extensive personal economic interest in the case.
- Furthermore, it appears that Mr. Johan Öberg and Mr. Göran Starkebo on several occasions provided misleading information to both the Swedish courts and to Boliden regarding the basis for AVK’s claim for compensation for legal costs (which would have been awarded had AVK been successful with its claim). According to the information provided by them during the court case, it appeared as if AVK had incurred an ordinary debt based on hourly fees related to the work done by Mr. Johan Öberg and Mr. Göran Starkebo. However, no legal fees were ever invoiced to AVK, and would never have been invoiced unless Boliden had been ordered to provide the corresponding compensation to AVK (that is, if AVK would have succeeded with its claim).
- Third, AVK is an empty shell company. It has been established for the sole purpose of presenting a claim against Boliden and protecting the Arica Residents from the risk of having to pay

Boliden's legal costs. Mr. Göran Starkebo was directly involved in the creation of AVK, while being aware that AVK (and its general partner Arica Limitada) would not have any funds to cover Boliden's legal costs in the event that AVK's claim for damages was denied. Considering the type and size of the claim, it must have been clear for Mr. Göran Starkebo, and for Mr. Johan Öberg, already when AVK was established, that future costs could be significant. Consequently, it is also important from a general perspective to determine to which extent members of the Swedish Bar Association can assist in constructing vehicles designed purely to evade lawfully awarded trial costs.

- Lastly, without speculating in the final outcome of our submission to the Swedish Bar Association, we have recently been advised that our complaints will go on to be assessed and determined by the Disciplinary Committee, which indicates that they have at least not been considered to be entirely unsubstantiated.

The reservation of rights included in the letter to Mr. Johan Öberg and Mr. Göran Starkebo was again sent well after the final conclusion of the proceedings before the Swedish courts. It was only intended to prevent that any legitimate claims that Boliden may have against them would be precluded or statute barred and to allow them to notify their insurance provider (an insurance which is mandatory for all members of the Swedish Bar Association). The letter was based on standardized wording, regularly used for reservations of such rights. It was not intended to be intimidating, and we have not presented any claims for damages against Mr. Johan Öberg or Mr. Göran Starkebo.

2. RESPONSES TO QUESTIONS 3-5

2.1 Question 3 (related to guidance received from the government of Sweden)

Question: Has your company received any guidance from the Government of Sweden on its corporate responsibility to respect human rights, specifically on its expected due diligence process, in line with the UN Guiding Principles on Business and Human Rights?

The Government of Sweden has not provided any specific guidance to Boliden (or for that matter, as far as we are aware, to any other non-state held company) regarding the corporate responsibility to respect human rights. The Government of Sweden does, however, engage with the broader

Swedish business community around business and human rights matters; including through actions deriving from its [National Action Plan on Business and Human Rights](#), published in August, 2015.

2.2 Question 4 (related to Boliden's compliance with international human rights standards)

Question: How is Boliden Mineral AB meeting its responsibility to respect human rights in a way that complies with international human rights standards? Does it have a policy commitment (approved at the most senior level of the company) that is reflected in its operational policies and procedures?

2.2.1 Boliden's commitment to respect human rights

Boliden's commitment to respect human rights is reflected in our [Code of Conduct](#)⁷ (the "**Code**"), which is the general internal ethics and compliance rulebook of Boliden. The Code is reviewed annually and adopted by the board of directors of the parent company of the Group, Boliden AB; most recently in April 2021.⁸ The Code is also approved annually by Boliden's subsidiaries in connection with the first board meetings following the annual general meeting of shareholders. In accordance with our Code, we adhere to the Universal Declaration of Human Rights and ILO's fundamental conventions. Boliden is a signatory member of the UN Global Compact and we are as such committed to its ten principles, including to respect human rights. Our goal is to be a good corporate citizen and we put pride in behaving in an ethical manner towards society. We value good community relations and in our work, we are mindful of local culture and customs.

