



Rights and Accountability in Development



9 August 2019

Ms Louise Jayne Bullen
Operations Manager
Glencore UK Ltd
50 Berkeley Street
London, W1J 8HD
United Kingdom

Via Email and post

Dear Ms Bullen,

We are three civil society organizations writing to you in relation to human rights and environmental concerns at Glencore's Badila oilfield concession in the region of Logone oriental in Chad. Following a recent joint field visit to local communities near to the oilfields we have a number of concerns and questions that we hope Glencore will be able to answer.

Our three civil society organizations include international and Chadian groups. **RAID** is a UK based non-governmental organization that exposes corporate abuses and human rights violations, partnering with those harmed to hold companies to account. The **Public Interest Law Center (PILC)** is a Chadian association that addresses the root of causes of human rights violation in Chad by providing access for disadvantaged people, particularly women and children, to judicial and non-judicial remedies and by promoting the rule of law. **The Association des Jeunes Tchadiens de la Zone Pétrolière (AJTZP)** is a Chadian association that works with victims of human rights violations and environmental harm caused by the activities of the extractive industries.

In June 2019, RAID conducted a field mission with PILC and AJTZP to several of the communities around the Badila concession. Our joint team interviewed more than a hundred residents, as well as members of civil society, local authorities and medical staff.

A number of important human rights and environmental concerns were raised during our visit. These include the effects of a spill in September 2018 from a storage basin and its consequences on local residents; the use of military personnel to clear local residents from the land for the construction of the basin following earlier objections about ownership; the lowering of the water table affecting access to drinking water; and damage to homes.

Our organizations plan to publish a report based on the research and seek Glencore's response to a number of questions which you will find attached. In the interests of balanced and fair reporting, we strive to reflect all relevant information in our research and publications. We would be happy to receive any information to the questions raised, as well as any other information you believe might be relevant. I can assure you that Glencore's response will be taken into account in our forthcoming publication. In light of our publishing schedule, we would be grateful to receive your response by 9 September 2019.

We understand that the operator of the Badila concession is PetroChad Mangara Ltd (hereafter “PCM”), which is wholly owned by Glencore. Considering this relationship, we refer here on occasion to Glencore and PCM interchangeably.

To provide you with some context to our questions, please allow us to provide you with a brief explanation of what we found. During our recent field mission, local residents near to the Badila concessions informed the joint team of a spill from one of Badila’s water basins on 10 September 2018 into a river used by local residents. After the spill, a large number of people reported skin burns, some of which appear serious with long lasting effects, skin infections, itching and pimples as well as the sudden death of considerable numbers of livestock. We were told that Glencore:

- 1) informed local residents the river water was safe and unaffected by the spill, despite no further analysis of the water to ensure its safety;
- 2) did not conduct a thorough investigation into the causes and consequences of the spill;
- 3) denied any responsibility for the harm caused;
- 4) provided only verbal assurances of the water’s safety and failed to present any results or reports of water analysis to the local communities to support those assurances;
- 5) decided no further investigation was required despite new instances of harm and ongoing concerns being reported by local residents and others; and
- 6) irrespective of admissions of responsibility for the harm, has not provided medical or financial support to the affected communities as part of the company’s general corporate responsibility.

You will find our questions for Glencore related to the above incident in the document attached.

We would also welcome clarifications on an incident that occurred at the end of September 2017 relating to the use of military personnel. Local residents reported to RAID that the military arrived to enforce Glencore’s acquisition of land to build the basin. This occurred after local communities objected to the acquisition. Residents said that Glencore was informed the land was privately owned by ten individuals, but nevertheless took the position that it was communal land, could be acquired by the company, and required no individual compensation.

In addition to these incidents, RAID, with PILC and AJTZP, also documented a general lack of engagement by Glencore or PCM with the communities. Most of the villages visited reported having never or rarely been visited by Glencore’s representatives, which dramatically limited their ability to bring to Glencore’s attention their concerns or problems. And even when such concerns had been raised, we were told that they are frequently dismissed without proper explanation.

For example, our joint team learned that 51 residents filed complaints about damage from cracks in their houses, which they said were caused by vibrations from Glencore’s operations. It was only villages adjacent to the concession that reported these cracks. Yet, the complaints were rejected, without any investigation, solution or remedy being provided, or any alternative explanation as to why such damage only occurred in villages adjacent to the concession. Local residents also expressed concern about the lowering of the underground

water level. We understand that those concerns were also expressed to Glencore's representatives, but were never investigated.

In its sustainability reports, Glencore [states](#) that "All our operations are required to have grievance mechanisms that are accessible, accountable and fair, and that enable our stakeholders to raise concerns without fear of recrimination" and that "In alignment with the UNGPs [United Nations Guiding Principles on Business and Human Rights], we require our assets to ensure that local people are aware of the mechanism most relevant to their needs, and can access it easily. We also require that all complaints are reported and investigated". Regarding its Chad assets specifically, the report [states](#): "In Chad, the grievance mechanism process captures concerns through a variety of methods, including the routine and ongoing community liaison as well as formal stakeholder engagement".

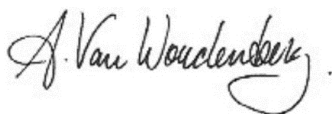
Few of those interviewed by RAID said that they had been informed of such a mechanism, and many of those who used it, as in the case of the 51 residents who suffered damaged homes, said that they were either ignored or that their claims were rejected. We would therefore be grateful if you could provide clarifications on your grievance mechanism and how it functions at the Badila concession

Your response to our questions will, of course, be reviewed in the context of Glencore's Human Rights Policy and Corporate Social Responsibility programmes, as well as access to an effective grievance mechanism.

Please send any information to RAID on woudena@raid-uk.org or to RAID's office address in London, who will share your response with PILC and AJTZP. If you require any further clarifications or have questions, please do not hesitate to contact Anneke Van Woudenberg, the Executive Director of RAID, at the above email address. As mentioned previously, we would be grateful to receive your response by September 9.

We look forward to hearing from you.


Yours sincerely,



Anneke Van Woudenberg
Executive Director
RAID



Me Delphine K. Djiraïbé
Managing Lawyer
PILC



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President
AJTZP

Cc: Alex Sanna, Head of Oil Marketing, Glencore Plc
Steve Hill, HSEC Lead, Glencore UK Ltd
Steve Taylor, HSE Manager, Glencore Oil Division
Franck Beusaert, General Manager, PetroChad Mangara Ltd
Bruno Giner, HSSE/GS Manager, PetroChad Mangara Ltd

Questions from RAID to Glencore UK Limited

To: Glencore UK Ltd

From: RAID

Date: 9 August 2019

Subject: Human rights concerns at Badila oil field, Chad

We would welcome responses on the following questions:

September 2018 spill

Your largest basin collapsed on 10 September 2018 and spilled into the river used by local communities. Local residents told RAID that following the incident many people suffered burns, skin infections, itching and pimples after contact with the river water. Others told RAID that their livestock suddenly died in the months following the spill. We would welcome your responses to the following questions related to the September 2018 spill:

1. When did Glencore decide to change its water disposal management technique from re-injection to a water-treatment system, and what were the reasons?
2. On what basis did Glencore inform local communities that it had clearance to discharge the water from the basin directly into the river, despite that claim being expressly denied by the Ministry of the Environment?
3. Was Glencore or PCM testing the water in the basin prior to the spill? If yes, can you please:
 - a. tell us how often was the water tested?
 - b. tell us when was the water last tested prior to the spill?
 - c. provide us with the results from the water testing that was conducted, including the last test results prior to the spill?
4. How was the basin built and what steps did Glencore or PCM take to prevent a spill?
5. Who did Glencore or PCM inform after the spill and what information did Glencore or PCM provide to them?
6. What steps did Glencore or PCM take to inform local communities of the spill?
7. Did Glencore or PCM test the river water following the spill? If yes, can you please:
 - a. provide us with the dates the water was tested?
 - b. tell us where the water was tested?
 - c. provide us with the results from the water testing that was conducted?
8. Was Glencore or PCM given the results from, or other information concerning, any analysis of the effects on the river water from the spill commissioned by the Chadian government?
9. If Glencore or PCM was provided with such results or information from the government:
 - a. did Glencore dispute them, and if yes, on what basis?
 - b. were the government results or information shared with local communities?
 - c. can you please provide us with the results and information?
10. How many complaints has Glencore or PCM received to date related to the spill? We would be grateful if you could break down the numbers by category, for example, how many concerned physical injuries, farmland destruction, loss of livestock, etc.
11. Of the complaints that Glencore or PCM has received concerning the spill:

