

Cerrejón's Corporate Culture		1
TPR RECOMMENDATIONS	Cerrejón must develop its own corporate culture to differentiate itself from antecedent companies (Intercor and Exxon). Corporate culture and image should be built on both its own interest and the interests of local communities in La Guajira. It would be useful were the company to also initiate training on the matter of transforming the operating culture of Cerrejón.	
CERREJON'S RESPONSE	Cerrejón is committed to working towards an operational culture that gives priority to the way we interact with our stakeholders and one that instils in our operation cultural values and respect for all with whom the company interacts. We will develop a clear statement of our culture and values and communicate them broadly. We will develop a training program to ensure all management and employees understand such values and their implications for their day-to-day work. We will use our Sustainability Report to communicate our progress on this important area.	
PROPOSED KEY ACTIONS AND PROJECTS	Hold a kick-off meeting with Cerrejón management and relevant staff to strengthen ongoing cultural transformation with regards to identity and CSR. Two key products are expected: <ul style="list-style-type: none"> • A general statement of values and CSR focus areas. • An agreement on how to take forward the re-tooling process in a systematic fashion 	Develop and publish an action plan on corporate culture transformation and CSR, which includes training. Publish Cerrejón's statement on corporate values and approach to CSR.
START DATE	16-Oct-08	18-Oct-08
FINISH DATE	17-Oct-08	15-Nov-08
PROGRESS	In October and November 2008, two high level workshops attended by the CEO and expanded management team discussed key CSR challenges and the way forward for corporate culture change. The group built on progress made so far and produced the <i>11 Commandments</i> . The new Cerrejón Way identifies the following as key priorities: building trust with local communities through dialogue and participatory processes, integrating international standards with regards to preventing and managing social impacts and promoting sustainable development in La Guajira as key priorities for Cerrejón. The exercise served to formalise and internalise the TPR spirit accross Cerrejón's various deparments. On March 31-April 1 a refined version of these values and goals were presented to company employees during the yearly Results and Goals Communications Meeting. These actions have produced the required high-level commitment to carry on with the organisation's transformation. The corporate culture transformation plan includes: - One managerial-level workshop. -Two middle management workshops. -Thirty workshops for employees (Cerrejón has a total of 5,204 employees). The whole cycle will finish in 2010. See more information about re-tooling on corporate social responsibility in item 2 of this table.	
STATUS OF IMPLEMENTATION	COMPLETED	COMPLETED

Cerrejon's Corporate Culture

TPR RECOMMENDATIONS

Cerrejón should initiate training to advance the transformation of the company's operating culture and publicly report on its progress (including overall training programs).

CERREJON'S RESPONSE

We will develop a training program to ensure all management and employees understand such values and their implications for their day-to-day work. We will use our Sustainability Report to communicate our progress on this important area.

PROPOSED KEY ACTIONS AND PROJECTS

A values training program is being co-designed by the Human Capital function and CSR department to spread values (Cerrejón's and local values) in and out of organization. The axis of the program is the Cerrejón woman (employees and relatives), the program evolves into a Community leadership program where Cerrejón women are trained as community leaders.

Key high-level and relevant staff re-tooling training sessions with regards to CSR.

START DATE

18-Oct-08

15-Nov-08

FINISH DATE

01-Dec-09

01-Jun-09

PROGRESS

In 2008, Cerrejón had planned to launch a "values" program to address Cerrejón's challenges as permeated by local context. It was thus meant to address societal values in La Guajira and their effect on the conduct of the work force on a broad spectrum of themes, from safety to CSR. The project was designed to focus on women in the Cerrejón community and neighbouring towns. We have put this project on hold after realising that the Cerrejon Way process needs to take root first.

The training plan for 2009 includes two pillars: -The Cerrejon Way workshops on corporate identity mentioned above. -Training on relevant social engagement tools and CSR international standards, aimed at several departments across the company. In 2008 and 2009 the Social Responsibility team and other departments were trained on: Logic frameworks for participatory social investment projects; Anglo's Socio-Economic Assessment Tool (SEAT); People-Centered Dialogue and Development processes; Resettlement planning and quality of life indicators; and "Higher test" social engagement concepts, by On Common Ground. In addition, staff received expert coaching on Project Management to improve the results and accountability of each project. In 2010, the Sustainability group and other departments received training in operating the new grievances mechanism, which aims to follow the guidelines of the International Council on Mining and Metals (ICMM) and of the United Nations Special Representative for Business and Human Rights, John Ruggie, and key training on the IFC's Social Performance Standards. Cerrejón's corporate culture – The Cerrejón Way– is being promoted and communicated since its launching in 2010 in several programs headed by Human Resources: new employees receive initial information through their corporate training program. A refreshment course for administrative staff is offered through the Essential Leadership and and Cerrejón Leader programs. In 2013 we started the program Feeling Cerrejón that seeks to strengthen the supervisory skills. In addition, trying to validate the day to day activity of the organization and measure its strength we are conducting a study to identify the company's DNA. The resulting information will be used to focus our efforts in the trengthening of The Cerrejón Way.

STATUS OF IMPLEMENTATION

This project has been replaced by the Cerrejon Way roll out workshops in various towns of La Guajira.

COMPLETED

Cerrejon's Corporate Culture

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TPR RECOMMENDATIONS

Cerrejón should implement a process of "retooling" with respect to the management of social impacts.

CERREJON'S RESPONSE

A new management team has been assembled to address and improve our social programs. New programs will be developed in consultation with key stakeholders to ensure that engagement opportunities and information are appropriate to their needs. Local communities will be fully informed of and have the opportunity to participate in decisions that may affect them.

PROPOSED KEY ACTIONS AND PROJECTS

Restructure Cerrejón's Social Engagement Department.

START DATE

01-Jan-08

FINISH DATE

30-Mar-08

PROGRESS

Since 2006, our focus for social engagement has been progressively changing; we aim towards going beyond legal requirements and to a stronger sustainable development framework. In December 2009, the Division of Social Standards and International Engagement was created, which since March 2011 has managerial status within the Company. The Department will be responsible for the Human Rights Program, the Grievance Office as well as general guidance to the company on international social standards that apply to the mining industry.

Since 2010 until today, the Social Management Division has been developing a process to reorganize and strengthen its structure in order to be more effective in the fulfillment of its mission, enhancing its social management level, aligning better to international standards and practices, enhancing its capability to deal with social risks and impacts from our operation (Mine, railway, and Port), protect company reputation, and articulate efficiently the community engagement programs implemented by the Social Management Division with the programs implemented through our Unified Environmental Management Plan and those implemented by the four Foundations. To reach these objectives we created 5 areas that supervise the work being done at the Mine, railway, Port, post-resettlement and social programs.

STATUS OF IMPLEMENTATION

COMPLETED

More on this theme in the next section

Social Management

TPR RECOMMENDATIONS

Shareholders and senior management should recognize that to date success in production has been more marked than success in building trust with the local community. An approach that goes beyond strict legal compliance will be important in addressing this issue.

CERREJON'S RESPONSE

A new approach is being implemented based on international standards. We will use our Sustainability Report to promote our achievements and discuss our challenges.