We applied and were admitted in the beginning of this year as a new member of the International Council on Mining and Metals ("**ICMM**"). ICMM is an international organization dedicated to a safe, fair and sustainable mining and metals industry. Bringing together 28 of the largest mining and metals companies and over 35 regional and commodities associations, ICMM is dedicated to "*...strengthen environmental and social performance to enhance mining's contribution to society*". The admittance process included a long and detailed examination and due diligence by ICMM to confirm that Boliden was eligible and suitable for membership. Being a member of ICMM is a

⁷ <https://www.boliden.com/globalassets/sustainability/our-responsibilities/corporate-responsibility-business-principles/poly-21305-v.3.0-code-of-conduct.pdf>

⁸ The most senior level of a company under Swedish corporate law.

commitment to act in accordance with ICMM's Mining Principles. ICMM encourages all mining companies to apply good environmental, social and governance practices in the production of metals and minerals. Of particular relevance for this letter is that ICMM requires from its members to respect the human rights and cultures, customs and values of employees and communities affected by mining and thereto related activities; including the rights of human rights defenders and civil society, as published on their website www.icmm.com.

Our human rights commitment and our implementing efforts are subject to continuous progress and improvement, like all areas within Boliden. One effect of our recent ICMM membership is that we are currently reviewing our policies and guidelines to assure that Boliden's governance framework is aligned with ICMM requirements. Updates on the Code as well as policies are developed with employee and trade union engagement and thereafter approved and adopted by the board of directors.

Boliden also has an external [Business Partner Code of Conduct](#) that we ask our business partners to adhere to when engaging with us. The Business Partner Code of Conduct is built on the corresponding values and commitments that we expect of ourselves. The Business Partner Code of Conduct is subject to similar recurring reviews and updates as our own Code. In addition, we also regularly negotiate and request to incorporate relevant Environmental, Social and Governance ("ESG") clauses, referencing i.e. the UN Global Compact Principles, in agreements with our business partners, as one measure to ensure compliance with such internationally accepted standards.

2.2.2 *Operational policies and procedures reflecting Boliden's human rights commitment*

Boliden is committed to promote sustainable development and efficient, balanced, long-term management of energy and natural resources while showing due consideration for people, the economy, the environment and the society in general.

We have in place thorough processes for managing ESG risks throughout the lifetime of a business relationship. Before engaging with new business partners, we conduct careful and detailed examination of their suitability from both business and ESG perspectives. Our risk management and due diligence processes are generally geared towards our primary business partners; business partners further out in the value chain are considered based on risk. Our above mentioned ESG clauses include requirements

though that our immediate business partners take due responsibility for their respective business partners.

Our processes for evaluating business partners are based on the ten principles of the UN Global Compact and build on the principles set out in the UN Guiding Principles, the OECD Guidelines on Multinational Enterprises; and, in relation to sourcing of minerals, the OECD Due Diligence Guidance for Responsible Supply Chains of Minerals from Conflict-Affected and High-Risk Areas. Accordingly, due diligence is embedded in our procurement and sales processes. These checks and investigations are performed locally by our experienced managers, together with their skilled ESG-staff and, where necessary, with the support of Boliden's in-house Group function for ESG and Ethics and Compliance. When deemed necessary, we involve external experts for advice, more extensive, specific or local due diligence (for site visits, interviews, etc.), or to provide second opinions.

Our counterparty evaluation process also contains a number of steps of extended risk analysis, depending on identified risk level. Where desk-top analysis and business partner self-assessment indicate higher risk levels, there is a prescribed escalation procedure in place for the decision whether to approve engagement with a certain business partner or even doing business in a specific country.

After approval and initiation of the business relationship, we monitor business partners' ESG progress according to individualized action plans. We may for instance require our business partners in certain risk classes to provide continuous follow-up on their ESG-performance and/or be subject to various controls or audits to confirm compliance. In case of serious misconduct, the relationship may also be terminated prematurely. This has been the case with respect to certain contractors who did not comply with our health and safety requirements at our sites.

Our procurement processes and governance of ESG risks in our smelter supply chains are carried out in accordance with the [LBMA Responsible Gold and Silver Guidance](#) and audited annually by independent auditors KPMG. The reports for 2020, available on our webpage,⁹ describe in great detail and confirm our third-party due diligence and counterparty evaluation and monitoring processes. Boliden is also on the Gold Supply for the LBMA Good Delivery list.