- a. how many were accepted and how many were rejected? and
 - b. of those that were refused, can you please tell us the bases for their refusal according to category, including in respect of those claims for damage downstream from rising water?
12. What steps did Glencore or PCM take to investigate the complaints?
13. Of the complaints for which a remedy was provided, can you please tell us:
 - a. what remedies were provided?
 - b. on what basis the remedies were decided, including on what basis any compensation was calculated?
14. If Glencore and PCM refused the complaints, can you explain what might have caused the injuries and losses suffered by local residents following the September 2018 spill?
15. Does Glencore or PCM plan on providing support to individuals and local communities affected by widespread skin infections, burns and other injuries, and/or losses of livestock following contact with the river water after the spill? If yes, can you please set out:
 - a. the specific steps through which that support will be provided? And,
 - b. the timeline by which those steps will be completed?
16. Has Glencore or PCM been monitoring the environmental impact of the September 2018 spill? If yes, can you please tell us:
 - a. what steps it is taking to do so?
 - b. what are the results of the monitoring?
 - c. are the results of the monitoring shared with the affected communities?
 - d. If no, why is this not being monitored.
17. How is Glencore and/or PCM now disposing of its water from its oil operations?

We would also welcome your responses to the following points:

Use of the military to acquire new land

18. Can you please explain the reasons why Glencore and/or PCM called on the military at the end of September 2017 when trying to acquire new land to build its basin?
19. If neither Glencore nor PCM called on the military in September 2017, what is your understanding of how and why the military became involved?
20. What measures did Glencore or PCM take to ensure that the military respected human rights during its involvement in the land acquisition?
21. How many times has the military been involved in land acquisition by Glencore or PCM in and around its Badila concession?
22. Can you please clarify why neither Glencore nor PCM has compensated the ten individuals who claimed their fields were taken by this acquisition?
23. What are Glencore and PCM's policies and procedures in acquiring new land and compensating farmers? We would be grateful if you could provide us with a copy of the policies and procedures.

Lowering of the underground water level

24. Has Glencore or PCM investigated the complaints regarding the lowering of the underground water level? If yes, we would be grateful if you could clarify:

- a. how it was investigated;
 - b. who investigated it;
 - c. what were the findings and conclusions of the investigation?
25. What is Glencore or PCM's explanation for the lowering of the underground water level?
26. Is Glencore or PCM monitoring the impact of its operations on the underground water level? If yes, can you please provide us with the results from the monitoring.
27. Can you please describe the specific steps undertaken by Glencore or PCM to prevent its operations from impacting the underground water level?

Damage to houses

18. Has Glencore or PCM investigated the complaints regarding cracks that were caused to houses in the villages around its Badila concession? If yes, we would be grateful if you could clarify:
- a. how it was investigated;
 - b. who investigated it;
 - c. what were the findings and conclusions of the investigation?
19. What is Glencore or PCM's explanation for the cracks that were caused to houses in the villages around its Badila concession?

Corporate Social Responsibility, Human Rights Policy and engagement with local communities

20. What are the policies Glencore and PCM have adopted regarding communication with local communities?
21. Are Glencore and/or PCM's representatives visiting local villages? If yes, can you please tell us:
- a. which villages are visited;
 - b. the frequency of the visits;
 - c. the purpose of the visits; and
 - d. how such visits are conducted?
22. Can you please describe the specific means by which Glencore and PCM communicate information, developments or projects to local communities?
23. Has Glencore or PCM developed programmes for local communities as part of its Corporate Social Responsibility (CSR)? We would be grateful if you can provide us with information concerning such programmes, including:
- a. what the programmes are;
 - b. what parts of the programmes have been delivered to date; and
 - c. when the parts of the programme that have not yet been delivered will be completed.
24. What policies have Glencore and PCM adopted to ensure respect for human rights in and around its Badila concession? We would be grateful if you can provide us with a copy of the policies.
25. What steps have Glencore and PCM taken to implement their human rights policies in and around the Badila concession?

26. Has Glencore or PCM developed a Social and Environmental Impact Assessment (ESIA) and an Environment and Social Management Plan (ESMP)? If so, we would be grateful if you would provide us with a copy.

Grievance mechanism

27. Does Glencore or PCM have a grievance mechanism in place at its Badila concession? If so, we would be grateful if you would provide us with the written procedures and other materials governing its operation.
28. How many grievances has Glencore or PCM received since the start of its Badila operation? We would be grateful if you can break them down by category (injuries, damage to farmland, water, pollution, noise, etc.).
29. Of the grievances received, how many resulted in a remedy and how many were refused?
30. Of the grievances refused, can you please tell us the bases for the refusal, and the respective number for each basis?
31. Of the grievances that resulted in a remedy, can you please tell us:
- a. what remedies were provided?
 - b. on what basis remedies were determined, including how compensation was calculated?
32. Can you clarify the process by which grievances are accepted, investigated, resolved and remedied if accepted?
33. Can you describe the steps taken to inform people of the grievance mechanism?
34. Can you explain the specific ways in which people may file a grievance?

Thank you.

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Rights and Accountability in Development (RAID)
Studio 204, Screen Works,
22 Highbury Grove
London, N5 2EF, UK
FAO: Ms Anneke Van Woudenberg

6 September 2019

Ref: PCM-RAD-LTR-190906-01

Response to RAID email dated 9 August 2019, titled “Human rights and environmental concerns at Glencore’s Badila oilfield concession”

Dear Ms Van Woudenberg,

Thank you for your email of 10 August 2019 and for providing us with the opportunity to submit information for inclusion in the forthcoming RAID report. We have reviewed your email, its attached letter addressed to Louise Bullen, and your questions. I am the country manager for Glencore’s Chad operations and provide below an overview of the incident and our response to your questions.

We learned from your letter that you visited Chad during June 2019 and would have welcomed the opportunity to host you and the RAID team at our Badila facility. We encourage visits from interested stakeholders, and accordingly, we would like to invite RAID to visit our Badila facility and to meet with our management team.

PetroChad Mangara (PCM) has met on a number of occasions with representatives from the Public Interest Law Center (PILC) and the Association des Jeunes Tchadiens de la Zone Pétrolière (AJTZP) to discuss the points raised in your letter. However, we would welcome the opportunity to provide these details in person directly to RAID.

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September 2018 spill

“Your largest basin collapsed on 10 September 2018 and spilled into the river used by local communities. Local residents told RAID that following the incident many people suffered burns, skin infections, itching and pimples after contact with the river water. Others told RAID that their livestock suddenly died in the months following the spill. We would welcome your responses to the following questions related to the September 2018 spill”:

Background

During the extraction of crude oil, our Badila production operations generate water requiring routine disposal. Since the start of production operations in 2013, PCM’s operating procedure utilised an engineered wetlands system for this purpose, in addition to re-injection back into the reservoir. This approach was included in the government-approved Environmental and Social Impact Assessment (ESIA), conducted by ISM Consult in 2012. The ESIA approval process included public consultation with community representatives and stakeholders.

In 2017, the wetlands system was changed in the lower basin areas to increase the area (F plot basin) available for storing and evaporating the treated production water. During the 2018 rainy season (May to October), torrential downpours and associated run-off caused the water volume in the F plot basin to reach near capacity. At this time, the F plot basin contained primarily rain water with some treated production water.

When the basin was in use, PCM carried out daily tests of the production water that was discharged into the F plot basin. As such, testing of water into the F plot basin was carried out prior to and following the release of water on 10 September 2018. The release of water resulted from a section of the laterite berm failing causing a release of approximately two thirds of the F plot basin volume (estimated at 85,000 cubic metres), which spilled across neighbouring land toward the local Nya River.

Following the release of water from the F plot basin, PCM arranged for additional water and soil sampling at various locations, including within our wetlands, neighbouring farmland and local river tributaries. These samples were tested by an independent ISO9001/14001 certified laboratory.

1. When did Glencore decide to change its water disposal management technique from re-injection to a water-treatment system, and what were the reasons?