PROPOSED KEY ACTIONS AND PROJECTS

<p>Standard of Living Measuring Survey (SLMS) conducted by DANE (Departamento Administrativo Nacional de Estadística), Colombia's national statistics office, will be carried out in our area of influence. It follows World Bank and UN Standards.</p>	<p>Improve communications tools used to inform and provide feedback to local communities, as well as to receive feedback from them and adjust our programs accordingly.</p>	<p>Design and write up an overall social engagement strategy that shows how we go beyond minimum legal requirements and adopting international standards.</p>	<p>Present strategy to local communities and government agencies.</p>
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START DATE

01-Aug-08

03-Mar-08

01-Jul-08

17-Mar-08

FINISH DATE

(original end-date January 2009) 30/12/2009

30-Dec-09

30-Oct-08

30-Dec-08

PROGRESS

<p>The survey began in September and urban areas were successfully covered. Rural areas were surveyed in November. The Colombian statistics agency, DANE, handed results to Cerrejón in February 2010. Cerrejón is processing data and will hold discussion seminars with experts, authorities and communities in 3Q 2010. Databases will available at DANE for public use in 2011.</p>	<p>Since the second half of 2011, we have been disseminating the Community Relations Plan with the communities of Tabaco, Oreganal, along the railway line, and with educational and healthcare institutions in the municipalities of Albania, Barrancas, Hatonuevo, and Uribia. To date, more than 96 meetings have been held with approximately 476 people. The Plan will continue to be shared with other communities in the area of influence.</p>	<p>Cerrejón has designed a strategic vision of social engagement that includes the declaration of the international standards it has committed itself to. The strategy has been incorporated in the Community Relations Plan that will be undertaken between 2011 and 2015. This Plan will be subject to consultations with stakeholders which will be developed through 2011. The strategy has 6 pillars: Mitigation of social impacts from our operations, particularly focussing on communities that have been or will be resettled. Reduction of social risks for the operation, attracting stakeholder communities to build a long-term relationship built on transparency, participation, dialogue, and trust. Through the work of the four Cerrejón Foundations, support for projects contributing to regional development. Through the work of our Social Engagement Division, support for health, education, and cultural activity programmes. 20% of our workforce consists of Wayuu and neighbouring communities, with the support of the Department of Human Resources. Through the Human Rights Programme and the Complaints and Grievances Mechanism, we promote and respect the rights of our stakeholders so that their concerns and complaints are quickly addressed.</p>	<p>In March 2011 we completed the Community Relations Plan, which encompasses the period of 2011-2015. The updated version of the Community Relations Plan will be delivered in December 2011.</p>
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STATUS OF IMPLEMENTATION

COMPLETED

Resettlements and Tabaco

TPR RECOMMENDATIONS

It will be necessary for action on Tabaco to be accompanied by the realization that there may be hold-over issues from earlier efforts which come to the fore again, requiring comprehensive and planned action. Cerrejón should address the situation of all the Tabaco families, regardless of their stance on negotiation in 2002. This kind of solution will only be sustainable if it is supported by a fully participatory consultative process involving all stakeholders, which should be commenced as soon as possible.

CERREJON'S RESPONSE

Our overall approach to resettlement has been reviewed and revised to take into account the Panel's recommendations. Particular attention will be given to the development of a clear timeframe in consultation with the affected communities. Our expectation is that resolution of the Tabaco issues will be facilitated by the involvement of a mutually agreeable independent facilitator and propose to suggest this to the TRC and all former residents. We also propose to suggest a firm timeframe (not to exceed the end of 2008), again in consultation with the TRC, within which we will collectively work to bring the outstanding issues to a close. Through this process, Cerrejón will seek to uphold the Panel's recommendation that the monies currently in escrow for compensation should now be paid. Cerrejón will continue to work with the Red Tabaco group to progress the Panel's recommendation of a development bursary.

PROPOSED KEY ACTIONS AND PROJECTS

Agree with the Tabaco Relocation Committee on an independent external facilitator.	Agreement with the Tabaco Relocation Committee, facilitated by Professor John Harker.	Analyse and define the financial compensation for some special cases in the first Tabaco resettlement.
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START DATE

01-Jan-08	02-May-08	05-Feb-08
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FINISH DATE

30-May-08	30-Dec-08	01-Mar-09
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PROGRESS

Tabaco and Cerrejón reached an agreement on December 12 of 2008. Since then: 100% of the compensations have been paid, and all of the 7 former Tabaco residents whose moneys were kept in a judicial bank account from the San Juan del Cesar circuit have now claimed their part. La Cruz farm, chosen by the Tabaco representatives for the reconstruction process, was given the required technical and legal studies for its purchase. In December 2012 Cerrejón donated 14 hectares of land to the municipality of Hatonuevo. Joint meetings with the Hatonuevo municipality and La Guajira provincial authorities to plan their role in reconstruction took place. Next steps include defining new socio-economic projects and disseminating the terms of the agreement more broadly in La Guajira and internationally. We continue to work with the families through the programas offered by the tabaco Network(education, entrepreneurship, training, technical assistance, credit, support to senior citizens, agricultural programs, culture, and sports), strengthening the communication channels with constant feedback from the beneficiary families.
(More information available on the construction of the symbolic site in the next chart)

STATUS OF IMPLEMENTATION

COMPLETED

Resettlements and Tabaco

TPR RECOMMENDATIONS

All parties should focus on what can now be done to help divided communities and otherwise affected communities share better in the positive impacts of mining at Cerrejón.

CERREJON'S RESPONSE

In addition to the specific actions to enhance our community contribution, we also support the suggestion of the Panel to carry out a symbolic reconstruction initiative that will result in community identification and strengthening. We will work with all former residents to determine the support for such an action and what would be most relevant and valued by them.

PROPOSED KEY ACTIONS AND PROJECTS

Build symbolic Tabaco site.

Improve living standards of Tabaco communities (New Entrepreneurial Projects for Tabaco Community)

START DATE

20-Aug-08

01-Apr-08

FINISH DATE

(original end date 12/31/2009) new date depends on various factors

01-Dec-09

PROGRESS

As noted in previous reports, a gas pipeline crosses the La Cruz property. As a result, we offered the Hatonuevo mayor's office an additional 11 hectares in order to meet the safety recommendations of the pipeline owner (TGI). The mayor of Hatonuevo had stated several times to Tabaco community leaders that he disagreed with building the new settlement on the La Cruz ranch, based on two arguments: (1) That the gas pipeline made the property a high-risk zone, and (2) that he has no resources to build Tabaco on the La Cruz ranch because its location makes it too costly.

As an alternative, the mayor has expressed his intention of building Tabaco on a property close to the urban centre of Hatonuevo. According to him, there will be more technical and economic opportunities for the project there. On two occasions, the mayor planned to meet with the former residents of Tabaco and suggest the change of site, but to date the meeting has not taken place. As regards a possible change of site, the families have differing opinions, with some in favour of changing and others convinced the ideal site is the La Cruz ranch. We believe that the meeting between the mayor and the families could clarify questions on what would be the best site for the Tabaco families.

Cerrejón has stated to the mayor that any decision on a change of site for building the new settlement must be consulted with the community, who chose the La Cruz ranch for the new village in the first place. We are still waiting for the municipal administration to kick off the project in order to provide our promised investment in the community centre and the new settlement's roadway layout. The company has the resources set aside for this investment.

On August 11 of 2014, we received written acceptance from the Hatonuevo Mayor's Office for our donation of 11 hectares in addition to the 14 hectares already delivered on the La Cruz property. We are processing all the internal steps for the appropriate approvals and subsequent compliance with legal requirements to formalize the donation. With the donation of these extra 11 hectares, the mayor's office will have approximately 15 hectares without the restriction of the gas pipeline easement to continue with the steps prior to the construction process of the new settlement.

