



Dear Elon Musk, CEO Tesla, Inc.

It has come to our attention that Tesla is actively seeking to establish long-term contracts with nickel producers. In this regard, we, the undersigned representatives of Indigenous Peoples, environmental and human rights organizations, experts and representatives of academia reiterate a call from Indigenous Peoples of Russia urging Tesla NOT to associate in any way with nickel producer Nornickel, a company with an extensive and ongoing record of human rights violations and environmental devastation. Given Tesla's written commitment to sustainable energy production, sound environmental practices, and respect for human rights, Nornickel should not be considered a viable partner.

The Nornickel mining company operates on and has caused extensive environmental damage to the territories of Indigenous Peoples in the Arctic. Sámi, Nenets, Nganasan, Enets, Dolgan and Evenk communities have occupied the land for generations, but suffer as a result of Nornickel's negative impacts on their herding, hunting, fishing, and overall economic and subsistence activities, as well as their physical health and well-being.

Nornickel has long been a top global polluter and has caused substantial environmental damage just this year. On May 29, 2020, a Nornickel power plant failed and released 21,000 tons of diesel oil into local rivers. The spill has been devastating to the inhabitants of the region and is deemed one of the worst environmental disasters in the Arctic after the 1989 Exxon Valdez oil spill in Alaska. The company's processing practices are also a major source of air pollution from sulfur dioxide emissions with significant human health impacts. Several days in January 2020 saw emissions levels that triggered the health-warning alarm in downwind border communities in Norway, at levels up to 7-800 microgram per cubic meter, 50% higher than maximum allowed concentrations. These sulfur clouds also kill trees and vegetation surrounding smelters on the Kola Peninsula and Taimyr region. A 2018 Greenpeace analysis of NASA data ranked Norilsk, Russia as the number one hotspot for sulfur dioxide emissions in the world.

The company has exhibited complete disregard for the proper disposal of toxic byproducts. On June 28th, 2020, one of Nornickel's enrichment plants dumped wastewater into nearby tundra, spilling approximately 6,000 cubic meters of waste. On June 29th, 2020 a Nornickel landfill burst into flames, spreading smoke across the tundra and harming wildlife and nearby humans. The Arctic region is particularly vulnerable to environmental damage, and it can take decades to

recover from the effects of this pollution. As of now, Nornickel has devastated substantial land areas that Indigenous Peoples of the Arctic rely upon in their ways of life.

Representatives of Russian Indigenous Peoples, via the coalition Aborigin Forum, released an open letter on August 6, 2020 stating their concerns about Nornickel. If Tesla Inc. considers doing business with Nornickel directly or indirectly, we echo the Aborigin Forum's call urging Tesla to encourage Nornickel to implement the following actions in order to comply with minimum standards set out by the UN Declaration on the Rights of Indigenous Peoples:

Nornickel must conduct a full and independent assessment of the environmental damage of mining for nickel and other metals in Russia's Taymyr Peninsula and Murmansk Oblast. The assessment should include the harm from the ongoing Norilsk diesel oil spill and consider the damage done by industrial production to traditional economic activities of Indigenous Peoples.

Nornickel must compensate Indigenous communities for the damages done to their traditional lands, in alignment with article 28 of the UN Declaration on the Rights of Indigenous Peoples.

Nornickel must prepare and implement a plan for re-cultivating contaminated lands in the Taymyr Peninsula and Murmansk Oblast.

Nornickel must revise its policies for engaging with Indigenous Peoples. The new guidelines must adhere to the minimum standard established by the United Nations Declaration on the Rights of Indigenous Peoples, including the need to obtain free and informed consent prior to the approval of any project affecting Indigenous lands or territories and other resources, particularly in connection with the development, utilization or exploitation of mineral, water or other resources.

Given Nornickel's long-term demonstrated negligence, we respectfully ask that Tesla adhere to its Supplier Code of Conduct, which emphasizes that "partners shall take a proactive approach to reducing environmental and resource impacts in all areas of their business[including] management of all waste, discharges, and emissions, and lead to more efficient use of water and energy resources." In reference to the company's Human Rights and Conflict Minerals Policy and stated supply chain obligations, we invite Tesla Inc. to uphold its responsibilities in requiring suppliers to "ensure social, environmental, and sustainability best practices in their own operations, as well as to demonstrate a commitment to responsible sourcing into their supply chains." Meanwhile, we recognize Tesla's efforts thus far in battery recycling and encourage future work to reduce the need for mining new materials.

We applaud Tesla's leadership in energy sustainability and the move to reduce the world's dependence on fossil fuels, an industry that also does great harm to Indigenous Peoples around the world. As a major buyer of nickel worldwide, we urge Tesla to continue this leadership role by highlighting Nornickel's negligence and publicly refusing to buy from Nornickel while they have not complied with the environmental and human rights standards detailed in this letter.