To clarify, the original produced water disposal method utilised the engineered wetlands from the start of the project, and then later changed to full re-injection, and not the other way around. Since the start of Badila’s production operations in 2013, the engineered wetlands system had been part of standard operations for the treatment and disposal of produced water, and was included in the government-approved ESIA. In early 2019, PCM

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fully commissioned the infrastructure to re-inject all production water and since then, all production water is now re-injected back into the reservoir. This provides an additional benefit of re-pressurising the reservoir, which in turn supports an enhanced oil recovery. The re-injection of all produced water has ended the need to release production water to the wetlands.

2. On what basis did Glencore inform local communities that it had clearance to discharge the water from the basin directly into the river, despite that claim being expressly denied by the Ministry of the Environment?

Prior to the failure of the laterite berm, PCM utilised the treated and tested water in a controlled manner for irrigation purposes at PCM's agricultural project area. This water was not routinely released into the river. PCM's procedure for water treatment and disposal has been in place since the start of the project (2013) and is approved by the Ministry of Environment as part of PCM's ESIA requirements.

The release of water on 10 September 2018 was a one off event, resulting from a failure of a section of the laterite berm. At this time, the F plot basin contained primarily rain water with some treated production water. The release was immediately reported to the Ministry of Environment and Ministry of Petroleum Departments.

3. Was Glencore or PCM testing the water in the basin prior to the spill? If yes, can you please:

a. tell us how often was the water tested?

The water released to the F plot basin was tested daily and was found to be within the limits required by the International Finance Corporations performance standards, a requirement of PCM's Environment and Social Management Plan.

b. tell us when was the water last tested prior to the spill?

The last sample and analysis of the water entering the F plot basin was conducted on the 10 September 2018, the day of the release.

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c. provide us with the results from the water testing that was conducted, including the last test results prior to the spill?

Table 1 . Results of waste water analysis in the Badila Lab (treated produced water)

Badila Irrigation Basin II								
Date	pH 6-9	Total Petroleum Hydrocarbons 10 ppm max	Turbidity (NTU)	Total Suspended Solids 50 ppm max	Conductivity (µS/cm)	Total Dissolved Solids ppm	Chloride ppm	Salinity ppm
02/09/2018	7.7	10	1.6	9	-	-	-	-
03/09/2018	7.8	11 *	2.1	9	-	-	-	-
04/09/2018	7.7	4	1.8	15	-	-	-	-
05/09/2018	7.6	8	2.0	15	-	-	-	-
06/09/2018	7.6	7	2.5	19	-	-	-	-
07/09/2018	7.6	6	2.4	17	-	-	-	-
08/09/2018	7.5	8	2.2	14	-	-	266	439
09/09/2018	6.9	5	10.8	41	472	236	-	-
10/09/2018	7.1	4	11.0	40	446	223	-	-
11/09/2018	7.3	4	9.0	34	465	232	-	-
12/09/2018	7.3	2	10.8	38	446	223	-	-
13/09/2018	7.1	3	9.7	32	451	225	-	-
14/09/2018	6.7	2	6.1	29	458	229	-	-
15/09/2018	7.0	7	11.3	39	460	230	62	102

* within repeatability limits of test
10/09/2018 Date of water release

4. How was the basin built and what steps did Glencore or PCM take to prevent a spill?

In September 2017 the basin was constructed using laterite containment berms for retaining the water, as a holding and evaporation basin for treated production water. During the 2018 rainy season (May to October), torrential downpours and run-off from surrounding land caused rainwater to accumulate in the F plot basin, substantially increasing its total volume of water. The increase put strain on the laterite berm causing it to fail. Prior to the berm failure, the volume of treated production water released to the F plot basin was purposely reduced to a minimum to support the accommodation of the rainwater.

5. Who did Glencore or PCM inform after the spill and what information did Glencore or PCM provide to them?

As part of PCM's emergency response plan requirements, PCM made immediate internal and external notifications: PCM notified the Ministry of Environment and Ministry of Petroleum Departments. PCM's stakeholder relations team (SRT) notified affected local communities about the release on the night of the incident. The next day, first thing, the SRT visited the affected communities to carry out formal public consultations together with Melom's village chief and community members and civil society representatives, including AJTZIP. The SRT informed local communities of the release, explaining what had happened and advising that based on an initial assessment of the damage, there was no immediate danger.

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6. What steps did Glencore or PCM take to inform local communities of the spill?

An initial assessment of the damage was conducted the following morning ahead of the public consultations. During the consultations, PCM apologised for the incident and detailed what had led to the berm failure. PCM's grievance process was re-explained and a commitment made to investigate grievances and to assess compensation claims for damaged farmland and crops.

7. Did Glencore or PCM test the river water following the spill? If yes, can you please:

a. provide us with the dates the water was tested?

Yes, river water samples were taken by PCM on the 13 September 2018, and sent for analysis to Hydrac Laboratory, an independent ISO 9001/14001 certified laboratory.

b. tell us where the water was tested?

The sample was taken at the Khou tributary of Nya River - GPS UTM Coordinates: 33P 648025E-925614N

c. provide us with the results from the water testing that was conducted?

Please see the attached analysis report from the Hydrac Laboratory [REF: Nya River Tributary Analysis Cert 13Sep18]. Please note that the slightly raised phosphorus level is attributable to fertiliser use from surrounding farmland. It should also be noted that phosphorus levels are not part of the Required Specifications for Discharge and the result is included for sake of completeness.

8. Was Glencore or PCM given the results from, or other information concerning, any analysis of the effects on the river water from the spill commissioned by the Chadian government?

Following the release of water from the F plot basin, PCM fully cooperated with representatives from the Ministry of Petroleum and the Ministry of Environment. This included an initial visit by both Ministries on 13 September 2018, followed by further visits by both ministries and their appointed French environmental consultant (Ecofilae). They were provided with full access to PCM's records and facilities. Representatives from these organisations visited the Badila site during 8 to 11 October 2018. During the visit, the ministry representatives took samples.

In April 2019, PCM personnel were invited to a presentation on the findings by both ministries and received a copy of the report prepared by Ecofilae.

9. If Glencore or PCM was provided with such results or information from the government:

a. did Glencore dispute them, and if yes, on what basis?

The results presented were consistent with PCM's findings and, in the absence of any anomalies, PCM did not dispute the government's information or findings.

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b. were the government results or information shared with local communities?

PCM are not aware as to whether or not the government's results were shared with the local communities.

c. can you please provide us with the results and information?

The study and reports commissioned by the Ministry of Petroleum and the Ministry of Environment are not PCM property, as such, we are not in a position to share them.

10. How many complaints has Glencore or PCM received to date related to the spill? We would be grateful if you could break down the numbers by category, for example, how many concerned physical injuries, farmland destruction, loss of livestock, etc.

To date, PCM has received 121 grievances relating to the F plot basin water release. These all related to flood-related damage to farmland, trees and crops. These were the only grievances received that related to the water release and a breakdown is provided in the attached document [REF: Badila Plot F Grievance Register September 2018].

11. Of the complaints that Glencore or PCM has received concerning the spill:

a. how many were accepted and how many were rejected?

Of the 121 grievances received in relation to the F plot basin release, 89 were valid and 32 were deemed invalid as detailed in the attached document [REF: Badila Plot F Grievance Register September 2018.]

b. of those that were refused, can you please tell us the bases for their refusal according to category, including in respect of those claims for damage downstream from rising water?

On investigation, the details provided in a number of the reported grievances were inconsistent with the findings of the SRT site visit investigation. There were no other claims reported for damage downstream from rising water. There were 32 grievances that were deemed invalid. This was due to the fact that the claims made were not a true reflection of the actual condition or damage that was assessed during the field investigations.

12. What steps did Glencore or PCM take to investigate the complaints?

All received grievances were investigated in line with PCM's grievance mechanism procedure [REF: ESIA 2012 French]. PCM's grievance mechanism procedure requires that investigations are witnessed by the village chief and, on occasion, local NGO representatives.

13. Of the complaints for which a remedy was provided, can you please tell us:

a. what remedies were provided?

Individual compensation payments were paid for all valid grievances. These related to flood-related damage to farmland and crops.

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b. on what basis the remedies were decided, including on what basis any compensation was calculated?

Compensation was paid in line with PCM's compensation procedures. [REF: ESIA 2012 French]

14. If Glencore and PCM refused the complaints, can you explain what might have caused the injuries and losses suffered by local residents following the September 2018 spill?