In meetings for social engagement with the community families, we have reported on the issues and on Cerrejón's willingness to support the municipal administration to advance this important process. Recently, a group of participants in the senior citizen program from the Tabaco community requested again that the mayor meet with the families of former residents of Tabaco to address the subject of the physical rebuilding. The mayor has stated that he will meet with the community and talk about the building of the new settlement. This group has also requested that the company continue its support in order for the community's dream to come true. Our response continues to be positive, and we are ready to support the municipal administration in the process. It should be remembered that the mayor's office is responsible for the physical rebuilding. We share their frustration in the construction delays and we are working to help the municipality manage its resources for the physical rebuilding of this village. These delays have also prevented us from meeting our commitment to building a symbolic site for Tabaco, so it is still impossible to set a date for the start of construction. In the meantime, we continue to support the social programs (business venture, education, formation of associations, income generation, culture and sports, seniors, etc.) and work on maintaining the social unity of the community families.

Cerrejón has supported in 2008 received on financing or production projects for the eight years for 22 families in the Tabaco Social Development Network, investing COP 2.3 billion. The projects include the areas of agriculture, small shops, business, transportation, scholarships for youth education, reinforcement activities for administrative capacities, and the cultural identity of the Tabaco community. In Feb. 2010, Cerrejón held a workshop focusing on human rights, which provided an initial venue for reconciliation amongst the Tabaco community members. In attendance were Cerrejón officials, local authorities, and over 200 members of the Tabaco community. Since then, the members of the Tabaco Relocation Committee have received funds for primary, secondary, and university education and the offer of training in business start-ups through the National Training Service (SENA) in order to organize new production projects. In addition, with the goal of strengthening community social integration, the 2nd Meeting of Tabaco Residents was held in 2011, and the 3rd Meeting of Tabaco Residents was held in 2012. In the area of social entrepreneurship, work has been done in strengthening the concept of an association by forming two organizations: the Tabaco Association of Farming and Livestock Producers (Asored-Tabaco) and the Tabaco Women's Departmental Association. Moreover, we continue strengthening the 87 production businesses. Of the 103 microcredits issued, 16 have paid back their loan, and 15 are in arrears as of October 2014 and unlikely to pay it back (14.5% of the loans). It should be noted that, of the 15 credits deemed difficult to recover, 9 businesses continue to be active and 6 are inactive. The issue of recovering the loans is a sensitive one. Therefore, we organized a strategy of loan recovery in the second half of 2013 with the participation of members of the community oversight committees (Mixed Committee, Credit, and Traditionals). This will allow projects in arrears to restart payments and return to the Tabaco Social Fund the resources they received as microcredits (which funds are also used for scholarships and educational support for primary and secondary students). This strategy was put into operation in February of 2014 and we are expecting a very positive response from the business venturers involved. The strategy has had positive results among the people with debts, and some people have paid their loans. However, we've had internal delays in the approval of the payment document which the people with debts have to pay to begin the new payment schedule. We understand that this 10 month delay has created unrest and distrust among the credit beneficiaries. We hope to have an answer soon.

In Nov. 2013, the patron saint festivities were held for the community, with more than 600 people attending and the Hatonuevo mayor's office participating. We shared with the public various topics concerning the Tabaco families, including the issue of the physical rebuilding of the community's new settlement. At the event, the community came together and strengthened the ties of affinity and friendship in a way they can seldom do now due to the scattered nature of the families. In 2014, we are continuing with our social engagement with the families, consolidating their participation in programs such as education, which now begins in secondary school (grades ten and eleven). We are working in partnership with the Open and Distance University (UNAD) and the SENA to provide workshops on vocational orientation and identification to help them identify more clearly their academic inclinations.

There is also a program to strengthen existing community institutions (Asored-Tabaco and the Tabaco Women's Association) in order to improve their capabilities of accessing national and local institutional resources and programs. Another program we are backing is income generation through the organization Multiservicios Tabaco S.A.S., which provides community members employment with Cerrejón and some of our contractors. There are currently 12 people hired with contractor firms, and some are doing their work practices at Cerrejón.

The Culture and Sports Program continues to work on two fronts: the music program in Hatonuevo (23 children and adolescents) and the continuity of the two football teams (peewee and adults) in the community. In 2014, music training began in Albania with the participation of 41 children and adolescents. Every Saturday morning, they have classes to reinforce their habits of responsibility and discipline in an activity that has positive effects on their overall growth. In addition, the social programs continue on, and on October 1 of 2014 the Seniors' Program began with the Tabaco community. There are a total of 43 participants, with some provided with the program at home due to poor health. Adults who are physically fit enough travel from different parts of La Guajira to the main centres in Hatonuevo and Albania.

STATUS OF IMPLEMENTATION

RISKS TO COMPLETING PROJECT AS PLANNED BUT MAKING PROGRESS

COMPLETED

Resettlements and Tabaco

TPR RECOMMENDATIONS

7

Cerrejón should recognize that resettlement processes based on international standards should be triggered not only when physical resettlement is required, but also when a community is affected by the very proximity of the mine and its impact on other communities.

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A broad conception of "affected community" must be embraced by Cerrejón as a key driver of its approach to both resettlement and good neighbourliness, including how it deals with communities who are "affected" but not "displaced".

CERREJON'S RESPONSE

Cerrejón agrees with the Panel that resettlement may be appropriate where a community is adversely affected by the indirect impacts of mining. This concept has now been incorporated in our resettlement principles.

PROPOSED KEY ACTIONS AND PROJECTS

Issue new resettlement policies statement.	Develop and agree with the affected communities timelines for their resettlement processes.	Develop indicators to measure current living standards of communities to be resettled and identify key actions that will improve these.
16-Jun-08	01-Jan-08	20-Aug-08
30-Sep-08	(original end date 9/30/2008) new end dates will result from new dialogues	
		2/10/2009 new expected date 3Q 2012

PROGRESS

This is our statement: Cerrejón follows World Bank (WB) and International Finance Corporation (IFC) guidelines. We see resettlement as an opportunity for dialogue with local communities, improvement of their living standards and building social capital. We expect the on going resettlement processes to strengthen sustainable development in La Guajira.

Roche: Of the last 8 families to sign the relocation agreement, 6 have become actively integrated into life at the new settlement and are making progress in identifying and organizing their business idea. Two families have a background of raising livestock and selected the La Sorpresa property which was upgraded in April of 2014 for relocating the cattle and 147 heads of cattle have already been moved there. Since then, Cerrejón has supplied water, feed, and veterinary care to the cattle because the beneficiaries have postponed taking ownership of the property claiming a lack of water on it. In accordance with a commitment to the families, an exploratory water well was drilled on the property with no result. Although the property, with its water status, was chosen by these families in 2012, in June of 2014 one of the cattle owners returned to old Roche and claimed he would not leave until a sustainable water solution was supplied at the ranch. In addition to the water trucked in, the recent rainfalls have filled the water reservoirs on the property, which is ready for running cattle. Although Cerrejón has the option of reactivating the eviction process suspended upon reaching agreements in Oct. 2013, we have opted instead for finding a negotiated solution with these two families.