Looking beyond Nornickel's weak practices in Russia, nickel mining and processing results in severe negative environmental and social impacts around the world. Increased demand for recycled and primary nickel should only be sourced from sites where free, prior, and informed

community consent for mining and processing has been achieved and where the strictest environmental and social standards (such as the Initiative for Responsible Mining Assurance Standard) are met.

Signed,

1. Aborigen Forum (Russia)
2. Cultural Survival (US)
3. Earthworks (US)
4. Sami Heritage and Development Foundation (Russia)
5. International Indigenous Fund for Development and Solidarity «Batani» (US)
6. Arctic Consult (Norway)
7. Kola Sami Radio (Russia)
8. Russian branch of the Sami Women's Forum (Russia)
9. The Center for the support of Indigenous Peoples of the North (Russia)
10. The Altai Project (US)
11. IndustriALL Global Union (South Africa)
12. Bearfx Wellness & Consulting (Canada)
13. Indigenous Peoples Rights International
14. Fundación Tantí (Chile)
15. Igapo Project (France)
16. PowerShift e.V. (Germany)
17. Asia Indigenous Peoples Network on Extractive Industries and Energy
18. First Peoples WorldWide (USA)
19. Land is Life (USA)
20. Climate Justice Initiative (USA)
21. The Oakland Institute (USA)
22. Ogiek Peoples Development Program (Kenya)
23. Kgalagadi Youth and Women's Development Network (South Africa)
24. International Work Group for Indigenous Affairs (Denmark)
25. London Mining Network (UK)
26. Dr. James J. A. Blair, California State Polytechnic University (USA)
27. Society for Threatened Peoples, (Switzerland)
28. Phulbari Solidarity Group (UK and Bangladesh)
29. Society for Threatened Peoples (Germany)
30. EqualityDignityPride (Russia)
31. Saniri Alifuru -Alifuru Council- (Indonesia)
32. Foundation for Aboriginal and Islander Research Action (Australia)
33. Socio-Ecological Union International (Russia)
34. Eco-TIRAS International Association of River Keepers (Moldova)
35. For Nature (Russia)
36. Biodiversity Conservation Center (Russia)
37. Tajik Social and Ecological Union (Tajikistan)
38. Friends of the Earth Japan (Japan)

39. Kia Ora Travel (Germany)
40. Association of Peuls Indigenous Women and Peoples of Chad (Chad)
41. Bureau for Regional Outreach Campaigns -BROC Vladivostok (Russia)
42. Союз коренных малочисленных народов Приморского края (Russia)
43. Institute for Ecology and Action Anthropology INFOE (Germany)
44. European Network for Indigenous Peoples ENIP Germany
45. MENCHHENRECHTE Human Rights 3000 eV (Germany)
46. Institute for Ecology and Action Anthropology (Germany)
47. Stanford Environmental Justice Working Group (USA)
48. Pacific Asia Resource Center (PARC) (Japan)
49. Indigenous Peoples of Africa Coordinating Committee (South Africa)
50. Ecological Center DRONT (Russia)
51. International Committee for the Indigenous Peoples of the Americas (Switzerland)
52. NGO "Aru ana" (Kazakhstan)
53. International Indian Treaty Council (USA/International)
54. Minority Rights Group International (UK, Uganda, Hungary)
55. Salva la Selva (Spain)
56. IndustriALL Global Union (Switzerland)
57. Working Circle Indians of North America /(AKIN) (Austria)
58. War on Want (UK)
59. Indigenous Peoples Movement for Self-Determination and Liberation (IPMSDL) (Philippines/ Guatemala)
60. Indigenous Rights International (Philippines)
61. Vicky Tauli Corpuz - Tebtebba Foundation (Philippines)
62. Urgewald (Germany)
63. Afrewatch (DRC)
64. Almaciga (Spain)
65. First Nations Environmental Network (Canada)
66. Burns Bog Conservation Society (Canada)
67. Centro de Reflexiones Nim Poqom (Guatemala)
68. Forest Peoples Program (UK)
69. Elsa Stamatopoulou, Director, Indigenous Peoples' Rights Program, Institute for the Study of Human Rights, Colombia University (USA)
70. Greenpeace International
71. Alliance Nationale d'Appui et de Promotion des Aires et territoires Conservés par les Peuples autochtones et Communautés locales ANAPAC (DRC)
72. British Columbia Environmental Network (Canada)
73. Amnesty International (Germany)
74. American Russian-speaking Association for Civil & Human Rights (USA)