⁹ The 2020 report is available at <https://www.boliden.com/operations/about-boliden/business-partner-code-of-conduct>

Boliden is constantly under the supervision of authorities and in principle all our business is subject to strict and detailed environmental permits, obtained through meticulous and complex court trials. The permit processes require extensive environmental impact assessments and closure plans. We are also required to provide very large amounts of bank guarantees as security for our reclamation obligations.

All of our production units are audited externally and internally on a regular basis. As part of this, we are regularly audited by our auditors in matters concerning human rights and the environment.

We are also ISO certified in our business areas Smelters and Mines. Boliden has a management system that follows the ISO 9001, 45001, 14001 and 50001 standards. For our Swedish business, we hold a FSC Forest Mgmt Certificate DNV-FM/COC 000122. These ISO certifications serve as a basis for a uniform, adequate and appropriate management of the areas they cover.

Boliden reports in accordance to the GRI Standards (Global Reporting Initiative) and supports the UN Sustainable Development Goals (SDGs).

Boliden regularly consults selected stakeholder groups, including local communities, on its sustainability performance from a broader perspective. These stakeholders are asked to evaluate and provide input on Boliden's performance in order to drive further improvement.

2.3 Question 5 (related to human rights due diligence and tracking of effectiveness)

Question: Please explain what your company is doing to carry out its human rights due diligence in order to identify, prevent, mitigate and account for how it addresses adverse human rights impacts. How does the company track the effectiveness of its measures to prevent and mitigate adverse human rights impacts, including through consultation with affected stakeholders?

2.3.1 Potential human rights impacts at Boliden's facilities

Sustainability is an inherent part of Boliden's strategy and applies at every level in our company. The sustainability focus areas and our performance in these areas are published in our Sustainability Index.

Boliden's operations affect people, society and the environment in different ways. Our stakeholders may have different views and expectations on how the company's operations should be run. Boliden's success is dependent upon our ability to deliver value in ways that meet our various stakeholder's needs,

while also taking into account financial, environmental and social consequences. Stakeholder dialogues in various forms and channels are continuously ongoing and based on these we regularly carry out materiality analyses both locally and at Group level.

Boliden's own facilities are located in Sweden, Finland, Norway and Ireland, thus in countries where the risk of human rights violations is considered low. No operations are conducted anywhere in UNESCO's World Heritage List. Thus, it is most likely that our own operations would primarily affect our own employees, contracted personnel working at our sites and members of communities in close proximity to our operations.

The number one risk from a human rights perspective at our sites is health and safety. Boliden's commitment to respect the right to a secure and healthy workplace is codified in the [Boliden Group Health and Safety Policy](#). Our policy aims to ensure that everyone, including contractors working at our sites, shall be able to leave the workplace unharmed and in good health, every day. Boliden's commitment to a safe and healthy workplace has been integrated into our risk management system and other operational processes; approved by external health and safety auditors.

We track our own and our contractors' safety performance through several measures, one of which is statistics regarding the number of accidents. In the last ten years, we and our contractors have been able to reduce the number of on-site accidents with 50%; from an already low number compared to the health and safety record of the global mining industry. A culture where people speak up about challenges, near misses and incidents is crucial for effective health and safety work. We have therefore made efforts to reinforce our employees' confidence that reporting of incidents matters and is taken seriously.

Among other things, we have moved away from a form of "reactive" health and safety work where incurred events form the basis for actions to a more "proactive" approach. First and foremost, we work with safety in leadership. We regularly engage with our own staff on how they perceive their leaders in terms of living our policy and safety values. Based on that, we define actions. The outcome of these actions are measured through renewed staff engagement. We have also been able to measure effectiveness from this proactive approach and change in our leadership culture, through a sharp increase in incidents reporting. Our efforts have been recognized as leading by external rating institutes of the international mining industry and we are unique in the industry with 13 years of fatality free operations. Boliden is seeking to include contractor staff in our regular staff engagements and

proactive health and safety activities. This effort is also benefitting nearby communities as we can continue supporting the local workforce by rewarding contracts to local contractors meeting Boliden's requirements.