Patilla: The 46 families authorized for relocation have been at the new site since June of 2012. Support continues for the production projects i. Currently, 36 projects are in a phase of closure, some because their projects completed a productive cycle (crops), other because they are operational without support, and the remainder because they did not meet the expected targets. Ten families have their production projects in operation and 6 are consolidating their business plan before starting their activity. Negotiations continue with the group of 6 families that remain at the original site and are not part of the collective relocation. We have acquired 1,217 uninhabited properties out of a total of 1,436 (84.75%).

Chanclleta: 47 of the 57 families eligible for collective relocation have signed the relocation agreement and are now at the new site. In addition, 6 of the 9 resident families not eligible for collective relocation have already moved to the new site. We are negotiating with the remaining 13 resident families. The 47 relocated families have 18 projects under way, another 25 are in the implementation stage, and 10 showing minimal progress. Most of the projects in the implementation stage are farming and livestock, and the severe drought until mid-Sept. caused unexpected delays. We have acquired 769 uninhabited properties out of a total of 901 (85.35%).

Las Casitas: The construction of the new dwellings is in the final phase, and relocation should start in the 4Q of 2014. We have reached agreements with 11 of the 31 families eligible for relocation to the new settlement and with 7 of the 13 resident families not eligible for relocation to the new site. Talks are continuing with the remaining resident families, and we are taking steps to acquire the rural properties on which around 14 families reside. Ties continue active with the NGO Indepaz, which is advising the Community Action Committee. In July of 2014, with a prior assessment of the commitments agreed to in contracts with the State, Cerrejón began a process of eviction from the properties that are a priority for mining. The National Mining Agency (ANM) approved the requests, expedited the resolutions, and sent them to the Barrancas municipal government for notification of the owners. In mid-Oct. of 2014, the ANM started technical visits to the properties as part of the requirements of this process. Cerrejón provided timely notification to the families at the start of this process, and we have emphasized that we still prefer direct negotiations.

Tamaquito II: 16 families are in the initial phase of cost structuring for two collective livestock projects. Efforts have been made to find a reliable, permanent source of water for the community. 11 families are waiting to conclude the purchase of a ranch for another collective livestock project. The remaining 17 families are behind on implementing their plans due to a lack of clear ideas on the type of business or a lack of suitable conditions to implement them. The property deed is currently being transferred to the indigenous authority in order to aid in the steps to form an indigenous reservation. We are currently working on meeting 13 commitments pending, seeking to avoid delays that would affect our engagement with this community.

Round table with leaders from Roche, Patilla, Chanclleta, Las Casitas, and Tamaquito II: Meetings continue with the leaders of the relocated communities, Cerrejón, the Barrancas municipal government, and the presence of representatives from the Las Casitas Community Action Committee, with 29 sessions held to date. An agreement was signed covering the educational component of the compensation package. We are reviewing a draft agreement on employability that will allow us to support training to improve work skills, thus providing better opportunities to access jobs (direct, indirect, in communities, etc.). We are continuing to review the matter of production projects and the design of the water uptake to be built on the Ranchería River to capture irrigation water for community joint-owned properties used for production projects.

We are making progress in **implementing the program for educational strengthening**, which seeks to impart abilities, knowledge, and skills to confront poverty and inequality and to favour social inclusion and long-term sustainability. As of Sept. 2014, there are 368 beneficiaries in the eight components comprising the program: 103 youths in university studies; 36 children under five years of age in the early childhood program; 125 primary students in the thematic strengthening programs, bilingualism (English), use of information technology, art/culture, and life skills; and 80 secondary school students in the same programs. Three students are receiving complementary support in learning, eight adults are receiving training in information technology, and 13 students near graduation are receiving vocational advice to decide on their career paths.

In the first half of 2009, the technical consultant Asicom undertook an initial assessment on the standard of living, capability for self-administration, and equity capital of the communities undergoing resettlement. In the second half of 2011, Cerrejón decided to use the poverty measurement methodology adopted by the Colombian government, which includes the multidimensional poverty index generated by the United Nations Development Programme (UNDP) and the University of Oxford. This is a more complete indicator that provides a multidimensional perspective of people living in poverty, thereby allowing clear identification of where strategies and resources should focus in order to improve their standard of living.

In August 2011, this indicator was implemented for the community of Roche with data from the socio-economic baseline provided in 2010 by the Social Capital Group consultant and complementary information from the Codesarrollo Foundation from the community's site of origin. Subsequently, the indicator was measured at the new Roche site. The results reveal a very significant improvement in the standard of living of the resettled community. They have also allowed us to identify significant aspects requiring extra actions aimed at improving the community and its sustainability. Similar measurements are planned for the communities of Patilla, Chanclleta, Tamaquito, and Las Casitas prior to and after relocation. Subsequently, each community will be regularly monitored in accordance with this methodology in order to provide a timely ranking of improving trends in the standard of living of each community at its new site.

IMPLEMENTATION STATUS

COMPLETED

Level of completion to be determined depending on new community dialogues

COMPLETED

Resettlements and Tabaco

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TPR RECOMMENDATIONS

Cerrejón should view past resettlements as liabilities which need to be addressed through a new approach that emphasizes clear consultation and negotiation practices and strategies. It may also be appropriate for Cerrejón to continue to promote group as opposed to individual resettlement, as is advocated in modern standards covering resettlement.

CERREJON'S RESPONSE

Our overall approach to community resettlement has been reviewed and revised to take in to account the Panel's recommendations.

PROPOSED KEY ACTIONS AND PROJECTS

Update Cerrejón's web site to explain better the resettlement processes and the implementation of international standards. Update every 3 months.

START DATE

20-Jun-08

FINISH DATE

30-Oct-08

PROGRESS

Since the last report from October 2011, Cerrejón has been improving the quantity and quality of the information on its website in order to more completely record the progress and challenges of each community in the process of being resettled. To do so, information has been updated and videos and a table of progress has been included for each community, highlighting the most significant activities and events. We believe that we must continue to regularly update the web portal with the pending actions in each community in order to provide timely, transparent multimedia information.

STATUS OF IMPLEMENTATION

COMPLETED

Cerrejón's Foundation System		10 & 11
TPR RECOMMENDATIONS	<p>10 Cerrejón's aim should be to explore how its existing role and capacity can be better harnessed for sustainable and equitable socioeconomic development in La Guajira.</p>	<p>11 Each foundation's strategic objectives and specific activities need to be developed through an extensive and participatory consultation process with relevant stakeholders. These should be published and disseminated, both as a means of providing clarity and as a way of managing expectations.</p>
CERREJON'S RESPONSE	<p>Cerrejón acknowledges the Panel's recommendation that it explore how it can more effectively contribute to sustainable development in La Guajira. To this end, we will further strengthen our social responsibility actions for the long term benefit of the communities and to seek sustainability for the people of La Guajira.</p>	<p>Agreed. Cerrejón will work with the relevant stakeholders to develop the strategic objectives and specific activities for each Foundation. We will publicly report our progress annually through the company's Sustainability Report.</p>
PROPOSED KEY ACTIONS AND PROJECTS	<p>Develop, consult and publish each foundation's key objectives and strategies.</p>	
START DATE	<p>30-Jun-08</p>	
FINISH DATE	<p>31-Mar-09</p>	
PROGRESS	<p>In February 2008, Cerrejón launched four foundations focusing on: making clean water accessible, improving the quality of life of the Wayuu, promoting the effectiveness of taxes and royalties investment and increasing local employment. Throughout 2008 and 2009, the Foundation's strategies and programs have been discussed with several local stakeholders, including local authorities and beneficiary communities. See more information at www.fundacionescerrejon.org. We aim to have on going consultations with local communities and dissemination of information about the foundation's programs and impacts.</p>	
STATUS OF IMPLEMENTATION	<p>COMPLETED</p>	

Cerrejon's Foundation System

12

TPR RECOMMENDATIONS

The independence of the foundations should be strengthened and made explicit, with particular attention given to ensuring that the foundations are acknowledged as being properly informed, expertly guided and sufficiently independent.

