

Ana Zbona and Mauricio Lazala  
Business, Civic Freedoms & Human Rights Defenders project  
Business & Human Rights Resource Centre  
2-8 Scrutton Street  
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*(by e-mail)*

24 February 2019

Dear Ms Zbona & Mr Lazala

### **Response to the Business & Human Rights Resource Centre's Report on Treats to Human Rights Defenders in Columbia**

We would like to acknowledge and thank you for the opportunity to respond to the concerns raised in your forthcoming report.

It's important to note that Cerrejón is an independently managed and operated joint venture between BHP, Glencore and ourselves (each with a 33% share). The joint venture management is responsible for the day-to day operations of the mine. While we seek to respond to the concerns raised, these are supplemental to the Cerrejón response, dated 21<sup>st</sup> of February 2020, which is a more comprehensive and direct explanation.

We support the Cerrejón management team, in condemning any attack against human rights defenders and social leaders in La Guajira and Colombia as a whole. We are aligned with the view that human rights defenders and organisations such as the Business & Human Rights Resource Centre play a pivotal role in the defence and promotion of human rights, especially of vulnerable people. It is our view that business can only thrive and provide real value for all people when it operates in environments that respect human rights and the rule of law.

### **The Anglo American Group's Procedures, Policies and Related Activities on Human Rights & Human Rights Defenders**

At Anglo American, we have a strong commitment to human rights. Respect for human rights is stated explicitly in our Code of Conduct and reflected in our core values of safety, care and respect, integrity and accountability. Our approach to human rights is led by our policies and standards. In this regard, we have a Group Human Rights Policy and a Responsible Sourcing Standard (RSS) for our suppliers. Our commitment to human rights is further expressed through our being a signatory to the United Nations Global Compact and the Voluntary Principles on Security and Human Rights (VPs). We are a

**A member of the Anglo American plc group**



supporter of the United Nations Guiding Principles on Business and Human Rights (Guiding Principles).

We are part of the Business Network on Civic Freedoms and Human Rights (the Business Network). As part of our commitment to the Business Network, Anglo American is a signatory of the Business Network Statement on Supporting Civic Freedoms, Human Rights Defenders and the Rule of Law. Our commitment to this statement aligns with our core values of safety, care and respect, integrity and accountability. To read the full statement to which we are a signatory, **[click here](#)**.

We have integrated the Guiding Principles and VPs into our policies and standards, including the most recent version of the Anglo American Social Way. Social Way 3.0 defines our governing framework for social performance. Human rights have been embedded throughout the new Social Way policy, toolkit and assurance framework. The policy is underpinned by core human rights principles and based on international reference standards. The toolkit includes procedures, guidelines, and standards required to implement our human rights approach as it relates to social and security risks. The assurance framework, through which compliance is assessed annually, is used to (a) show process against human rights targets; and (b) helps to identify gaps for additional training support.

### **Human Rights Due Diligence**

While many aspects of human rights have been integrated into our policies, and human rights due diligence forms part of the Social Way as it relates to community impacts, we believe more can be done to meet the requirements the Guiding Principles. In this regard, we are working on expanding our human rights due diligence guidance to align with best practice and integrate with internal processes and standards. The guidance will have a special focus on human rights defenders.

### **Alignment with Cerrejón**

As previously mentioned, Anglo American is a one-third shareholder in Cerrejón, which is independently managed and operated. We have shared the Anglo American standards regarding human rights with Cerrejón and supported them as they have developed their human rights policies. In this regard, we recognise Cerrejón's mature approach to human rights which includes the implementation of best-practice international frameworks such as the IFC Performance Standards, the Voluntary Principles on Security and Human Rights, and the UN Guiding Principles on Business and Human Rights. These efforts have been recognised externally through several awards and certifications on both social and environmental performance.

We would like to re-emphasize our concern for the issues raised and echo the condemnation of threats and violence against human rights defenders as expressed in Cerrejón's statement.

Please do not hesitate to get in touch if you have any further concerns about these matters or any others you may wish to raise. We would be happy to arrange a meeting to discuss in person or via phone call.



Yours Sincerely,

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Anglo American

**Sikhulekile (Khule) Duma**  
International & Government Relations Advisor  
Anglo American

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