Results and recommendations

Where do we stand after five years of efforts on addressing human rights violations in the coal supply chain from Cesar and how should the engagement be pursued?

**Victims**
- The victims have not seen any form of remedy and still suffer from the results of the paramilitary violence in the mining region of Cesar.

**Mining companies**
- Despite international momentum towards peace and the numerous calls to change track, the mining companies have at best not cooperated constructively with their internal and external critics. Instead of showing their good will by taking concrete steps in line with the spirit of the peace process, Prodeco/Glencore has effectively refused to do so. Drummond has been utterly unresponsive.

**Energy companies**
- The energy companies keep sourcing from both Drummond and Prodeco/Glencore. The OECD Guidelines and UNGPs indicate that companies have a due diligence responsibility to prevent or mitigate harmful impacts in their supply chains by engaging with their suppliers. According to the OECD Guidelines companies may have to ‘disengage with a supplier either after failed attempts at mitigation or where the company deems mitigation not feasible or the risks unacceptable’
- The published progress report on chain responsibility for coal in the Netherlands does not state any progress. The emphasis is on processes and dialogue, which are not a goal in itself.
- The energy companies do however acknowledge the need to address the problems and state that ‘when a supplier is not prepared to engage in dialogue, to cooperate for continuous improvement or when insufficient improvement has taken place after a certain amount of time, the bilateral relation will be stopped for a short or longer period.
- The criteria for ‘insufficient improvement’ or ‘a certain amount of time’ remain unclear.

**Pursuing the road towards peace and reconciliation**
- PAX agrees with the position of the energy companies that insufficient improvement after a certain amount of time should lead to disengagement.
- PAX is of the opinion that five years of efforts on addressing the unresolved problems and improving responsibility in the coal supply chain has been ample time to make progress.
- Given the lack of improvement PAX encourages the energy companies to translate their words and those of the international standards they underwrite, into deeds. Leverage is too limited if it is not backed up by economic consequences.
- If the mining companies persist in their unconstructive stand and refuse to take significant steps towards a process of reconciliation, PAX expects the energy companies to publicly outline a clear disengagement strategy until significant improvement has materialized.

Sources available upon request.
The story behind blood coal

Dutch energy utilities have bought and still continue to buy coal from Drummond and Prodeco/Glencore, two mining companies that have allegedly been implicated in gross human rights violations. What follows is a short description of the most important developments on this subject in the past five years.

Five years of engagement have so far yielded concrete results on the ground. The mining companies have not taken any steps towards (temporary) disengagement. The victims of violence in the mining region suffer to date. The urgent focus is now on addressing the unresolved problems and improving responsibility in the coal supply chain.

Five years of efforts

Despite clear warning signs, i.e. thousands of killings in a conflict area, European energy companies started moving towards disengagement after 1996 by recognizing the need to address the unresolved problems and improve responsibility in the coal supply chain. The following is a brief summary of the most important developments on this subject in the past five years.

2000
- Dutch investigative journalism program ‘Nieuwsuur’ airs a documentary on the Dutch mining company and the connection to Dutch energy utilities, prompting them to investigate and act for transparency in involving of mining in the energy sector.
- Dutch policy makes an effort to improve transparency in the coal supply chain and against mining companies’ involvement in mining, but the energy companies have not taken any steps towards disengagement.

2010
- Against the background of a hopeful peace process, the Dutch government commits support for a dialogue aimed at reconciliation. The Dutch government contacts the mining companies to meet their main European energy companies.
- The DCD fails to meet the energy companies. The mining companies have not taken any steps towards (temporary) disengagement. The victims of past human rights violations.
- The victims of violence in the mining region suffer to date. The urgent focus is now on addressing the unresolved problems and improving responsibility in the coal supply chain.

2013
- The Dutch government decides not to extend its tax incentives for new energy projects.
- The victims of violence in the mining region suffer to date. The urgent focus is now on addressing the unresolved problems and improving responsibility in the coal supply chain.

2015
- The victims of violence in the mining region suffer to date. The urgent focus is now on addressing the unresolved problems and improving responsibility in the coal supply chain.

2020
- Dutch court cases bring about a relevant change in Dutch private company law that was designed to combat the international mafia.
- The mining companies have not taken any steps towards (temporary) disengagement. The victims of past human rights violations.
- The victims of violence in the mining region suffer to date. The urgent focus is now on addressing the unresolved problems and improving responsibility in the coal supply chain.

2021
- The victims of violence in the mining region suffer to date. The urgent focus is now on addressing the unresolved problems and improving responsibility in the coal supply chain.

Five years of disengagement have so far yielded concrete results on the ground. The victims of violence in the mining region suffer to date. The urgent focus is now on addressing the unresolved problems and improving responsibility in the coal supply chain.