CERREJON'S RESPONSE

The Panel's advice that good governance will be fundamental to the long term success of the Foundations is well made and their recommendations will assist in the further development of our approach. We have sought to ensure that each of the Foundations have high calibre Executive Directors, selected for their knowledge, expertise, and management skills, with world class Boards of Directors.

PROPOSED KEY ACTIONS AND PROJECTS

Appoint high profile directors and boards for the foundations.

START DATE

30-Jun-08

FINISH DATE

30-Jun-08

PROGRESS

The four foundations are managed by senior directors with professional and academic experience relevant to the specific development objectives. See Foundation directors' profiles and boards at www.fundacionescerrejon.org.

STATUS OF IMPLEMENTATION

COMPLETED

Engagement with Civil Society

13

TPR RECOMMENDATIONS

Cerrejón should increase efforts to encourage and attract civil society organisations, Colombian and international development agencies, donor governments and multilateral institutions.

CERREJON'S RESPONSE

We fully agree with the Panel's recommendation that we should further encourage the participation of international development agencies, donor governments and multi-lateral institutions. Good progress is being made. To assist with this objective Cerrejón will host a "Forum for Regional Development" inviting additional civil society groups, government and companies to participate in the development of joint strategies and action plans. The Forum will be held no later than the first quarter in 2009.

PROPOSED KEY ACTIONS AND PROJECTS

Relevant departments must identify and approach new partners. Status of new alliances will be published in our web site.	Planning and preparation of the Forum in consultation with internal an external stakeholders	Host a Forum for a Regional Development
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START DATE

01-May-08	11-Sep-08	3Q 2009
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FINISH DATE

31-Dec-08	30-Jun-09	(original end-date March 2009) Nov 2009
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PROGRESS

In addition to contacts previously reported,we engaged:Pax Christi and International Alert on Voluntary Principles themes; the World Business Council on Sustainable Development,the Netherlands and Carrefour (a supermarket chain) to set agricultural projects than can provide local employment; Harvard on a project to improve our grievance mechanisms;the United States Agency for International Development and Florida International University to set up a House of Justice in Riohacha; and the Women's World Banking on micro-credit,among others. In recent years Cerrejón has enhanced its engagement with national and international NGOs, clients, media, associations, academia, multilateral organizations, foreign governments, etc. With the craation of the Social Standards and International Engagement Department in 2010 we have been stregthening our engagement with stakeholders through meetings, permanent engagement, visits to the Mine, etc., and strengthening the implementation of standards on the ground. In addition, we have maintained our participation in well known initiatives on business and human rights such as the Global Compact's Regional Center for latin America and the Caribbean, the Minins and Energy Committee on Human Rights (CME), the Avina Foundation, the Association of Large-Scale Mining in Colombia, the Global Business Initiative on Human Rights, among others.

Nearly 200 people attended the Regional Development Forum of November 18, called Building a Future: Perspectives on the Sustainable Development of La Guajira It gathered grass roots communities, Wayuu indigenous communities, local authorities, national level government representatives local business leaders and academics. It was co-hosted by the Colombian NGO Redepaz, the think tank Observatorio del Caribe Colombiano, the Gobernación de La Guajira, Chevron and Cerrejón. Redepaz facilitated two preparatory community consultation workshops in October, one in Uribia and other in Barrancas to make sure local voices and ideas could be presented at the Forum. The Forum was followed by the so called International Aid Roundtable, which included representatives of 14 foreign donor countries and United Nations agencies. Cerrejón's four Foundations, in coordination with local partners, participated actively. Key results have been: a. the kicking off of a Development Planning process comprising communities, political parties, municipalities, provincial level authorities and the National Planning Department, which should produce a strategic short term and long term consensus document, b. greater awareness of Wayuu views with regards to development, c. greater public debate with regards to poverty and the need to combine small and large scale economic development projects in the region and d. greater awareness among state actors of their responsibilities and challenges in La Guajira and e. identifying strategic areas and projects for foreign donor funding.

STATUS OF IMPLEMENTATION

COMPLETED

The Wayuu - Culture and Employment

14

TPR RECOMMENDATIONS

The key focus for future Cerrejón social responsibility practices should be addressing the fact that the Wayuu have benefited the least by the mine's presence, while they are the most vulnerable and the most impacted segment of the local population.

CERREJON'S RESPONSE

The Wayuu are a particularly vulnerable segment of the local population and to date, they have not benefited to the same extent as others. We agree that this must be addressed as a central element of Cerrejón's social responsibility practices. To address this issue, Cerrejón's Foundation for Indigenous Guajira and Foundation for Progress in La Guajira will develop a special education and training program. Building on existing efforts, the program will be developed in consultation with the Wayuu communities, government, NGOs and other agencies contributing to development in the region. The program will be presented and discussed at the Forum we've agreed to host.

PROPOSED KEY ACTIONS AND PROJECTS

Carry out a set of socio-economic development activities in conjunction with Cerrejón, the Foundation for Indigenous Guajira, the Foundation for Progress in La Guajira and other partners to improve the living standards of the Wayuu Communities in our area of influence, respecting Wayuu culture and traditions.

START DATE

01-Jun-08

FINISH DATE

31-Dec-08

PROGRESS

Detailed information of the Foundation for Indigenous Guajira is available at www.fundacionescerrejon.org. Key projects and impacts in 2008 and 2009 include: - Strengthening indigenous culture, welfare and rights through the so called "Planes Integrales de Vida": these integrated plans are mechanism whereby indigenous groups reaffirm their identity and articulate interest into municipal and provincial development plans. Up to December of 2009, the Foundation had facilitated 135 meetings in 7 indigenous reservations and 12 indigenous settlements, with a total participation of 2,000 persons. The Red de Seguridad Alimentaria programme (Resa, food-safety network programme) in 2008 benefitted families totalling 18,213 persons with distributions of 3,750 seed packets and farming equipment. The program offered agricultural capacity-building and follow-up visits. In 2009, there were another 2 systematic food-safety programmes: Apoyo a *Seguridad Alimentaria Wayuu-Wiwa* (Asawa, Food Security Support for Wayuu and Wiwa) and *Ayatajirawa* (Community Support) for the production and marketing of foodstuffs. Participation consisted of 490 families comprising a total of 1,760 persons.

STATUS OF IMPLEMENTATION

COMPLETED

The Wayuu - Culture and Employment

TPR RECOMMENDATIONS

Cerrejón should develop a clear strategy and measurement indicators.

CERREJON'S RESPONSE

Cerrejón is currently committed to have at least 20% of its new work force made up of in habitants from neighboring communities and indigenous population. We will clearly articulate our plans and publicly report our progress in our Sustainability Report.

PROPOSED KEY ACTIONS AND PROJECTS

Identify training needs of the communities in the Cerrejón sphere of influence and define a training plan.

Implement training plan according to community interests.