Other important aspects are fair working conditions and the position Boliden has adopted against any form of harassment, discrimination and other behavior that may be considered as victimization by colleagues or related parties.

These topics are measured annually in Boliden's employee engagement survey where the response rate is normally very high. Based on these surveys improvement activities are identified and implemented in a structured and systematic way.

2.3.2 *Local community engagement*

Boliden's mines have been a natural part of and closely intertwined with nearby societies for a very long time. Our oldest mine, Garpenberg, dates 800 years back. Close and mutual dialogue with local communities and constructive community relationships are one of the foundations of our business.

Some new exploration and mining operations will inevitably impact individual community members, including through resettlement. When this is the case, we conduct thorough impact assessments and strive to mitigate and remedy negative impacts based on close dialogue with affected individuals and local authorities. During the operational phase, we engage with local community members in various ways. We invite the public to our premises, for instance in connection with our Annual General Meetings and event weeks, which normally take place at our production units. We regularly receive positive feedback from these sessions.

From time to time, individuals unfortunately do incur negative experiences related to our activities, which we are determined to solve quickly and constructively. We have therefore established locally adapted ways for local community members to communicate grievances to us. From feedback received from such aggrieved individuals, we are confident that we generally take effective measures. Grievances can also be addressed through our independent and anonymous Whistle-blower channel. We are currently working to integrate how we address grievances into an even more formalised process in line with established criteria for effective grievance mechanisms.

2.3.3 *Potential environmental impacts affecting people and society*

The metals and mining industry can have an environmental impact and thereby directly or indirectly affect peoples' way of life and human rights. This is where we believe we are best suited to make a significant and tangible difference. Therefore, we continuously develop processes and make vast investments in production and resource efficiency as well as green tech; with the objective to reduce waste, limit emissions to soil, water and air and to contribute to the circular economy.

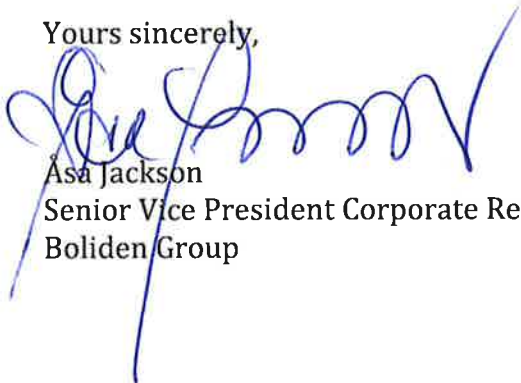
For example, we are one of the world leaders in recycling of electronics and lead batteries. Recently, we have commissioned a leaching plant which will contribute to reduce waste at one of our smelting facilities. We continuously work with developing techniques for minimizing waste and finding the most adequate solutions for waste treatment, handling and storage, in compliance with strict external rules and regulations and our own, even stricter, internal requirements. We have specific instructions with respect to minimizing the risk of disposing any material in any way that may constitute a threat to the environment or the health and safety of people. There are also so called "gate fee" instructions in place entailing that in principle no advance payment can be made when selling materials unless and until we have received proof of responsible processing.

We have come a long way on our transformation journey with respect to environmental performance and are one of the strongest performers in the global industry, yet we have set and deliver on our very ambitious carbon emission reduction targets, as well as reducing other emissions to land, water and air. While requiring significant resources and investments, these initiatives contribute to benefit our whole society and environment, thereby delivering a positive outcome for people.

In conclusion, our commitment to respect human rights is important to us at Boliden. Therefore, we are dedicated to commit significant resources into continuously strengthening and developing our performance. Our intended commitment to the UNGPs will contribute to achieving this purpose. We also will seek to improve our ways to measure these efforts and to more publicly account for how we are addressing identified risks in our specific line of business.

Please let us know if you should require further information. Boliden remains at your full disposal for further dialogue; whether regarding the specific matters raised in your Letter or our efforts to ensure that human rights are respected throughout our business activities, in more general.

Yours sincerely,



Asa Jackson
Senior Vice President Corporate Responsibility
Boliden Group