

July 2, 2024

Juan Carlos García
Social Affairs Manager
Carbones del Cerrejón, Ltd.

Dear Juan Carlos García,

Thank you for meeting with Aviva Chomsky and Emma Banks on June 21.

We want to reiterate our concerns about the ongoing delays regarding collective relocation and collective and individual reparations for members of the community of Tabaco.

Many of us have been involved with, and all of us have been following, the case of Tabaco for decades. We have been involved with and followed the 2002 court ruling, the 2007 OECD complaint, the 2007 publication *The People Behind Colombian Coal*, the 2008 Independent Panel report and the 2008 Agreement, the 2017 CC ruling, and numerous visits and meetings with Tabaco community members and Carbones del Cerrejón over the course of many years.

Since the violent displacement of Tabaco on August 9, 2001, Cerrejón has held innumerable meetings, and made numerous promises. Yet the vast majority of those displaced from Tabaco, before and on August 9, remain displaced and their lives ruined. Compensation, if any, has been opaque and inadequate. The community is divided.

In our meeting on June 21, we reiterated that although the legal language has laid the responsibility for the reconstruction of Tabaco on the municipality of Hatonuevo, this is simply not a realistic option, and does not absolve Cerrejón of its moral, ethical, and legal (under international law and international standards) responsibility for the reconstruction. You acknowledged that it is unrealistic to expect the municipality of Hatonuevo to finance the reconstruction.

You pointed out that the community is divided, and that not all residents want relocation/reconstruction. We agree that this is the case—in fact is inevitable after decades of displacement. Cerrejón is responsible for just reparations for ALL former residents of Tabaco: those who are still waiting for the reconstruction of their community, and those for whom restorative justice will take other forms.

We hope to see some immediate, concrete, and transparent steps towards finding solutions for these different groups so that all Tabaco community members will see that regardless of their particular situation or the form of compensation that they choose, they will be treated in a just and equal manner.

Please see attached our 2018 ten-year anniversary evaluation of the 2008 agreement, and Paul Warner's 2019 letter outlining his concerns. We all agree: Cerrejón must abandon its excuses and delays and commit now to full justice and comprehensive reparations for the community of Tabaco, according to the needs and demands of all sectors of the displaced community. We

would like to know when you will be able to meet with your management team and report back to us on how you intend to move forward.

Sincerely,

Inés Estela Pérez Arregocés, Junta Social Pro Reubicación de Tabaco y Consejo Comunitario

Afrocolombiano por la Dignidad y la Vida de Tabaco

Rogelio Ustate, Consejo Comunitario Negros Ancestrales de Tabaco

Luis Carlos Romero, Consejo Comunitario Negros Ancestrales de Tabaco

Édgar Enrique Arregocés Arregocés, Asociación de Base los Afro de Tabaco

Francisco Ramírez Cuéllar, abogado de la Corporación Trabajadores por la Tierra

CINEP (Centro de Investigación y Educación Popular)

NOMADESC

Witness for Peace Solidarity Collective - Programa Colombia

Terra Justa (Bolivia e Irlanda)

War on Want (UK)

ABColumbia (UK and Ireland)

Christian Aid (UK)

pax christi - Comisión Solidaridad Un Mundo, Alemania

Atlantic Regional Solidarity Network (Canada)

Madhu Verma Migrant Justice Centre (Canada)

Common Frontiers (Canada)

Richard Solly, Colombia Solidarity Campaign (UK)

Diana Salazar, London Mining Network (UK)

Stephan Suhner, ASK! (Arbeitsgruppe Schweiz-Kolumbien)

Alejandro Pacheco, Oficina Ecuménica para la Paz y la Justicia, Munich, Germany

Andrea Mora, Free Bruno Initiative (Germany)

Marie Hagensen, Board member Colombia Solidarity Denmark and International Coordinator

NOAH - Friends of the Earth Denmark

Matthias Schreiber and Juana Corral, kolko – Human Rights for Colombia e. V.

Line Jespersgaard Jakobsen, Roskilde University

Aviva Chomsky, Salem State University

Emma Banks, Bucknell University

Steve Striffler, UMass Boston

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