START DATE

19-Jul-08

30-Nov-08

FINISH DATE

30-Nov-08

30-Dec-09

PROGRESS

We consulted communities on their needs and these were the results:electromechanics,crafts training,wordprocessing,home renovation and maintenance,and grass-roots business associations.We conducted a focus group session with Wayuu employees to understand better possible barriers of entry into the company and difficulties adjusting.The results were used to reform training and entry processes:now follow up can be made on the status of the selection using computers.Cerrejón has 5,204 direct employees of which 428 are from surrounding areas or Wayuu.Of the 704 hired in the last year, 34%,or 236,is of the Wayuu or surrounding population.The total number of wayuu people working for our contractors is 449, equivalent to 7.92% of total contractor employees.

Cerrejón's training plan for 2009 will offer training 16 sessions for 200 people from neighbouring communities,of which 40% are Wayuu.

STATUS OF IMPLEMENTATION

COMPLETED

The Wayuu - Culture and Employment

16

TPR RECOMMENDATIONS	Training for future local employees should be complemented by parallel process of business development support to enable local companies to meet the standards required by Cerrejón in delivering certain products and services.	
CERREJON'S RESPONSE	In 2008, the foundations system signed an agreement with the Servicio Nacional de Aprendizaje (SENA, Colombia's national vocational training agency) for the training of 1000 Wayuu youth in entrepreneurial skills, which will later turn in to productive projects. We will report progress in our Sustainability Report.	
PROPOSED KEY ACTIONS AND PROJECTS	Implement "Conéctate Colombia" program (Technical training for 120 students).	Monitor entrepreneurship projects derived from training.
START DATE	18-Dec-07	30-Jun-08
FINISH DATE	30-Mar-09	30-Mar-09
PROGRESS	<p>Since 2008, and including the persons that are currently in a training program, 947 indigenous Wayuu are trained. The goal for 2009 is to train 647 indigenous persons total. Before the end of the first half of 2010, the goal of training 1000 young Wayuu will be reached.</p>	<p>Between June and October 2009, Cerrejón strengthened four artisan associations in the Indigenous Reservations of San Franciso, Trupo Gacho, Provincial, and El Cerro through the entrepreneurship units of the National Apprenticeship Service (SENA). In 2010, through an agreement underwritten by the Crea Foundation and the Cerrejón Foundation for Indigenous Guajira, Cerrejón succeeded in diversifying artisan production through the development of new products, and strengthening best practices in production, administration, and merchandising. 70 artisans have benefited. In addition to training in business ventures, they participated for the first time in national events and fairs to promote and market their products, such as Expoartesánias, Expoartesanos, Expoleather Show, amongst others. In March 2011, this initial phase ended with a participative evaluation by stakeholders (Cerrejón, the artisan beneficiaries, and the Crea Foundation) with the aim of sharing lessons learned, successes, and difficulties encountered during the development of the business venture and entrepreneurship project. In 2011, Cerrejón will continue to work alongside these work units to help them strengthen their businesses.</p>
STATUS OF IMPLEMENTATION	COMPLETED	

The Wayuu - Culture and Employment

17

TPR RECOMMENDATIONS

The company could work with the Wayuu clans to organize ceremonies which would recognize the burial sites along the railway line and (in cooperation with the appropriate public authorities) explore options for renaming the road as the "Wayuu Memorial Highway".

CERREJON'S RESPONSE

As recommended by the Panel, we will develop plans to recognize burial sites and rename the access road during 2008. We will do this with the involvement of the elders and the traditional authorities of the Wayuu communities and ensure that any actions have the full support of the local communities.

PROPOSED KEY ACTIONS AND PROJECTS

Develop plan with the Foundation for Indigenous Guajira and communities.

START DATE

01-Jun-08

FINISH DATE

30-Apr-09

PROGRESS

In August 2008, we concluded a detailed study on Wayuu usage of land adjacent to the railway to understand better the pattern of Wayuu railway crossings, which can be hazardous to them. As a result we identified two critical points where we can build bridges for Wayuu circulation. We calculate these will service around 50% of pedestrian traffic. The construction of bridges is being assessed. The study on mental health, alcohol and drug use among Wayuu was completed in August 2009. Currently, the Foundation Indigenous Guajira is advertising a programme for substituting alcohol stills for farming development programmes. This is part of a three-year plan to mitigate the accident rates and psycho-social problems of the Wayuu communities. As regards the Offering Sites (sitios de pago) in our area of influence, we identified 6 lands. The majority of these sites are located on private property, one on public property and another in an indigenous reservation, Trupio Gacho, which was completely recuperated through an agreement between the Wayuu of Trupio Gacho and the Wiwa and Kogui of Sierra. With this agreement the Wiwa pledged to care for the water zones in the area and the indigenous Wayuu pledged to stop selling the sacred stones of the Wiwa. The Cerrejon Foundation for Indigenous Guajira took charge of maintenance work, reforestation, and care of the offering sites in the location. The buying process of land for the protection of sacred sites is being evaluated.

STATUS OF IMPLEMENTATION

COMPLETED

The Wayuu - Culture and Employment

TPR RECOMMENDATIONS

Attempting to reunite the community at Media Luna, at least socially if not physically, should be a priority for the management of social impacts at Cerrejón.

CERREJON'S RESPONSE

The Panel's recommendation is supported but clearly also requires the consent and participation of the Wayuu clans involved. Cerrejón management will facilitate discussions with the clans to determine their aspirations. In consultation with the community, a support program will be developed for implementation within 6 months.

PROPOSED KEY ACTIONS AND PROJECTS

Develop and implement a home improvement program.

Build a health center.

START DATE

02-Feb-08

01-Mar-08

FINISH DATE

30-Dec-09

30-Dec-08

PROGRESS

To comply with the company's commitment to improve dwellings in the communities of Pioule and Pioula, as laid out in the agreement signed by Cerrejón and the Foundations System, we have been building a pilot house in the community for project beneficiaries to greenlight before constructing the rest of the dwellings. Certain permits and studies had to be completed to guarantee housing quality before construction could begin. The construction course provided to 30 young people from the two communities is about to end. They will then be hired to take part in the housing construction project. Training is provided by the National Training Service (SENA, its acronym in Spanish) and is given in their own community.

On the subject of land, Cerrejón has been studying the Kamüsüchiwo'u request to be granted the land they occupy within the industrial reserve. This topic has been addressed with the community, noting that it is not Cerrejón's decision to grant the land. However, we have already contacted Colombian State agencies to inform them of the community's request and of our position to it.

The Environmental Oversight Committee is fully formed with representatives from the Media Luna communities. Regular meetings are being held to inform them of the functions and roles of each member and of the committee as a whole. This committee has ongoing support from Cerrejón's Social Engagement and Environment teams.

Cerrejón has been supplying 190 m3 of water a week by water tanker from Cerrejón's desalination plant in Puerto Bolívar to the 15 Media Luna communities, the Kamüsüchiwo'u Ethno-Educational Institute, and the Media Luna healthcare centre. Due to the severe drought in the Uribia area in recent months, water has also been delivered by water tanker (an average of 190 m3 per week) to the 52 communities in Sector IV of the railway line. Work has also been completed on the uptake works and water storage system at the Kamüsüchiwo'u Ethno-Educational Institute.

