



Bogotá, June 5, 2020

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CAFOD  
Christian Aid UK  
Oxfam GB  
SCIAF  
Trócaire  
CINEP

**Ref: Press release published April 27, 2020**

Dear Sirs and Madams,

We have read the press release "*Set the Bruno Free: Indigenous Wayuu and Afro-descendants demand Anglo American mining company return water from a stream diverted for coal extraction*" recently published by ABColombia. While we appreciate and share your interest in La Guajira, especially for the well-being of the ethnic communities in this territory, we regret the misinformation you convey to your readers and reject the specific allegations of environmental damage, the spread of COVID-19, and accusations related to threats to leaders in the region.

Respectfully but strongly, we would request that appropriate corrections be made to these documents to ensure accuracy of information published by you, reflect contrasting sources which, in turn, will avoid the presentation of biased and unsubstantiated information to your audience. Likewise, given the gravity of the accusations linking the company to threats against leaders, we request that evidence be provided to the legal authorities so they can carry out all relevant investigations. Meanwhile, we would like to provide you with specific details to support the corrections which we are asking you to publish.

As you well know, La Guajira is the most arid region of Colombia and its peripheral location has historically kept it removed from the centres of political and economic development in the country. These circumstances continue to have a direct influence on the difficult living conditions of a large portion of the population living in the area of influence of the mine, its railroad and the port where the coal is shipped. At Cerrejón we are also aware of our duty to develop an operation that is respectful of neighbouring communities, which is why we make ongoing efforts to constantly improve the identification, prevention and mitigation of the impacts created by our operation, and to compensate for them when necessary. To this end, we apply recognized national and international standards.

#### **Water**

The claim that Cerrejón has made the water in La Guajira disappear is false. La Guajira has traditionally been a semi-desert area with a deficit of water due to its geographical conditions. Given these environmental conditions, we work hard to make efficient use of water. We do this by respecting water sources, and we are committed to promoting access to water for the communities that need it most.

We make continuing efforts to reduce the consumption of high-quality water in our operation, and currently only 11% of this type of water is needed in the operation, mainly for human consumption. The rest of the water used is to control particulate matter and maintain air quality in order to prevent any health impacts on employees, contractors and these neighbouring communities. The water used for this (89%) is low-quality water - not suitable for human or animal consumption or to irrigate crops.

Additionally, we continuously strive to reduce water uptake from the Ranchería River. Although we are authorised to use 1.8% of the flow from the Ranchería River and its aquifer, we currently use less than 1%. Meanwhile, 86.5% of what is authorised is used for agricultural purposes, 6% for livestock and 5.7% for services and domestic consumption.



Furthermore, mining has sometimes required intervention on water bodies. All these interventions have been carried out with the permission of the authorities and, in all cases, the diverted bodies of water have remained active, even though many of them are seasonal, having water only at certain times of the year.

The truth is that both Cerrejón and local authorities have contributed to finding solutions for access to water in this semi-desert region. Many solutions have been directed towards constructing deep wells which are operated by wind or solar systems. In other cases, wherever possible, as in the resettled communities south of the mine, we are developing the connections to the public aqueduct systems for these communities. Nevertheless, we continue with water delivery programs for humanitarian reasons, such as during the 2014 to 2016 drought and in the case of the current health crisis caused by COVID-19. Recognizing how critically important it is for communities to follow government directives to socially isolate to prevent the rapid spread of the virus, we have delivered nearly seven million litres of water to communities in the area of influence and have already delivered 25,100 *mercados* (baskets containing food and hygiene products) to more than 340 communities to help support families in these challenging and unprecedented circumstances. We have already started delivering an additional 25,000 food baskets to those in need.

### **Restarting operations**

Contrary to what is stated in the ABColombia press release, Cerrejón has taken all necessary measures to protect its employees, contractors and neighbouring communities during the COVID-19 health emergency. On March 23, operations were reduced by 80% and only activity related to essential tasks such as the maintenance of equipment and infrastructure, compliance with legal requirements on environmental issues and existing contractual commitments were fulfilled. This reduction in activities resulted in workers being given collective paid vacations.

Before gradually restarting operations, Cerrejón established a series of protocols and guidelines designed to allow workers and contractors to take all the actions necessary to prevent infections at the operation and in engagement with communities. All our workers and contractors were trained in these guidelines, and the protocols have been rigorously applied as the company's operations resumed. These protocols include, among others, daily health check-ups, disinfection and hygiene protocols, social distancing of two metres, avoiding crowds, and the use of personal protection items.

It is important to note that at this time workers older than 60 years or with comorbidities are staying at home with pay, there is a restriction on people coming to the operation from a department other than La Guajira, and the entry of all staff is being controlled in case the area of origin is classified as having a high risk for transmission. Exceptions to this, such as the entrance of workers to Puerto Bolívar, require the strict implementation of guidelines and protocols (available at: <https://tinyurl.com/y7sku3tb>) such as daily revision of worker health status and temperature checking, disinfection, social distancing, and use of protective elements. With respect to the Mine, the limited number of people that have entered the compound have been isolated for a period of 14 days prior the entrance to the Mine. Starting in June, all employees and contractors who enter the Mine and port will be tested to COVID-19 in order to ensure the health of our workforce and local communities. Moreover, all in-person engagement activities with communities have been suspended, except for those relating to humanitarian aid (all protocols, support and humanitarian programs aimed at lessening the impact of the COVID-19 crisis can be found on Cerrejón's website, see: [www.cerrejon.com](http://www.cerrejon.com) ).

### **Threats to social leaders**

We also regret that your press release includes third-party testimonies connecting the company with threats to social leaders. Not only as a company, but as Colombians, we know about the murders and threats that many social leaders in the country have received, including in La Guajira, and are disgusted and greatly concerned by it. In response to this situation, we have strengthened our due diligence processes to publicly reject these cases, mainly by providing support to people who have been threatened and want our support, and by asking the authorities to investigate thoroughly so that the perpetrators can be held accountable, guaranteeing the life and dignity of these people. Along with other companies in the sector and the national government, we made a public statement rejecting this situation and created a protocol to clarify the roles of the companies and the authorities in these cases. Going even further, we signed an



agreement with the NGO CREER to strengthen the abilities of local authorities to ensure they fulfil their responsibilities and to encourage trust between the parties to prevent the threats.

We invite you to consult Cerrejón's website and Sustainability Report, where you will find information on our approach to human rights management (pages 24 to 37), social management (pages 67 to 70) and environmental management (pages 79 to 90).

We recognize the complex environment in which we operate which is why we are constantly striving to improve our management. We repeat, concerns about the complex situation in La Guajira cannot be based on false assertions about our performance. Recognizing that entities such as ABColombia have a commitment to not contribute to the dissemination of disinformation, we hope that the appropriate corrections and adjustments will be made without delay.

We are also always available to have a conversation with you to provide clarifications and information prior to your publications.

Sincerely,

Luis E. Marulanda  
Vice President of Public Affairs and Communications