Of the complaints received relating to the water release, none related to injuries. As such, PCM did not investigate any complaints of this nature. PCM did, however, receive a single verbal report but no formal complaint on 13 October 2018, which related to a young girl who appeared to have suffered blisters following bathing in the Nya River. In response, a team from PCM's Badila base (which included an International SOS medic) attended the bathing site and examined the girl and the bathing location. The girl's family were present during the examination. Given that (i) the area where the girl had been bathing was determined to be around 7 kilometres upstream of the area where the released water from F plot basin entered the Nya river and (ii) markings were only observed on her face and nowhere else on her body, despite the girl apparently fully bathing in the Nya river, the PCM team and the International SOS medic concluded that the blisters were not attributable to the released water from the F plot basin. In June 2019, PCM received a report from PILC, highlighting a number of cases, many of which had occurred much later than the date of the water release and, for some cases, occurring in areas where the released water was not present. Therefore, PCM refutes that the cases were caused as a result of the water release.

15. Does Glencore or PCM plan on providing support to individuals and local communities affected by widespread skin infections, burns and other injuries, and/or losses of livestock following contact with the river water after the spill? If yes, can you please set out:

a. the specific steps through which that support will be provided? And,

All valid grievances received in relation to the water release were compensated and PCM refutes that the later reported injuries were caused as a result of the water release.

b. the timeline by which those steps will be completed?

There were no complaints reported in relation to the conditions mentioned in 15 above.

16. Has Glencore or PCM been monitoring the environmental impact of the September 2018 spill? If yes, can you please tell us:

a. what steps it is taking to do so?

Following the release of water from the F plot basin, PCM arranged for additional water and soil sampling at various locations, including within its wetlands, and the local river tributary. These samples were tested by an independent ISO9001/14001 certified laboratory.

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The F plot basin berm has now been removed and the area is now fully rehabilitated, with abundant vegetation and wildlife and a tree plantation project established.

b. what are the results of the monitoring?

Results from samples taken in August are referenced in Document [REF: Badila River Khou 13 Aug 2019] and [REF: Plot F Soil 13 Aug 2019]. Please note that the slightly raised conductivity level in the river water analysis is attributable to natural sediment and organic material, as a result of high water river flow rates. It should also be noted that conductivity levels are not part of the Required Specifications for Discharge and the result is included for sake of completeness.

c. are the results of the monitoring shared with the affected communities?

There have been no significant findings from the results. As such, PCM has not shared the results with its local communities. However if interest was expressed, PCM's SRT will communicate the findings with communities representatives.

d. If no, why is this not being monitored?

n/a, see above

17. How is Glencore and/or PCM now disposing of its water from its oil operations?

All production water from the Badila oil operations is fully re-injected back into the reservoir. The practice of releasing treated production water to the wetlands has ended.

Claims related to "Use of the military to acquire new land"

18. Can you please explain the reasons why Glencore and/or PCM called on the military at the end of September 2017 when trying to acquire new land to build its basin?

PCM has never called on military force during its Chadian land acquisitions and did not request a military presence during the land acquisition process that took place in September 2017.

19. If neither Glencore nor PCM called on the military in September 2017, what is your understanding of how and why the military became involved?

The public consultation was attended by Ministry representatives, the Prefect of Nya-Pende and Canton representatives who provided their own security personnel; this is outside of PCM's control. The security personnel may have been perceived as members of the military, but this is not the case. The public relations officer of the DSPIP (Chad's oilfield police) also attends consultations relating to land acquisitions.

20. What measures did Glencore or PCM take to ensure that the military respected human rights during its involvement in the land acquisition?

PCM has never called on military force during its Chadian land acquisitions and did not request a military presence during the land acquisition process that took place in September 2017.

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21. How many times has the military been involved in land acquisition by Glencore or PCM in and around its Badila concession?

PCM has never called on military forces during its Chadian land acquisitions.

22. Can you please clarify why neither Glencore nor PCM has compensated the ten individuals who claimed their fields were taken by this acquisition?

The land acquired had been deemed by the Prefect of Nya-Pende as bush land with no rightful ownership by any community individuals. Community members had illegally cleared parts of the bush area for land preparation without rightful ownership or authorisation, as an attempt to claim the ownership of the land. As a result, there were no valid or legal claims for individual compensation. However, as a means to achieve resolution to the dispute, the Prefect requested PCM to undertake compensation for the entire community. Following consultation, the community compensation took the form of construction of the Melom village school.

23. What are Glencore and PCM's policies and procedures in acquiring new land and compensating farmers? We would be grateful if you could provide us with a copy of the policies and procedures.

Compensation and Land Acquisition procedures are in place and are covered within volume 4 of the ESIA. [REF: ESIA 2012 French]

Lowering of the underground water level

24. Has Glencore or PCM investigated the complaints regarding the lowering of the underground water level? If yes, we would be grateful if you could clarify:

a. how it was investigated;

PCM is not aware of any complaints related to lowering of underground water levels. PCM undertake regular piezometric water level readings as part of our ground water monitoring programme and the results show very little changes since the project began other than seasonal variations.

b. who investigated it;

n/a

c. what were the findings and conclusions of the investigation?

n/a

25. What is Glencore or PCM's explanation for the lowering of the underground water level?

n/a

26. Is Glencore or PCM monitoring the impact of its operations on the underground water level? If yes, can you please provide us with the results from the monitoring?

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PCM undertake regular piezometric water level readings as part of our ground water monitoring programme and the results show very little changes since the project began other than seasonal variations. [REF: PCM WATER MONITORING Badila]

27. Can you please describe the specific steps undertaken by Glencore or PCM to prevent its operations from impacting the underground water level?

The ESIA volume 2 outlines the steps for protection of aquifers [REF : ESIA 2012 French].

Claims relating to “Damage to houses”

18. Has Glencore or PCM investigated the complaints regarding cracks that were caused to houses in the villages around its Badila concession? If yes, we would be grateful if you could clarify:

a. how it was investigated;

PCM received complaints relating to cracks to 70 houses located in the Melom and Koutoutou villages in October 2018. An investigation, including site visits, was carried out on the houses reporting cracks due to alleged vibrations made by the Badila facility.

b. who investigated it;

The SRT initially conducted the investigation, which were subsequently followed up with consultations with a production operator from the Badila team.

c. what were the findings and conclusions of the investigation?

Complaints were made by community members living in villages approx. 800 – 1000m away from Badila’s area of operations. Any vibration of a sufficient magnitude to cover this distance would be considerably apparent at the Badila facility; this was not the case.

Following consultation with the community, it became apparent that noise arising from the Badila facility had been perceived as vibrations, especially at night when the surrounding area is quieter and the running of the facility would be more noticeable. All of the houses that reported cracks were visited and inspected. Many houses visited showed no evidence of cracking. Where cracks were observed, they were attributed to the nature of the building materials used (non-hard construction material and clay based) which deteriorate rapidly with the climate and seasonal differences in the South of Chad (intermittent periods of hot and dry weather, followed by harsh rainy seasons).

Public consultations on the investigation findings were held and attended by AJTZP representatives.

19. What is Glencore or PCM’s explanation for the cracks that were caused to houses in the villages around its Badila concession?

Those houses with visible signs of cracks were attributed to the nature of the building materials (non-hard construction material and clay based) which deteriorate rapidly with the climate and seasonal differences in the south of Chad (intermittent periods of hot and dry weather, followed by harsh rainy seasons).

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Corporate Social Responsibility, Human Rights Policy and engagement with local Communities

20. What are the policies Glencore and PCM have adopted regarding communication with local communities?

There are numerous mechanisms in place for two-way communications between PCM and the local communities. The ESIA Volume 5 (Communication Plan) stipulates the detailed requirements Document [REF: ESIA 2012 French]

The SRT is regularly present in the field and communities. In addition, PCM's community liaison officers (CLO) are based within communities with a local village office. Quarterly public forums are held with a broad range of representation from interested stakeholders. In addition, public and individual consultations are conducted as required.

PCM has established and promoted grievance mechanisms; these are described in volume 5 of the ESIA. [REF: ESIA 2012 French]

21. Are Glencore and/or PCM's representatives visiting local villages? If yes, can you please tell us:

a. which villages are visited;

Yes, please see document [REF Record of Community site visits]

b. the frequency of the visits;

Please see document [REF: Record of Community site visits]

Quarterly public forum consultations are conducted by PCM's SRT. Other public consultations are held as necessary. Ad hoc visits are undertaken in response to requests received from community representatives to discuss a broad range of matters, including grievances, land acquisition, local hiring, compensation, donations etc.

c. the purpose of the visits; and

As above

d. how such visits are conducted?