In addition, the following social programs continue to be implemented:

Healthcare. The Promotion and Prevention Program has a mobile unit (ambulance) that provides service to 49 communities neighbouring Puerto Bolívar and the railway line (Km 119 to Media Luna). Since the program kicked off in 2012, we have attended 3,456 inhabitants. We chose 22 meeting points to provide the service. Activities include basic care, promotion and prevention programs, referrals to specialists, educational talks, medication delivery, house calls, healthcare days, and so on. Since 2012, the mobile unit has helped save 149 lives in emergency referrals (28.5% were childbirths). In addition, 1,917 students, teachers, and parents have been trained in the Program for the Prevention of HIV-AIDS and Sexually Transmitted Diseases for youth and teenagers.

Education. Three programs are under way: 1) Program for Academic Strengthening of Wayuu Youth, aimed at 30 secondary students. Of these, five students are from the Media Luna communities. To date, 54 youth have benefited from this program. 99% of these students have already been admitted to universities on the Colombian Costa Atlántica, and Cerrejón is aiding them with grants for room and board. 2) Institutional Strengthening Program. This program aims to reduce failure rates and dropouts by providing support in homework and academic reinforcement. 3) Support in preparing for the State SABER tests with refresher workshops for teachers, academic reinforcement for students, and simulated tests.

Culture and Sports. 1) Weekly theoretical-practical workshops are held in sports training for children, teenagers, and adults from Media Luna and the Kamüsüchiwo'u Ethno-Educational Institute. In addition, 14 members of communities neighbouring Puerto Bolívar have been trained in sports leadership. Sports are promoted as a tool for whole-body training, making use of free time, and contributing to healthy social co-existence. It also helps to prevent and reduce tobacco addiction, alcohol consumption, and drug use, instead creating healthy lifestyle habits. 2) We have developed comprehensive training workshops in music for 120 children using the Orff musical method and choral techniques. This level covers children from the age of six. They complete two to three years before reaching the pre-orchestra level. 3) We have held training workshops on Wayuu recreational activities: Wayuu arts, games, music, and sports for 135 youth. The aim is to strengthen the cultural heritage of communities and help to rescue their traditions, customs, and beliefs so that residents reinforce their sense of belonging to their culture and transmit it to future generations.

Both a health center and a nutrition service center were built by August 2009.

In recent years we have strengthened the Media Luna health center by enhancing the building, repairing the well, providing water system and elevated tank giving medical equipment and instruments such as the dentist unit that includes required instruments and an electric plant.

A Mobile Health Unit was assigned to the area to strengthen promotion and prevention activities, general medicine attention, prebirth care and child development and growth.

Cerrejón's intervention in Media Luna goes beyond these two tasks. We have structured an integrated proposal addressing health, education, infrastructure (water, housing) and income generation. Some of the specific components have already been consulted with the communities.

STATUS OF IMPLEMENTATION

BEHIND SCHEDULE

COMPLETED

Royalties

TPR RECOMMENDATIONS

Cerrejón should explore means of disseminating information on royalties more widely, with the objective of stimulating awareness and active debate amongst the population. It should encourage the establishment for growth of organisations capable of sustaining civil society's engagement and interest in the management of royalties and of monitoring and holding local government accountable for their use. It should also address the problem of state capacity, perhaps through the Foundation for Institutional Strengthening.

CERREJON'S RESPONSE

Cerrejón will explore means of disseminating its publication of all payments to government more widely, including through the local media. We will also continue to include this information in our Sustainability Report and discuss it with the local communities as part of our stakeholder engagement program. Cerrejón will also meet with relevant Colombian government agencies to promote Colombia's adherence to the Extrative Industry Transparency Initiative (EITI).

PROPOSED KEY ACTIONS AND PROJECTS

Conduct meeting with key government stakeholders.	Write the Colombia case study for the EITI Mining book, to be launched at the February Doha meeting.	Publish royalties payments in the local media.	In conjunction with the Presidential Anti-Corruption Office, royalty projects shall be monitored with the support of citizen oversight.	Carry out capacity building workshops for public official and other stakeholders.	
START DATE	20-Jun-08	25-Aug-08	02-Jun-08	29-Jul-08	30-Jun-08
FINISH DATE	15-Dec-08	30-Dec-08	30-Nov-08	30-Dec-09	30-Sep-08

PROGRESS

Cerrejón helped EITI arrange meetings with key government and industry reps in November in Bogotá. León Teicher also contacted Minister of Mines to encourage Colombia's adherence. There is increasing interest among public officials, business associations and the private sector. Some government officials still question the value added of EITI given that the World Bank is already implementing programs to improve sub-national level revenue management (what is known as EIT++ issues). Cerrejón is committed to carry on encouraging government decision-makers to sign on to the initiative.

Cerrejón published in February 2009 a case study on royalties and transparency in the recently launched EITI publication: "*Advancing the EITI in the Mining Sector*".

A publication with Cerrejón paid taxes and royalties was issued in January 2009. The Foundation for Institutional Strengthening is training journalists on royalties' issues. 60 journalists from different municipalities in La Guajira attended the first 2 workshops held in Fonseca and in Riohacha. In alliance with the National Planning Department, a training event was organized for 53 local journalists dealing with the regulatory framework of royalties and the role of press in the control and monitoring of these resources. To attain greater involvement from the media regarding the investment processes of coal royalties, the Foundation launched in January the Award for Best News Report on the Investment of Coal Royalties and its Social Control in La Guajira. The award has 34 local registered journalists who will submit their work on November 30, 2009. The royalties payments are not published in local media but the Foundation disseminates this information through Monthly Reports on its website.

From 2008 to 2010, Cerrejón paid nearly US\$ 428 million dollars. To date, the Foundation for Institutional Strengthening has monitored investments in eight large projects in Barrancas, Albania, Hatonuevo, and Uribe for a total of 31 million dollars, and it has held 25 visible auditing forums of these projects. These sessions gathered together community members and national authorities. The projects include the construction of 300 social welfare housing units, a park in the municipality of Albania, the upgrading of three educational institutions in Uribe and Hatonuevo, the building of an educational institution in Barrancas, and the installation of water and sewage mains in the municipalities of Chorreras, Barrancas, and Hatonuevo. Out of the 8 projects, the authorities have handed over 4 finished audited projects in Hatonuevo, Albania, Barrancas and Uribe. The audits revealed some evidence of the use of inadequate construction materials, lack of required documentation, and other irregularities. Furthermore, the Foundation has enabled two participatory budget meetings, in Barrancas and Uribe, which have led to projects being complemented with works suggested by the community. In 2008 and 2009, the Foundation offered local authorities 11 seminars on royalties, spending and public bidding, as well as on project monitoring and evaluation. www.fundacioncerrejon.org

