

June 25, 2015

Carbones del Cerrejón  
Calle 100 N. 19-54  
Bogota, Colombia

Dear Cerrejón Representatives:

We write to follow-up with you regarding our meeting on Friday, June 5<sup>th</sup>. A number of issues and concerns were identified during the discussion and we would like to highlight several of those, as well as document goals that you identified during the meeting.

We would like to begin by expressing our gratitude for your hospitality. We appreciate the opportunity to learn more about your operations and to sit with your team and the community members in order to dialogue about current issues and concerns. As we understand it, a key part of your social and environmental mission is to do the maximum possible. As such, we are emphasizing arenas where there appears to be an especially pronounced gap between the mission and the reality.

Water was a topic that came up repeatedly in the meeting. The issues here are, at a minimum, twofold. First, there is the issue of both ground water and surface water, in particular the Arroyo Bruno. Community members expressed a great deal of concern with the potential negative impacts of relocating the Arroyo Bruno. Cerrejón, on the other hand, argued that studies show the impact should be minimal. You have expressed a desire to understand local concerns regarding Arroyo Bruno and it was evident to us that many in the community are not convinced that the risks will generate adequate benefits for locals. Further, the CENSAT study, which we were surprised your team cited as showing that the diversion of the Arroyo was acceptable, states: “La desviación del Arroyo Bruno generaría danos irreparables en los sistemas ecológicos regionales con lo que necesariamente se afectaría el acceso al agua para numerosas comunidades, sus formas de producción agrícola, y con ello sus manifestaciones culturales.” It is evident that runoff can be negatively impacted as a result of intervention in surface and groundwater systems<sup>1</sup> and that, in spite of your effort to study the effects of relocating the arroyo, geological uncertainty undoubtedly remains.<sup>2</sup> We argue that the relocation of Arroyo Bruno is inconsistent with genuinely sustainable development and that local communities have the right to make decisions regarding their resources.

Second, there is the issue of potable water for resettled communities. There are a number of concerns regarding the availability and safety of drinking water and these merit further analysis. We trust that Cerrejón is committed to high standards and objectivity in testing and evaluation of water quality. We expect that the company will (a) take responsibility for contamination if mining processes are in any way implicated in problems and (b) ensure that potable water is available to all those displaced by the mines.

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<sup>1</sup> e.g., Schmid et al. 2014 *Feedback of Land Subsidence on the Movement and Conjunctive Use of Water Resources*. Environmental Modelling and Software 62: 253-270.

<sup>2</sup> e.g., Benndorf and Struzina. 2014 *Integrating Geological Uncertainty into Planning and Modelling for Modern and Efficient Dewatering Concepts in Large Surface Mines*. International Journal of Mining Reclamation and Environment 28(4): 231-241.

There is clearly another set of concerns stemming from the productive projects. We encourage you to think with creativity and compassion in order to develop approaches that more closely approximate the diversity of subsistence activities in which locals engaged prior to the land tenure changes that accompany open pit mining. Hunting, fishing, farming, gardening, and animal husbandry will not readily be replaced by market-based activities in a context characterized by high rates of poverty. We feel strongly that multiple complex variables, rather than individual ineptitude or laziness, explain the failure of the productive projects. We expect that you will seek genuine answers to the question of how to appropriately compensate peoples displaced by this large scale development project. There is a great deal of research on the complexities of livelihoods and we encourage you to draw from this in formulating new strategies. In addition, communities should actively participate in deciding which livelihood strategies they want based on their knowledge of the environment and their cultural legacy. We appreciate your willingness to recognize the shortcomings of previous approaches and are optimistic that we will be hearing of promising alternatives in the coming months.

Another priority issue that we encountered during our time in the region is that of expropriations. The weight of living daily with this threat is an unacceptable burden for families in this region. We recognize how challenging dialogue and negotiation are, but expect that you will patiently work towards appropriate agreements with all peoples whose homes and livelihoods are impacted by mining operations. Along these lines, we trust that you will work patiently, diligently and quickly to dialogue with representatives of the Tabaco community regarding plans for resettlement. In keeping with the agreement signed in 2008, Cerrejón is obligated to resettle this community; we look forward to receiving updates regarding progress on this front.

Finally, we are extremely concerned with the lack of consultation and consent. On both national and international levels, these are rights that are guaranteed to communities affected by large scale development projects. We believe that Cerrejón can improve on their record in this arena and encourage you to continuously strive to strengthen approaches to communicating, listening, and negotiating with communities.

In the coming months we will be closely following the processes, community concerns, and efforts of Cerrejón. In various ways we are currently sharing what we have learned during our time in Guajira, and we will provide our communities and contacts with updates as they become available. We will also maintain communication with other international groups following the situation, in particular, the Group Swiss Residents that visited Roche in January 2015. We are optimistic that Cerrejón will actively work to dialogue and collaborate with ALL stakeholders in good faith, and will take actions to address the social and environmental concerns documented during our time in Colombia.

Many thanks for your attention to this letter.

Sincerely,

2015 Witness for Peace Delegates:

Emma Banks  
Amber Buchanan  
Aviva Chomsky  
Chelsey Gwen Dyer  
Sasha Hayward  
Suzanne Kent  
Ana Maria Lopez

Lyndsey Nuebel  
Allison Rosenblatt  
Diana Salazar  
Doris Salazar  
Steve Striffler  
Lisa Taylor

Cc:

Michael Fahrback – Glencore

Ivan Glasenber – Glencore

Cristina Bruce – Anglo American

Ian B. Wood – BHP Billiton

Jairo Fuentes Epiayu

Yoe Arregocés

Roberto Ramírez

Rogelio Ustate

Samuel Arregocés

Francisco Tobar

Freddy Lozano

Jairo Quiroz