Public forums involve representatives from the communities, the Prefect, Sub-Prefect, village and canton chiefs, NGOs and other interested stakeholders present in the Badila concession operating region. The public forums are conducted within the villages with face-to-face meetings. Public and individual consultations are also conducted as required.

22. Can you please describe the specific means by which Glencore and PCM communicate information, developments or projects to local communities?

PCM communicates with its local communities through public forums, consultations, field visits and the processes described above. Its approach is to encourage and support two-way information sharing.

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23. Has Glencore or PCM developed programmes for local communities as part of its Corporate Social Responsibility (CSR)? We would be grateful if you can provide us with information concerning such programmes, including:

a. what the programmes are;

Yes. Previous CSR projects in Badila area supported surrounding communities with access to fresh water, a health centre in Donia and the building of new schools in the Melom and Bardira villages, and is also working with affected communities to identify future potential CSR projects. The community investment and community compensation programmes are detailed in document [REF: SR Badila Community Investment Projects] and document [REF: SR Badila Community Compensation Projects]

b. what parts of the programmes have been delivered to date; and

The status of the community investment and community compensation programmes are detailed in document [REF: SR Badila Community Investment Projects] and Document [REF: SR Badila Community Compensation Projects].

c. when the parts of the programme that have not yet been delivered will be completed.

The status of the community investment and community compensation programmes are detailed in document [REF: SR Badila Community Investment Projects] and document [REF: SR Badila Community Compensation Projects].

24. What policies have Glencore and PCM adopted to ensure respect for human rights in and around its Badila concession? We would be grateful if you can provide us with a copy of the policies.

As laid out in Glencore's Code of Conduct and Group Human Rights Policy, Glencore is committed to working in line with the UN Universal Declaration on Human Rights, the UN Guiding Principles on Business and Human Rights and the UN Global Compact. Glencore's management of security activities is governed by the Voluntary Principles on Security and Human Rights (VPSHR). This applies also to PCM. PCM conducted VPSHR training with public and private security providers in association with the NGO, Coginta. In addition to the requirements outlined in the ESIA, we also apply local procedures such as those relating to recruitment of local manpower, child labour and grievance mechanisms.

25. What steps have Glencore and PCM taken to implement their human rights policies in and around the Badila concession?

See the response to question 24.

26. Has Glencore or PCM developed a Social and Environmental Impact Assessment (ESIA) and an Environment and Social Management Plan (ESMP)? If so, we would be grateful if you would provide us with a copy.

PCM's ESIA and ESMP (Vol 2 of ESIA) was reviewed and approved by the Ministry of Environment in 2012 following public consultation. [REF: ESIA 2012 French].

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Grievance mechanism

27. Does Glencore or PCM have a grievance mechanism in place at its Badila concession? If so, we would be grateful if you would provide us with the written procedures and other materials governing its operation.

The grievance resolution procedure is covered in volume 5 of the ESIA. [REF: ESIA 2012 French]

28. How many grievances has Glencore or PCM received since the start of its Badila operation? We would be grateful if you can break them down by category (injuries, damage to farmland, water, pollution, noise, etc.).

Since the start of operations there have been 559 Grievances recorded in Badila, which are broken down by category:

- 230 complaints relating to farmland flooded by rain water (this includes the 121 complaints from the F plot basin water release). Of these 230 complaints, 130 were assessed as being valid, 91 invalid, and a further nine remain ongoing
- 252 complaints relating to damages to farmland from PCM's construction activities, operations and land acquisition – of which 98 were assessed as being valid and 154 invalid
- Four complaints alleging animals were killed due to oil and water spills (unrelated to the F plot basin water release) – all four complaints were assessed as being invalid
- 70 complaints relating to damages to houses due to vibrations – all complaints were assessed as being invalid
- Three complaints of a social nature relating to community compensation eligibility – all three complaints were assessed as being invalid

29. Of the grievances received, how many resulted in a remedy and how many were refused?

As above

30. Of the grievances refused, can you please tell us the bases for the refusal, and the respective number for each basis?

As above

Reports exist for all grievances and we have attached some examples of valid and not-valid grievances to help provide an understanding of the process.

[REF: Badila valid grievances examples]

[REF: Badila Not-valid grievances examples]

31. Of the grievances that resulted in a remedy, can you please tell us:

a. what remedies were provided?

Remedies include cash or community compensation, dust suppression, speed restrictions, traffic management, additional flagmen, flood protection, road pushouts, donations in kind, etc. PCM's compensation procedure is detailed in the document [REF: ESIA 2012 French]

b. on what basis remedies were determined, including how compensation was calculated?

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On a case by case basis in line with PCM's grievance and compensation procedures [REF: ESIA 2012 French]

32. Can you clarify the process by which grievances are accepted, investigated, resolved and remedied if accepted?

The grievance mechanism and procedures in the ESIA define the process. [REF: ESIA 2012 French]

33. Can you describe the steps taken to inform people of the grievance mechanism?

In order for the Ministry of Environment to approve an ESIA, a public consultation process must be undertaken during which grievance mechanisms are described prior to operations. This was done in 2012.

PCM supports and promotes the grievance mechanism during public consultations and field visits with local communities.

34. Can you explain the specific ways in which people may file a grievance?

Grievances are received in many ways, including written reports, verbally during consultations, community visits and to the community liaison officers based in the villages. Grievances are captured as written records and then filed within the stakeholder relations' database. PCM targets the registering, investigating and closing of each grievance within 28 days of receipt. The number of grievances received during the period immediately following the F plot basin water release indicates that PCM's grievance mechanism process is well understood and utilised.

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Next steps

I trust that the information provided adequately responds to your questions. If you would like further details on any of the topics raised, please let us know so we can consider the request.

We would welcome the opportunity for a face-to-face meeting to discuss our responses and our approach to engaging with our communities and interested stakeholders. We extend our invitation to you, or other members of the RAID team, to visit our London office, and also our Badila operations to gain a better understanding of our approach and our commitment to acting as a responsible and transparent operator.

PCM is committed to operating in a safe and responsible manner in accordance with all applicable laws and regulations, while mitigating any potential impacts that its operations may have on local communities and the environment. PCM recognises that its presence can deliver sustainable benefits to those living around its operations and to the national economy of Chad. As such, it transparently reports its performance and welcomes the opportunity to build and strengthen relationships with representatives from civil society.

Yours faithfully,



Beusaert K. M. Franck
Directeur Général / General Manager

Attachments

- [REF: Nya River Tributary Analysis Cert 13Sep18]
- [REF: Badila Plot F Grievance Register September 2018]
- [REF : ESIA 2012 French]
- [REF: Badila River Khou 13 Aug 2019]
- [REF: Plot F Soil 13 Aug 2019]
- [REF: PCM WATER MONITORING Badila]
- [REF: Record of Community site visits]
- [REF: SR Badila Community Investment Projects]
- [REF: SR Badila Community Compensation Projects]
- [REF: Badila valid grievances examples]
- [REF: Badila Non-valid grievances examples]

Correspondence October 2019

From: Anneke Van Woudenberg <[REDACTED]>
Sent: 15 October 2019 18:13
To: Hill, Steve (London - GB) <[REDACTED]>; Middleton, Gary (London - GB) <[REDACTED]>; Bell, Pam (London - GB) <[REDACTED]>
Cc: [REDACTED]
Subject: Re: Proposed Meeting with RAID and Glencore

Dear Steve, Pam and Gary,

Thank you for the meeting last Friday at your offices. At the meeting, we agreed to exchange information and additional clarifications. Below I have set out the information RAID agreed to provide and the list of issues on which Glencore agreed to provide further clarifications.

Information from RAID:

1. The GPS coordinates of where Glencore staff were repairing a pipe on the 26 September 2018 are as follows: *Zone 33 P: 649083 E; 921770 N*
2. Three videos taken on 6 May 2019 at a location downstream from the Badila installation showing what appear to be hydrocarbons on the surface of the water. I will send you the Dropbox link to the videos in a separate email since they are too large to attach to this email.