STATUS OF IMPLEMENTATION

COMPLETED

Security and the Voluntary Principles on Security and Human Rights

20 & 21

<p>TPR RECOMMENDATIONS</p>	<p>20</p> <p>Allegations of aggression by security forces need to be rigorously investigated and efforts made to ensure that correct behaviour and attitude by Cerrejón security personnel serve to strengthen relations between the company and nearby communities. Cerrejón should work to establish a more transparent process for handling complaints about security and put in place a systematic mechanism for dialogue with communities around security concerns.</p>	<p>21</p>	<p>Cerrejón should take advantage of the process currently under way in Colombia to develop clear indicators for implementation of the Voluntary Principles. Piloting and refining these indicators will provide a proper mechanism for recording, monitoring and addressing alleged violations, as well as a system for evaluating the results of its extensive human rights training program.</p>
<p>CERREJON'S RESPONSE</p>	<p>We fully agree with the Panel's view that any allegations of aggression by security forces need to be vigorously investigated and remedial action taken if the allegations are substantiated. This has been and will remain the case, however, we recognize that putting in place transparent processes for handling complaints and a systematic mechanism for dialogue with local communities around security concerns would be valuable. We will explore the Panel's recommendations as part of our overall community consultation program. We will develop indicators of the success of our extensive human rights training as suggested by the Panel by the end of 2008. Progress will be reported through the annual Sustainability Report.</p>		
<p>PROPOSED KEY ACTIONS AND PROJECTS</p>	<p>Improve the existing complaints and grievance mechanism.</p>	<p>Pilot the indicators of the Voluntary Principles on Security and Human Rights.</p>	<p>Design and put into practice a follow-up mechanism to measure the results of human rights trainings.</p>
<p>START DATE</p>	<p>01-Sep-08</p>	<p>01-Sep-08</p>	<p>01-Oct-08</p>
<p>FINISH DATE</p>	<p>30-November-2009 (original date, April 2009)</p>	<p>30-Jan-09</p>	<p>6/1/2009 new expected date 1Q 2012</p>
<p>PROGRESS</p>	<p>A claims log and follow up procedure for Voluntary Principles on Security and Human Rights issues was completed in 2009. That year Cerrejón decided to go beyond the scope of this commitment and design a corporate-wide grievance mechanism. In December 2009, Cerrejón launched the pilot phase of the new overall corporate claims mechanism that follows the recommendations by the UN Special Representative for Business and Human Rights, John Ruggie. The pilot phase concluded in December 2010 and its now operative.</p>	<p>The pilot project has been completed and the lessons learned report will be published in 2010. A positive effect of this exercise has been to ensure that the private security contractors perform risk analysis and take into account human rights issues. The Mining and Energy Committee's (CME) indicators were measured in 2010 and a second measurement is expected to be done at the end of 2013.</p>	<p>The final results of the measurement of the indicators on human rights training as well as the results of the human rights perception survey were received in April 2013. The indicators measured in the first report included: 1) reach of the human rights training, 2) level of knowledge acquired through training program, and 3) level of competence achieved. A total of 1,139 surveys were conducted with employees, contractors, contractors from private security and members of the Public Force. Surveys were conducted to people that received human rights training as well as to a control group with people who did not participate in the program. 19 focus groups were also arranged with employees, Public Forces, private security, and children from schools within the area of influence in order to contrast quantitative data with qualitative information. The margin of error was 5%. Some of the results include: The program slightly increased the level of knowledge on human rights in all groups in comparison to those who did not participate due to the fact that all people surveyed have basic human rights notions, the education level or the military rank determines the level of knowledge on human rights, the private security providers present higher knowledge on human Rights, the Public Forces have a low knowledge on Voluntary Principles on Security and Human Rights, etc. These results will allow us to adjust our human Rights training program in order to ensure higher knowledge and performance in this field.</p>
<p>STATUS OF IMPLEMENTATION</p>	<p>COMPLETED</p>	<p>COMPLETED</p>	<p>COMPLETED</p>

Health and Environmental Issues

22 & 23

TPR RECOMMENDATIONS	22	Cerrejón should pay serious attention to allegations from the union and local communities regarding the incidence of dust related diseases.	23	Cerrejón should consider partnering with universities so as to ensure that its emissions monitoring was effective, credible and transparent.
CERREJON'S RESPONSE	Cerrejón agrees with the Panel that third party verification of the company's environmental monitoring results will help build trust and confidence in the programs. To this end we will work with the union and community groups to identify the best way to enhance its monitoring program.		The Panel's suggestion of partnering with local universities will be considered as part of the process of monitoring air quality. As a minimum we will include third party review of our Sustainability Report. Our aim is to have this process in operation within 12 months.	
PROPOSED KEY ACTIONS AND PROJECTS	Set up an air monitoring program.		Set up an air quality independent verification process.	
START DATE	01-Jun-08		01-Jun-08	
FINISH DATE	31-Dec-08		31-Dec-08	
PROGRESS	<p>In October 2008, Cerrejón began an air quality auditing process with the participation of community representatives of Media Luna Norte, Las Casitas, Papayal, Barrancas, Patilla, Provincial, Chancleta, Roche, Remedios and Albania; the Ideam (Instituto de Hidrología, Meteorología y Estudios Ambientales de Colombia, the public technical agency that monitors environmental standards in Colombia); the University of La Guajira and Corpoguajira (the local environmental oversight agency). The audit reviewed Cerrejón's air quality monitoring process, including 18 air sampling stations for TSP and PM 10. In February 2009, the company presented audit results to community representatives, members of Copaso (the company-employee committee on health and safety oversight) and to a representative of Barrancas' hospital. In April 2009 a second session was held with the presence of Ideam's auditor. One of the main challenges of the process identified so far is to develop and promote the ability of community representatives to report back to their own constituents and the lack of basic health and environmental knowledge. The communities have created a "Communications Committee" as part of a joint strategy to divulge information about air quality to a greater part of the population in a transparent and trustworthy manner. Their first meeting was in September to conduct outreach sessions. This initiative has been complemented by "Environmental Visits" to the mine by local communities. There were 16 visits by 422 persons in 2008, including inhabitants of Los Remedios, Las Casitas, Tamaquito and other towns. In 2009, there were 35 visits by 935 persons and in 2010 have taken place 42 visits by 1,119 persons. In 2011, 592 people, between community leaders, traditional authorities, students, members of the Environmental Citizen Oversight Committee, visited the Mine or the Port. Cerrejón's Environmental Visits Program has received visits from approximately 4,000 people since 2006.</p> <p>The Environmental Citizen Oversight Committee, formed of the people mentioned previously, Cerrejón, Corpoguajira, and the University of La Guajira has continued its activities until today (October 2013). Through joint activities it's been possible to raise awareness and credibility among neighbor communities on the issue air quality management done by Cerrejón which in turn has allowed that each member becomes a multiplier of information in their own communities. We do permanent training on national air quality control protocols, two forums on air quality in Barrancas and Albania, the joint design of material that inform the results of monitoring activities, and audits carried out by a recognized national institute.</p>			
STATUS OF IMPLEMENTATION	COMPLETED			

Improvement of Industry Standards

TPR RECOMMENDATIONS

Cerrejón has an important role to play in elevating industry standards. The company should ensure that all stakeholders, from the local, to the national and international, better understand what it is trying to achieve and how it goes about it.

CERREJON'S RESPONSE

We acknowledge the Panel's view that Cerrejón has an important role in to play in elevating industry standards in Colombia. We will liaise with government, industry associations, and SMEs to help facilitate a workshop to share good practice and progressive standards in the areas of particular concern.

PROPOSED KEY ACTIONS AND PROJECTS

Identify key partners and draft a plan.	Carry out a workshop on international mining standards, targeting business, government and civil society.
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START DATE

08-Aug-08

to be defined

FINISH DATE

11-Nov-08

to be defined

PROGRESS

Cerrejón did not organize a workshop of its own, rather the company chose to support others and actively participate in over 10 conferences on extractives and corporate social responsibility that took place in Colombia. The rising public interest on the issue is connected to increased foreign investment in mining in this country. Cerrejón's position has been to promote in events, meetings and media responsible mining in Colombia based on the compliance with international standards and best practice on the management of social and environmental impacts, which will require improved industry and government policies.

STATUS OF IMPLEMENTATION

This project was replaced by other initiatives: promotion and participation in responsible mining events and sponsoring of a Colombia industry wide social performance independent assessment.