



Drummond  
Attn. Mr. Garry Drummond, CEO

*Ref: Open letter*

*Date: 16 October 2015*

Dear Mr. Drummond,

On September 23, Colombian President Juan Manuel Santos and the leadership of the FARC closed a partial agreement on the issues of transitional justice and reparations to victims of human rights abuses. The agreement offers you a unique opportunity to contribute to peace in Colombia, to show your support for the fundamental international principles that it is based upon, and to reconcile with the tens of thousands of people who have become victims of the violence in the mining region of Cesar.

From 1996 to 2006, the people in the region surrounding your Pribbenow and El Descanso mines suffered terribly from paramilitary violence. According to conservative estimates at least, 3.100 people were killed and 55.000 were forcefully displaced by the Juan Andrés Alvarez Front of the AUC. The 2014 report 'The Dark Side of Coal' investigates the alleged involvement of Drummond and Prodeco/Glencore in human rights violations committed by the Juan Andrés Alvarez Front. In the report paramilitary leaders and former contractors of mining companies claim that your mining company and Glencore/Prodeco actively collaborated with the paramilitary forces. Companies should avoid infringing on the human rights of others and should address adverse human rights impacts with which they are involved. According to the due diligence component of the UN Guiding Principles, your company should have scrutinized and addressed not only the human rights risks of your own business processes, but also the potential detrimental impact of your contractors' activities.

To this day, the mining region remains unsafe, while victims of grave human rights violations in the past are denied the right to effective remedy. This right is a fundamental international principle that is fully supported by the Government of Colombia, and that constitutes a key element of the UN Guiding Principles, as embraced by the international business community at large. These Principles include the responsibility of companies to provide for, and cooperate in, the remediation of victims.

Recently, European energy companies launched an action plan calling upon the private mining sector "to take part in a reconciliation dialogue, initiated by the Colombian government, with the victims and other actors in the armed conflict in Colombia". At the same time, it was announced that the Representative of the UN High Commissioner for Human Rights in Colombia will start "an exploration into the



possibilities of a dialogue between victims of the armed conflict and the private Colombian mining sector.”

The peace process provides an unprecedented opportunity to create a framework for a reconciliation process. In anticipation of the completion of the transitional justice component, we ask you to help pave the way towards such a framework by taking the following initial steps in line with the current developments.

The first is to publicly and visibly embrace the peace process in Colombia and the principles of truth finding, reparation of victims, and guarantees of non-repetition. In line with this, Drummond should also welcome the efforts of the UN OHCHR to explore modalities to open a dialogue between victims of armed conflict and the mining sector, and pledge full cooperation with its work.

Secondly, we consider it of crucial importance that your company normalizes its relationship with victims of violence in mining area of Cesar, starting with the participation of the management of your company in a private meeting with representatives of the victims to hear their testimonies.

Thirdly, and related to this, it is urgent that Drummond publicly condemns instances whereby victims in its zone of impact are threatened, and takes protective measures that are available to the company.

We sincerely hope that you will grasp this unique opportunity and choose to be part of the journey towards peace and reconciliation Colombia has embarked upon.

As you know, PAX is committed to truth, recognition, justice, compensation and guarantees of non-repetition for the victims, as prerequisites for reconciliation. We would sincerely welcome any opportunity to discuss these matters with you in person.

Kind regards,



Jan Gruijters  
General Director of PAX