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Commission on Human Rights of the Philippines
SAAC Building
Commonwealth Avenue
UP Complex, Diliman
Quezon City

AD CAUTELAM AND WITHOUT SUBMISSION TO JURISDICTION

10 October 2016

Dear Commissioner Cadiz

National Inquiry on the Impact of Climate Change on the Human Rights of the Filipino People

We note your correspondence regarding the Commission on Human Rights of the Philippines' (Commission) National Inquiry on the Impact of Climate Change on the Human Rights of the Filipino People (National Inquiry). As per Rule 7 of The Omnibus Rules of Procedure of the Commission, we understand that this National Inquiry is solely fact-finding and non-adversarial in nature.¹

We regularly engage with a range of stakeholders including investors, governments and civil society to better understand climate change risks and share our own assessments. It is in this regard that we offer the information below to highlight our approaches to both climate change and human rights.

We have had a [public position](#)² on climate change for more than a decade and we continue to work to understand and manage climate change threats and to identify and capture opportunities.

In line with our commitment to transparency we report our position on climate change and carbon pricing in our [Annual Report](#),³ [Sustainable Development Report](#)⁴ and on our [website](#).⁵ This includes our [Climate Change Position Statement](#),⁶ approved at the highest level of our business. In 2016 our Board supported a [shareholder resolution](#)⁷ on climate change disclosure which requested that routine annual reporting include more information about climate change including public policy positions.

Our Climate Change Position Statement confirms that we engage with our host communities by listening to and working with them on energy, emissions and climate issues that are important to them. Our [Health, Safety, Environment and Communities](#)

¹ **Note:** Rio Tinto does not currently have any employees, projects, or operations in the Philippines. We therefore respectfully confirm that this letter is provided 'ad cautelam' and without submission to the personal jurisdiction of the Commission or any other court, local forum or governmental authority or agency in the Philippines in connection with this National Inquiry. This letter is also provided without prejudice to our right to subsequently question any assertion by the aforementioned institutions of personal jurisdiction over Rio Tinto in connection with this National Inquiry or any related actions.

² http://www.riotinto.com/documents/ReportsPublications/corpPub_ClimatePosition.pdf

³ <http://www.riotinto.com/investors/downloads-16678.aspx>

⁴ <http://www.riotinto.com/ourcommitment/downloads-16941.aspx>

⁵ http://www.riotinto.com/documents/RT_SD2015_Climate_change.pdf

⁶ http://www.riotinto.com/documents/ReportsPublications/corpPub_ClimatePosition.pdf

⁷ http://www.riotinto.com/documents/RTL_Notice_of_Meeting_2016.pdf

Policy⁸ notes that we respect human rights and work with communities to create mutual value throughout and beyond the life of our operations. Our Approach to Environmental Management⁹ further elaborates on our actions to minimise and mitigate harmful effects our operations may have.

Our global code of business conduct, The way we work,¹⁰ our Human Rights Policy¹¹ and voluntary commitments to initiatives such as the UN Global Compact¹² provide the framework for our human rights approach which is consistent with the UN Guiding Principles on Business and Human Rights.¹³

We believe that an effective response to climate change is best achieved by companies, governments and society working together towards common goals, as demonstrated by our support for the Paris Pledge for Action.¹⁴ To this end we respectfully encourage the Commission to consider focusing any recommendations from the National Inquiry on collective solutions.

Sincerely,



Matthew Bateson
Head of Environment and Legacy Management
Health, Safety and Environment

⁸ http://www.riotinto.com/documents/RT_HSEC_policy.pdf

⁹ http://www.riotinto.com/documents/RT_Rio_Tintos_approach_to_environmental_management.pdf

¹⁰ http://www.riotinto.com/documents/20150728_RT_The_way_we_work_ENG.pdf

¹¹ http://www.riotinto.com/documents/Human_rights_policy.pdf

¹² <https://www.unglobalcompact.org/>

¹³ http://www.ohchr.org/Documents/Publications/GuidingPrinciplesBusinessHR_EN.pdf

¹⁴ <http://www.parispledgeforaction.org/>