

Global Witness
Green House
244-254 Cambridge Heath Road
London E2 9DA
United Kingdom
(by e-mail)

03 March 2021

Dear Ms Harrison

Response to Global Witness request for information on allegations relating to Cerrejón

Thank you for the opportunity to respond to the concerns raised in your letter.

Cerrejón is an independently managed and operated joint venture. The Anglo American, BHP and Glencore groups are each one-third shareholders in the joint venture company. We understand that Global Witness has also contacted Cerrejón and we support Cerrejón in providing you with full detail in response to the allegations. Your letter covers many aspects of Cerrejón's operations, and we hope that you will correct any inaccuracies as appropriate. The remainder of this letter addresses Anglo American's position on the issues raised in your letter, rather than Cerrejón specifically. We note that Anglo American's policies do not apply directly to Cerrejón as a non-managed operation, although Cerrejón management may draw upon policies developed by its shareholders and adapt them as appropriate.

Global Witness has focused on the risks that Human Rights Defenders face across the world, particularly in countries with a complex history of conflict such as Colombia. We share the view that human rights defenders and community activists play a pivotal role in the defence and promotion of human and environmental rights in the regions where we operate, especially of vulnerable groups. Their voices should have a respected space to create impact. We support Cerrejón's condemnation of threats and attacks against these individuals, as well as their calls for authorities to fully investigate and offer protection as appropriate. We also support the industry initiative in Colombia that declared the June 2018 'Joint Declaration in Favour of Life' and continues to build on the protocol that identifies the role that companies, in particular, need to play to contribute to addressing the risks that Human Rights Defenders face.

Your letter mentions that the event you are co-hosting focuses on draft EU legislation on Corporate Accountability and how to ensure that companies respect social and environmental standards. Through our memberships of industry associations, the International Council on Mining and Metals (ICMM) and Eurometaux we have participated in the EU consultation for an Initiative on Sustainable Corporate Governance.

A member of the Anglo American plc group

With regards to Human Rights, social and environmental performance, our approach to human rights is led by our Group Human Rights Policy which is also integrated into our governing framework for social performance, the Anglo American Social Way. This policy is based on international reference standards such as the International Finance Corporation Performance Standards. It applies to all of our managed operations and is available to our non-managed operations such as Cerrejón should they choose to use it. We have made the Social Way public in order to support other companies and stakeholders in maturing their own policies. Our Safety, Health and Environment (SHE) Way is a management system framework that describes our systemic approach to the management of SHE risks and opportunities and how this integrates into our business processes.

At Anglo American, we support strong standards that enable ethical supply chains, regular human rights due diligence and a responsible footprint in the regions we operate. Frameworks such as the UN Guiding Principles and the Voluntary Principles on Security and Human Rights make up the foundations of our policies. The OECD guidance on due diligence in mineral supply chains provides the most globally accepted approach for due diligence across the whole supply chain, it is a legislative compliance requirement in other jurisdictions and is already being implemented by many companies around the globe. A range of more commodity specific guidance and standards have been developed based on this guidance.

We have recognised the calls for an externally developed and verified standard. This is why over the past ten years we have participated in the development of the Initiative for Responsible Mining Assurance's (IRMA) 'Standard for Responsible Mining' and have committed to have all Anglo American operations to undergo 3rd party audits against recognised responsible mine certification systems. IRMA's Standard for Responsible Mining has been developed through a public consultation process with more than 100 different individuals and organisations, including mining companies, customers and the ultimate downstream users of mined products, NGOs, labour unions, and communities. It brings together all ESG requirements at a mine level, including corporate governance requirements. Our directly managed Unki Platinum mine in Zimbabwe has recently been our first site to be independently assured against the standard, achieving the IRMA 75 level of performance, reflecting Anglo American's commitment to transparency and highest standards of responsible mining.

Specifically with regards to supply chain, our due diligence measures are guided by our Responsible Sourcing Standards (RSS) for suppliers. The RSS is a supplier code of conduct that outlines our minimum expectations and is aligned with the standards referred to above as well as the Conventions of the International Labour Organisation (ILO). Participation in our responsible sourcing standard is a mandatory requirement for suppliers and is embedded in our supplier management processes and contracting arrangements.

These voluntary standards have helped to move the industry towards evolving best practice, as evidenced in our policies, procedures and activities. We therefore support the voluntary nature of these frameworks as this allows for genuine and holistic ambition and evolution in the practices of companies. We would also be concerned about conflicting standards that would ultimately detract from the goal of improving the performance of our industry. At the same time, given the geographical breadth of many of the industry's supply chains, we would support EU efforts to provide technical assistance for development and enforcement of legal and regulatory frameworks addressing the responsible sourcing challenges in resource rich countries as these capacity issues can also be a significant challenge.



We hope that the above is informative and contributes to your discussion.

Yours sincerely

A handwritten signature in blue ink, appearing to read "Stuart Chambers".

Stuart Chambers

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