

Pinocchio Climate awards response to Anglo American

Dear M. Cutifani,

We have received Anglo American's official reaction to its nomination for the Pinocchio Climate Awards. One objective of the awards is indeed to make companies react to the issues raised, such as the impacts of coal mining in Colombia. In response to your letter, we would like to make the following points.

Climate change

Anglo American claim support for a binding climate agreement that limits global warming to 2 degrees. Keeping within this limit is incompatible with continuing to burn coal – the fuel produced by El Cerrejón mine - one the of the most greenhouse gas intensive fossils fuels. Over 80 per cent of current coal reserves must stay in the ground if we are to have a chance to stay within 2 degrees¹. In addition, with vulnerable communities already being hit by the effects of climate change this 2 degrees limit is a recipe for disaster for many of the poorest on the planet.

Expansion plans

In our case study we refer to an article in an industry newsletter (miningtechnology.com)² that reports that an expansion to 50 million tonnes is being considered. Moreover, as acknowledged in your letter, El Cerrejon expansion plans up to 40 million tonnes have already been approved by the National Agency of Environmental Permits (ANLA in Spanish). Through the resolution 1386 from November 18th 2014, the ANLA authorizes, for the expansion plans of El Cerrejon's mine, the diversion of surface water sources and the construction of a dam over the Palomino River. There seem to be criticisms about how the process of previous consultation has been conducted in the zone, for not involving all the potential impacted communities. In June 2015, local communities, and the trade union Sindicato de Trabajadores del Carbón en el Cerrejón SINTRACARBÓN³ publicly expressed their opposition to the deviation of the Arroyo Bruno.

Now, according to your letter, Anglo American and its partners have no plans to expand the mine capacity to produce 50 million tonnes a year and it is marginally comforting that your 'current aim' is to retain current production at 35MTA. We would welcome an official commitment to confirm this decision to stop any expansion of the mine and any deviation of water sources. With world coal prices continuing to decline we hope that coal production will also decline. However, El Cerrejón is still the biggest open pit coal mine in the world⁴, and this statement is of little

¹http://www.nature.com/articles/nature14016.epdf?referrer_access_token=yCPWpi99S9edti44_h6t9NRgN0jAjWel9jnR3ZoTv0MEzzy4wDRQte5fViQxiPJjIfgcjxiQpfQtqwAkMQY0DkjoT7_E0MfKeLVGajlXMMsDzXmRoXz5NBXveE8iDBc

² <http://www.mining-technology.com/projects/cerrejon/>

³ See the public declaration signed by several communities and SINTRACARBON in June 2015
http://sintracarbon.com/wp-content/uploads/2015/06/Declaracion_Bruno_R3.doc

⁴ <http://www.theguardian.com/global-development/2015/jun/18/colombia-water-drought-rancheria-corruption>

comfort to the families who are suffering from its impacts and who have already had to move from their communities to new locations as the mine continues to produce tens of millions of tonnes of coal a year. Anglo American and its partners must now plan the closure of the mine, and ensure the full restoration of the areas around the mine and the mine itself as close as possible to their original condition before the start of the mining operations.

Threatening behaviour

Carrying out social and community organisation in Colombia is a dangerous activity. As Human Rights Watch put it in the Colombia chapter of their most recent World Report, ‘*Human rights defenders, trade unionists, journalists, indigenous and Afro-Colombian leaders, and other community activists face death threats and violence.*’⁵ While the Amnesty International Report 2014/2015 notes that ‘*Extrajudicial executions by the security forces continued to be reported*’⁶. This is the background in which the communities in La Guajira organise themselves.

Although it is difficult to present evidence linking directly the mine to repression of protests and death, several testimonies point out the increasing feeling of insecurity among the communities since the mine opened in the region, and the fact that, when such events are denounced, they are not investigated by the authorities.

Water use and pollution

According to El Cerrejón’s own reports the company has been using 8 billion litres of water in a year, which includes, according to you, extracting 10% of El Cerrejón water use as high quality water from the local river, La Rancheria, and providing only 20 million litres of water – just a tiny fraction of total water use - to local communities. Employees, it appears get the balance of the water not used directly for mining – more than local people, even at a time of drought in the region. Local people also complain that the water delivered to them is not of drinking water quality due to the trucks it is transported in. But even if the figures of Anglo American are to be believed (less than 1.5 litres for each resident per day), the World Health Organisation states that no less than 50-100 litres of water per day per person are needed to ensure the most basic needs are met⁷.

Coal mining is widely acknowledged to cause environmental pollution⁸. In La Guajira, water and air pollution is listed as a common problem among local communities around the mine⁹. Such air

5 <https://www.hrw.org/world-report/2015/country-chapters/colombia>

6 Amnesty International Annual Report 2014/2015 p.114 <https://www.amnesty.org/en/latest/research/2015/02/annual-report-201415/>

7 http://www.un.org/waterforlifedecade/human_right_to_water.shtml

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http://www.sourcewatch.org/index.php/Air_pollution_from_coal_mineshttp://www.sourcewatch.org/index.php/Environmental_impacts_of_coal

http://www.bothends.org/uploaded_files/uploadlibraryitem/1case_study_South_Africa_updated.pdf

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http://www.colectivodeabogados.org/IMG/pdf/141118_sentencia_del_tribunal_etico_y_politico_agresion_minera_en_la_guajira_version_final.pdf

and water pollution leads to an increase of respiratory diseases and cancer among communities surrounding coal mines, as evidenced by medical research¹⁰.

Evictions

El Cerrejón has been marked by a long history of eviction and relocation.

Prior to 2001 and Anglo's purchase, five communities were removed by El Cerrejón from their traditional territories¹¹. Today, relocations continue as families are moved out of the communities to make way for the mine. Your company claims that these are 'negotiated' relocations. However, community members have been threatened with eviction¹² while negotiations take place between two very unequal parties. Indeed, many communities do not understand the language, terms and processes of such negotiations. Moreover, as seen in similar projects around the world, these processes generates divisions among the communities. Resettlements represent a risk for the preservation of cultural traditions and disturb the pre-existing logics of territorial organization and lives of the communities.

Regards,

Pascoe Sabido

Corporate Europe Observatory, on behalf of the organisers of the Pinocchio Climate Awards

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See for instance : <http://www.psr.org/resources/coals-assault-on-human-health.html>

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<http://www.theguardian.com/sustainable-business/cerrejon-mine-colombia-human-rights>

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<http://www.las2orillas.co/la-comunidad-wayuu-que-sera-desalojada-por-cerrejon>