



Dear representatives of Aurubis

Beaivi/Date
14.08.2020

We are writing to you as representatives of the Sami people, the indigenous people of Norway. It is with great worry and we read the news of your agreement to buy copper from NUSSIR ASAs mine in Riehpavuotna/Repparfjord, Norway. We see the planned Nussir Mine as a violation of Sami human rights and we urge Aurubis not to facilitate or be associated with this project.

For years the planned Nussir mine has sparked controversy in the Sami community. For generations the planned mining area has been used by the Sami people for our traditional livelihood of reindeer pastoralism. The area is also of importance to coastal Sami fisheries and culture.

The Aurubis Code of Conduct states that

“Aurubis respects human rights and advocates for their protection. We reject any form of discrimination, forced labor, or child labor and respect the rights of indigenous populations.”

The mining project poses an existential threat to the Sami traditional livelihood of reindeer pastoralism in the area. The right of Sami reindeer herders to enjoy their culture through the livelihood of reindeer pastoralism is protected by article 27 of the UN International Convention on Civil and Political Rights.

The Nussir Mine will not only deny Sami reindeer herders the livelihood they have depended on for generations, it is also a violation of the Sami indigenous people’s human rights, and thus not in accordance with the Aurubis Code of Conduct.

The reindeer herding district of Fiettar 22 have stated that they are planning a litigation against the Norwegian Government for violations of article 27 in the International Covenant on Civil and Political Rights (a minority group’s rights to enjoy their culture), and articles of the right to property in the European Charter of Human Rights.

The planned use of sea tailings dumping from the Nussir Mine will according to the Norwegian Institute of Marine Research and the Norwegian Directory of Fisheries have catastrophic results for the marine life in Riehpavuotna/Repparfjord. Thus, the Mine will also be a threat to the coastal Sami population’s right to fish.



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We also understand that Aurubis as a responsible company have committed to the UN Global Compact for business and human rights. We would like to make reference to the UN Global Compact Business Reference Guide on the United Nations Declaration on the Rights of Indigenous Peoples¹ - which stress the importance of companies respecting the concept of *Free, Informed and Prior Consent* from Indigenous Peoples prior to activities affecting Indigenous Peoples cultures, traditional lands or self-determination.

Neither Norwegian authorities, nor the mining company NUSSIR ASA have received consent from the Sami people for to establish the Nussir Mine. To the contrary, the Sami Parliament - the democratically elected body of the Sami people in Norway - have on multiple occasions (in 2013/14, 2018, and latest in 2019) almost unanimously stated strong opposition to the project, stating that the project poses a threat to Sami rights and way of life.

The Sami Parliament and the reindeer herding districts affected have also on multiple occasions, last in the spring of 2019, delivered complaints to the Norwegian Government and to the King, on permissions given to the mining project.

We, as representatives of the largest Sami organisation in Norway, urge Aurubis to terminate the agreement with NUSSIR ASA. The project constitutes violations of the Sami p People's human rights to our culture and livelihood and have not obtained the Free Prior and Informed Consent of the Sami people neither by the affected reindeer herders, our organisations nor by our democratically elected representative institution.

The agreement of buying copper from the Nussir Mine is in effect enabling violations of Indigenous Peoples' rights and human rights in Norway. We hope that Aurubis does not want to be associated with such rights violations. We hope that the company will take heed to their own code of conduct and drop the agreement with NUSSIR ASA.

Dearvvuodaiguin | regards
Runar Myrnes Balto,
Head of the Norwegian Sami Association

¹https://d306pr3pise04h.cloudfront.net/docs/issues_doc%2Fhuman_rights%2FIndigenousPeoples%2FBusinessGuide.pdf