Issues on which Glencore agreed to provide clarification:

1. The coordinates of where Glencore believes 13-year-old [REDACTED] was washing when he suffered his reported injuries.
2. The reason why the visit by Glencore staff to [REDACTED] while he was at the hospital was not reported to London or otherwise within the company.
3. The coordinates of where Glencore believes the young girl referenced in answer 14 of Glencore's written response (who is in fact a young boy) was washing in the Nya River when he suffered his reported injuries.
4. The chemicals or any other products used to treat the produced water, or any other chemicals used in the extraction process.
5. Clarification on whether there was a request to the community to discharge the water prior to the spill, and if so, when it was made.
6. To clarify why IFC standards were not being fully applied to Glencore's water testing.
7. Which part of the basin the water tested originated from (i.e. bottom, middle or top) as well as the depth and areas from within the basin from which the samples were taken by both Glencore and Hydrac.
8. Whether Glencore or other entity conducted any other tests on the produced water/river water beyond those shared with RAID. If yes, could you also share those test results with RAID. Are these tests consistent with IFC standards?
9. Clarification on why the Hydrac test did not occur until three days after the spill.
10. Whether Hydrac took samples from any other areas around the F plot Basin or around where the water spilled in September 2018, and if so to provide the results.
11. Pipeline leaks: were there any pipeline leaks on or around 26 September 2018, or on any other dates between August 2018 – August 2019?
12. What pipeline repairs were being conducted on or around 26 September and why?

13. Clarification and or explanation as to why Glencore might not have received complaints about physical injuries and/or harm to livestock attributed to the spill and/or any possible pipeline leaks.
14. The dates of all community visits in 2017, 2018 and 2019 and the reasons of the visits.
15. The guidelines and any other written materials governing the operation of the grievance mechanism.
16. The written and/or presentational materials provided to community members to inform them about the grievance mechanism.
17. Confirmation as to whether the RAID, PILC and AJTZP's letter was taken as a formal complaint/grievance.
18. A copy of the most recent ESIA once approved by the Chadian government. In the meantime, if you are able to share the latest information from the new ESIA relating to the operational grievance mechanism that would be very helpful.

As set out at the meeting, RAID will strive to include any clarifications and additional information Glencore provides in the meeting in our upcoming publication. I would be grateful if you could get back to us by October 25th.

With my best regards,

Anneke

Anneke Van Woudenberg
Executive Director
Rights and Accountability in Development (RAID)

tel: [REDACTED]
email: woudena@raid-uk.org
skype: woudena | twitter: @woudena
RAID UK Charity Registration No. 1150846

From: <Steve.Hill@[REDACTED]>
Date: Saturday, 26 October 2019 at 03:52
To: <woudena@raid-uk.org>
Cc: <[REDACTED]> <Gary.Middleton@[REDACTED]>, Pam Bell <[REDACTED]>
Subject: Re: Proposed Meeting with RAID and Glencore

Dear Anneke,

As requested, please find attached the additional information in response to your email below. Please let me know if you require any further clarification.

Please note I have removed the original reference "Final ESIA French" from these attachments as it was too large to send in this email and had been sent previously.

Regards,

Steve

Steve Hill
Glencore UK Ltd,
50 Berkeley Street, London, W1J 8HD
Office: +[REDACTED] Mobile [REDACTED]
[REDACTED]

Dear Ms Van Woudenberg,

Following our recent meeting, please see below our responses to your requests for further information in relation to our operations in the Badila field. We have considered and will be conducting further investigations into the comments raised during the meeting. The responses from findings to date are provided below.

We continue to believe that the identified medical cases are unrelated to our operations, however, we are committed to trying to understand the root causes. As such we are planning to conduct further research and investigation into a number of areas using independent resources and further engagement with communities where required. These investigations will focus on:

- reviewing our water sampling/testing protocols and ESIA/ESMP parameters to confirm compliance with IFC standards;
- reviewing our grievance system mechanisms based on the feedback from your field visit;
- commissioning an independent assessment of the ground and river water in the locations upstream and downstream of our Badila operations; and
- commissioning a further review into the medical assessments of the skin-related issues reported by RAID.

It should be noted that water from our facility operations is never intentionally discharged into external water sources, and since early 2019 all produced water is re-injected into the underground reservoir. The release of water from the F plot basin on 10 September 2018 was a one off event, resulting from a failure of a section of the laterite berm due to an exceptionally heavy rainy season. At that time, the F plot basin contained primarily rain water with very little treated production water.

Issues on which Glencore agreed to provide clarification:

1. The coordinates of where Glencore believes 13-year-old [REDACTED] was washing when he suffered his reported injuries.
From the information you shared, and from discussions with the Stakeholder Relations (SR) field team and [REDACTED] Canton Chief, we believe [REDACTED] would likely have used the river area near the Donia bridge for washing with the co-ordinates 656456E 928959N. This is a popular bathing and clothes washing area for many villagers.
2. The reason why the visit by Glencore staff to [REDACTED] while he was at the hospital was not reported to London or otherwise within the company.
The case of [REDACTED] was reported to our local SR field team by the [REDACTED] Canton Chief during a meeting to discuss other local matters. Also present during this meeting were the civil society representatives (including an AJTZP representative). The SR team were told that there was a sick boy in the village of Karwa with the sickness believed to be related to washing himself in the river. The SR field team members requested permission to visit [REDACTED] at his home (not at the hospital as stated). [REDACTED] showed signs of a skin condition that was described as a condition commonly seen during the rainy season. There are also a number of other water-borne diseases and parasitic related conditions that we will investigate as part of our further

review. The parents were advised to consider an assessment at a hospital for further checks and there was no further report after the visit. This was stated as the reason that it wasn't formally recorded or escalated to London. However, the grievance recording process will be reviewed as part of an investigation into our grievance mechanisms.

3. The coordinates of where Glencore believes the young girl referenced in answer 14 of Glencore's written response (who is in fact a young boy) was washing in the Nya River when he suffered his reported injuries.

The area map below and the GPS coordinates 8° 17' 40, 57" N / 16° 20' 04. 84" E represent the area where the young boy was reported to be washing in relation to the Badila camp and released water path. The area was visited by PCM representatives at the time of reporting by the family. The red line shows the distance between the F plot and the area of bathing (approx. 7km upstream), with the bathing point elevation being higher than the point where the released water entered the river.



4. The chemicals or any other products used to treat the produced water, or any other chemicals used in the extraction process.

Crude oil processing may require the addition of industry approved materials. These are added during the processing stages, many of which are not miscible with water and remain within the oil. Those that are absorbed by the water become diluted to very low concentrations. The produced water, which often contains naturally-occurring salts and hydrocarbons does not undergo any treatment involving addition of chemicals prior to release from the facility to the wetlands area. Since early 2019 all produced water is reinjected into the reservoir.

5. Clarification on whether there was a request to the community to discharge the water prior to the spill, and if so, when it was made.

A request was made to the Ministry of Environment on the 20 August 2018 to allow a controlled release of a small quantity of the water in the F plot basin under the strict control of our Environmental Department as well as the Government CTNSC inspectors. The request was made to alleviate the strain on the containment berm of the basin by the very heavy rainfall that had raised the water levels in the F plot basin to a higher than expected level. The Badila F plot basin was visited on the 26 August 2018 by delegations from the Ministries of Environment, Water and Fisheries and Petroleum and Energy under the leadership of the Minister of the Environment, Water and Fisheries to assess the situation. No approval was obtained in the period leading up to the berm failure, during which time the heavy rainfall

continued to raise the level in the F plot basin until the berm failed on the 10 September 2018. The community were verbally informed of this request by the SR team prior to the berm failure.

