

Berne, March 28 de 2014

**AGENCIA NACIONAL DE LICENCIAS AMBIENTALES – ANLA  
DRUMMOND LTD.  
CI PRODECO – GLECNORE  
COLOMBIA NATURAL RESOURCES CNR I III  
REPLAN**

***ATTN: Open letter: El Hatillo involuntary resettlement process***

Dear Sirs,

The organizations signing this letter are writing to you in order to express our most great concern in regards to the lack of due diligence, transparency and guarantees that seem to be occurring in the involuntary resettlement of El Hatillo Community that was ordered by the ministry of environment due to the pollution caused by the mining operations in the area and that were clearly manifested in the 'public communication issued by the representatives of the community the past 22<sup>nd</sup> of march.

The communication of El Hatillo manifests there has been lack of due diligence, lack of transparency, lack of guarantees and lack of clarity regarding compliance with mutual agreements. They mention lack of clarity regarding the census process that was implemented in 2012, they manifest lack of clarity in regards to the legal framework of the resettlement itself, transition plan, and principally the manifest a great inconformity regarding the due diligence and transparency in the contractual process of a legal advisor for the community and the contractual process of the *Fundación Chasquis* that is to implement a communications and information strategy for the process focusing in educating community members in the production of information.

*Considerations about economic development and fundamental rights:*

It is well known that the business sector comprehends itself as one of the principal contributors to the economic development of society, it is also well known that this ideas has been highly questioned not only buy *the Contraloría General de la República de Colombia*, but also by different civil society sectors along around the world. One of the cases that allows for this questioning are those of the involuntary resettlements ordered by the Colombian ministry of environment in the center of the Cesar region. El Hatillo community for example has high levels of unsatisfied necessities, with a 50% of the population presenting respiratory, skin and ocular diseases and is currently facing an involuntary resettlement process due to the high levels of air pollution.

Given the questionings on the business sector around the world regarding the relation between business operations, such as mining, and violation of human rights, the United Nations advisor John Ruggie launched the voluntary principles initiative which looks to resolve the distinction in responsibility between the companies and the governments within a framework of protecting, respecting and compensating human rights. Within this voluntary principles launched by the United Nations, many governments and companies have launched more local voluntary initiatives. In Colombia for example are *Guías Colombia* and the Swiss promise of value that promote due diligence and transparency.

For these reasons, it has come to our attention that most of the complaints and exigencies regarding El Hatillo involuntary resettlement process are directly related to lack of due diligence and transparency.

Thus we are writing to you today to ask about the compliance with agreements, due diligence and transparency within the process of El Hatillo and especially regarding the census process, the concertation of the legal framework, the transition plan and most of all, the process of formalizing the contracts for the independent advisors.

Appreciate your attention.

Sincerely,





**Bienaventurados  
los Pobres** *Juños*  
CONSTRUYENDO COMUNIDAD



**SOCIAL ACTION CENTER**  
Diocese of Marbel



**HEKS** 