6. To clarify why IFC standards were not being fully applied to Glencore's water testing.
Glencore adhere to the IFC, Environmental, Health and Safety (EHS) Guidelines, April 30 2007, Table 1.3.1 Indicative Values for Treated Sanitary Sewage Discharges. The water was not discharged into water courses, but used for irrigation purposes in the agricultural project under strict controls. The agricultural project supplied produce that was consumed within the camps. As mentioned in the introduction, we are conducting a detailed review on our water sampling/testing protocols and ESIA/ESMP parameters to confirm compliance with IFC standards, using external resource where required.
7. Which part of the basin the water tested originated from (i.e. bottom, middle or top) as well as the depth and areas from within the basin from which the samples were taken by both Glencore and Hydrac.
There were no samples taken directly by Hydrac. The samples were taken by Glencore and Ministry of Environment representatives as mid-level samples in the area close to where the berm failed. Samples were taken in duplicate and in accordance with our internal sampling procedure [REF: Operating_procedure_for_treated_effluent_release]. The Glencore samples were tested at Badila Expro laboratory and the third-party Hydrac Laboratory in Cameroon. The Ministry managed their own sample analysis; Glencore did not receive the results. The levels of water in the F plot basin prior to the release were approx. 2m deep.
8. Whether Glencore or other entity conducted any other tests on the produced water/river water beyond those shared with RAID. If yes, could you also share those test results with RAID. Are these tests consistent with IFC standards?
Additional sample and test results conducted by Glencore can be found in the attachment [REF: Additional Sampling and testing Badila]. The Ministry of Environment also conducted their own sampling and testing, however, Glencore has only received the Ecofilae report to date.
9. Clarification on why the Hydrac test did not occur until three days after the spill.
The facility implemented its emergency response plan immediately following the release which included consultations with the community. The Ministries of Environment, Water and Fisheries and Petroleum and Energy were also notified. The Ministry of Environment, Water and Fisheries requested attendance to observe the area and take duplicate samples. This required a period of mobilisation and, as a consequence, the Ministry of Environment, Water and Fisheries was not on site until 13 September 2018.
10. Whether Hydrac took samples from any other areas around the F plot basin or around where the water spilled in September 2018, and if so to provide the results.
There were no samples taken by Hydrac. The samples were taken by Glencore personnel and analysed at the Hydrac laboratory. The locations and analysis results are covered in Q8 above.
11. Pipeline leaks: were there any pipeline leaks on or around 26 September 2018, or on any other dates between August 2018 – August 2019?
There have been no recordable pipeline leaks from our operations.
12. What pipeline repairs were being conducted on or around 26 September and why?

Our records indicate that there were no pipeline repairs conducted on the 26 September 2018. However, from the location supplied there was maintenance work conducted on the crude oil pipeline from Badila to the main TOTCO pipeline on 16 and 17 August 2018, at a near identical location to the coordinates you supplied. The maintenance work was to the protective outer coating on the pipeline identified through a Direct Current Voltage Gradient survey. There was no damage to the pipeline itself or any loss of hydrocarbon. A copy of the survey report is attached [REF: S3F - COATING DEFECTS - SUMMARY REPORT - 17-08-2018]

A visit was made to the location during a recent visit on 21 October 2019 which confirmed there was no evidence of hydrocarbon release in the vicinity. A fine sheen was detected in a small area upstream of this location in an area of stagnant water, but showed no evidence of crude oil or any residue from a crude oil release. We believe this area to be in the region that you referenced as "a location just downstream of the Badila villages". The sheen is a result of a natural phenomena unrelated to crude oil and similar cases can also be seen in areas where there is no hydrocarbon activity. The following links provide additional details on sheen on water phenomena:

<https://www.pca.state.mn.us/sites/default/files/c-er4-07.pdf>

<http://askanaturalist.com/what-is-this-oily-sheen-on-the-marsh/>

13. Clarification and or explanation as to why Glencore might not have received complaints about physical injuries and/or harm to livestock attributed to the spill and/or any possible pipeline leaks.

There have been no recordable pipeline leaks from our operations. In addition to the case mentioned in point 3 above, we also received two calls from [REDACTED] from AJTZP reporting injuries to children. These were in areas at some distance from the part of the river that received the released F plot basin water. [REDACTED] was requested to formally report the complaints but chose not to proceed. There had been no reports of similar cases upstream of these in the vicinity of the Badila facility. It is unclear as to why the other cases that you referenced in your report were not formally reported to Glencore. As previously mentioned, we will undertake an investigation into our grievance mechanism process.

14. The dates of all community visits in 2017, 2018 and 2019 and the reasons of the visits.

The attachments [REF: Forums Public and individual consultations DOI] and [REF: Government meeting DOI], list all of the visits made within the community in 2017/18/19 with the reasons stated for each.

15. The guidelines and any other written materials governing the operation of the grievance mechanism.

The attached SR Guideline relating the Grievance Management process is attached. [REF: SR Guideline Grievance Management]

16. The written and/or presentational materials provided to community members to inform them about the grievance mechanism.

An example of a recent public consultation presentation re-emphasising the Grievance Management Process is attached [REF: Forum presentation for Badila]. The opportunity is taken at each public consultation to remind stakeholder of the Grievance Management Process.

17. Confirmation as to whether the RAID, PILC and AJTZP's letter was taken as a formal complaint/grievance.

The letter received from RAID, PILC, AJTZP in September 2019 is recorded by the Glencore Office in London to which it was addressed, and is being actioned in London with support from

the N'Djamena and field based teams in Chad. As such, it has been formally recorded in our reporting database.

18. A copy of the most recent ESIA once approved by the Chadian government. In the meantime, if you are able to share the latest information from the new ESIA relating to the operational grievance mechanism that would be very helpful.

The approved ESIA that is currently in force is attached. There is a 2019 revision which is currently undergoing review and consultation by the Ministry of Environment, Water and Fisheries, and the draft section related to grievance mechanisms is attached. [REF: Final EIA French] and [REF:ESIA Vol 5 Communication Plan – DRAFT]

PCM remain committed to operating in a safe and responsible manner in accordance with all applicable laws and regulations, while mitigating any potential impacts that its operations may have on local communities and the environment. PCM recognises that its presence can deliver sustainable benefits to those living around its operations and to the national economy of Chad. As such, it transparently reports its performance and welcomes the opportunity to build and strengthen relationships with representatives from civil society.

We would like to take this opportunity to invite RAID to visit our operations in Chad and meet with the in-country team to get a fuller understanding of our approach and commitment to the country.

Yours faithfully,



Steve Hill

HSEC Lead, Glencore UK Limited.

Attachments :

[REF: Operating_procedure_for_treated_effluent_release]
[REF: Additional Sampling and testing Badila]
[REF: S3F - COATING DEFECTS - SUMMARY REPORT - 17-08-2018]
[REF: Forums Public and individual consultations DOI]
[REF: Government meeting DOI]
[REF: SR Guideline Grievance Management]
[REF: Forum presentation for Badila]
[REF: Final EIA French]
[REF:ESIA Vol 5 Communication Plan – DRAFT]



3 March 2020

Ms Louise Jayne Bullen
Operations Manager
Glencore UK Ltd
50 Berkeley Street
London, W1J 8HD
United Kingdom

Sent via email

Dear Ms Bullen,

I am writing to inform you that RAID will shortly be publishing a report concerning the Badila oil concession in the Republic of Chad and the impacts on local residents of the September 2018 spill of produced water and an alleged leak from an oil pipe on 26 September 2018 as reported by local customary chiefs.

RAID and Glencore have been in correspondence in relation to many of the issues raised and we had a lengthy meeting with a Glencore team in London on 11 October 2019. We wanted to provide Glencore, as well as PetroChad Mangara Limited (PCM), a final opportunity for any comment ahead of publication.

RAID strives to reflect all perspectives in our research and publications in the interest of balanced and fair reporting. I can assure you that the views of Glencore, as expressed during our October 2019 on-the-record meeting and in written correspondence, have been taken into account in RAID's forthcoming publication.

As confirmed during the October 2019 meeting, it is our understanding that PCM's environmental and social departments report directly to Glencore UK Ltd which oversaw PCM's management of the 10 September 2018 wastewater spill and other incidents, and that Glencore UK Ltd reports to Glencore Plc.

RAID's upcoming publication will cover the following:

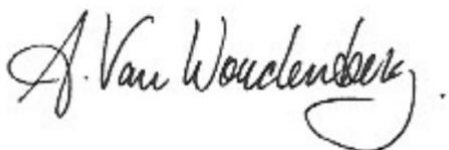
- The 10 September 2018 incident, when a basin containing produced water ruptured and surged through surrounding fields, before flowing into the local Nya Pende River, used by residents of nearby villages. Our report will describe the steps taken by Glencore before, during and after the spill. It concludes that Glencore disregarded local communities' concerns despite serious risks to their health and safety.
- Specifically, our report will describe how Glencore failed to:

- i. Construct a suitable wastewater basin that would withstand the tropical rain in the area and did not take appropriate steps to mitigate overflow from the basin when it began to leak in August 2018;
 - ii. Conduct testing of the water in the Nya Pende River water at different locations immediately after the spill and to publicly inform all local residents of the possible risks while awaiting the results;
 - iii. Share the results of its water testing with local communities, as well as any other findings (including medical assessments and environmental reports) relating to the basin and river water;
 - iv. Conduct serious and thorough investigations into repeated complaints by local residents, including children, suffering from physical injuries such as skin burns, pustules, blurred vision, stomach aches, internal pain, vomiting, and diarrhea after reports of bathing in or using the river water, and the alarming death of local livestock who drank from the river water;
 - v. Engage with local communities to provide information to support the company's assertion that any such harm had not been caused by Glencore's activities.
 - vi. Have in place an appropriate and accessible grievance mechanism.
- Our publication will also refer to reports received by RAID, as raised with the Glencore team during our meeting on 11 October 2019, relating to an oil pipe leak on 26 September 2018 as reported by customary chiefs, and to Glencore's response to that alleged incident.

We would also like to take this opportunity to ask you to update us on the actions Glencore and/or PCM has taken since our 11 October 2019 meeting including the results of the reviews and assessments listed in Mr. Steve Hill's letter dated 25 October 2019, and any additional steps taken. Our report will refer to the status of any such undertakings, including any further findings that we receive in good time.

We appreciate your engagement to date on these matters. We would appreciate receiving any response by close of business on 6 March 2020.

Yours sincerely,



Anneke Van Woudenberg
Executive Director

cc: Steve Hill, HSEC Lead for Oil Dept E&P, Glencore UK Ltd
Franck K.M. Beusaert, General Manager, Petrochad (Mangara) Ltd
Pamela Bell, Corporate Senior Sustainability Manager, Glencore Plc
Anna Krutikov, Head of Sustainability Development, Glencore Plc

Petrochad (Mangara) Limited

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Rights and Accountability in Development (RAID)
Studio 204, Screen Works,
22 Highbury Grove
London, N5 2EF, UK
FAO: Ms Anneke Van Woudenberg

6 March 2019

Ref: PCM-RAD-LTR-200306-01

Dear Ms Van Woudenberg

Thank you for your letter dated 3 March 2020 addressed to Louise Bullen and for providing Glencore with a final opportunity to comment on the matters you have indicated the upcoming RAID publication will cover relating to the Badila oil concession in the Republic of Chad (the “RAID Report”).

At the meeting between representatives of RAID and Glencore, which was held in London on 11 October 2019, and in the written responses we provided RAID both before and after the meeting, we have taken a transparent and cooperative approach to answering your questions, including providing supporting documentation where applicable.

PetroChad (Mangara) Limited (“PCM”) is the operating company responsible for conducting operations in the Badila oil concession. PCM has its own management team and supporting environmental and social departments who report to that management team and who are responsible for implementing the Glencore Group sustainability framework.

Your letter references certain points that the RAID Report will cover. We believe that we have provided, to the best of our ability, detailed responses for all of these points. For the sake of completeness, we have provided summaries of our previously sent responses below.

F Plot Basin Incident

In response to the RAID Report’s conclusion that “*Glencore disregarded local communities’ concerns despite serious risks to their health and safety*”, we continue to refute that suggestion that the release of water from the F plot basin on the 10 September 2018 posed a risk to the health and safety of local communities.

In response to RAID’s assertion that Glencore failed to:

1. “*Construct a suitable wastewater basin that would withstand the tropical rain in the area and did not take appropriate steps to mitigate overflow from the basin when it began to leak in August 2018.*”

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The basin was originally constructed in September 2017 as an area to hold treated produced water that had been passed as satisfactory for release prior to evaporation. Due to the prolonged and torrential rainfall during the 2018 rainy season, the operation decreased the level of treated production water that was released to the area to reduce the level and the risk of barrier damage.

2. *“Conduct testing of the water in the Nya Pende River water at different locations immediately after the spill and to publicly inform all local residents of the possible risks while awaiting the results.”*

On 13 September 2019 (three days after the spill), PCM, the operator of the Badila oil concession, took river water samples at the Nya River and Khou tributary in accordance with our sampling procedure supplied previously. An independent ISO 9001/14001 and ISO17025 certified laboratory analysed the samples. The results of the analysis were shared with RAID.

Based on the results of these samples, as well as PCM’s knowledge that the water in the F plot basin was significantly rainwater, we continue to refute that suggestion that the release of water from the F plot basin on the 10 September 2018 posed a risk to the health and safety of local communities.

3. *“Share the results of its water testing with local communities, as well as any other findings (including medical assessments and environmental reports) relating to the basin and river water.”*

PCM’s community relations team promptly informed the local community about the release through public consultation held on the morning of 11 September 2018 (one day after the spill). As there were no significant findings from the analysis of the water samples, the results were not shared with the local communities.

In addition to the community consultations held on the day following the incident, PCM’s community relations teams responded to questions from the community as they arose during subsequent community engagement activities. These are in addition to the formal quarterly community consultations, which had also included further updates on the incident.

4. *“Conduct serious and thorough investigations into repeated complaints by local residents, including children, suffering from physical injuries such as skin burns, pustules, blurred vision, stomach aches, internal pain, vomiting, and diarrhoea after reports of bathing in or using the river water, and the alarming death of local livestock who drank from the river water.”*

We received 121 grievances from the communities relating to this incident. PCM investigated and resolved all grievances deemed valid (89 in total), in line with its

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grievance mechanism procedure. All but one complaint related to damage to crops and farmland. PCM and an International SOS medical officer investigated the single claim relating to a skin irritation experienced by a young boy. We communicated the findings from this investigation to RAID.

5. *“Engage with local communities to provide information to support the company’s assertion that any such harm had not been caused by Glencore’s activities.”*

During the numerous public consultations with the communities following the incident, PCM reassured the community that the water released did not pose a risk to their health and safety. We shared the details of these meetings with RAID.

6. *“Have in place an appropriate and accessible grievance mechanism.”*

Prior to and following the incident on 10 September 2018, PCM’s grievance mechanism was and continues to be a well-used formal grievance mechanism. PCM’s Environmental and Social Impact Assessment, which is subject to public consultation and government approval, sets out the requirements for the grievance mechanism

PCM has an active programme in place to make communities aware of the grievance process. The number of complaints received relating to damaged farmland are testament to how well the community know and use the grievance mechanism.

Alleged Oil Pipe Leak

We also note that that the RAID Report will refer to an alleged oil pipe leak on 26 September 2018. RAID has stated that they received reports on the leak from customary chiefs.

As previously communicated to RAID, there were no reported oil spills or leaks from PCM’s operations on or around this date. We have shared a copy with RAID of the record relating to an excavation in this area to carry out maintenance following a routine inspection. This record confirms there was no damage to the pipeline itself or any loss of hydrocarbon.

Update on PCM actions since 11 October 2019 meeting

Since the 11 October 2019 meeting in London between Glencore and RAID, PCM has undertaken the following activities:

- A review of its operational water sampling and testing protocols and Environmental and Social Impacts Assessment (ESIA) and Environmental and Social Management Plan (ESMP) parameters, confirming their compliance with IFC standards for water testing.

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- Working with a third party consultant to re-issue the ESIA. Updating our ESIA was a legal requirement and the revised ESIA has now received Government approval following review and a public consultation process
- A review of its grievance mechanisms. PCM undertook the review during its update of its ESIA. The review included consideration of RAID's comments. PCM's community relation team continues to reference the grievance mechanisms process during public consultations and engagement activities. Our community engagement process will undergo an internal audit in April 2020.
- An independent consultant has been appointed and is currently conducting an assessment on ground water, river water and soil samples upstream and downstream of PCM's Badila operations.
- Through our relations with International SOS, we reached out to local clinics to determine additional information on the cases that RAID brought to our attention, but with limited success. To further address this, PCM is in the process of commissioning an independent Health Impact Risk Assessment on the public health risks in the region as well as the surrounding communities. This will consider countrywide health risks as well as those specific to local communities.

PCM remains committed to operating in a safe and responsible manner in accordance with all applicable laws and regulations, while mitigating any potential impacts that its operations may have on local communities and the environment. PCM recognises that its presence can deliver sustainable benefits to those living around its operations and to the national economy of Chad. As such, it transparently reports its performance and welcomes the opportunity to build and strength relationships with representatives from civil society.

We note your commitment to balanced and fair reporting and your assurance that Glencore's views have been taken into account in the publication, but do remain concerned that in many cases, it is difficult to reconcile your conclusions with the very clear information that we have provided during our engagement.

We trust that our detailed responses will be accurately reflected in the report. We also continue to extend our offer to invite you, or other members of the RAID team, to visit our Badila operations to gain further understanding of our approach and commitment to acting as responsible and transparent operator.

Yours faithfully


Beausaert K.M. Franck
General Manager

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