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26 de septiembre 2013

Tony Hayward
Interim Chairman
Glencore-Xstrata
Baarerstattstrasse 3 CH-6340
Baar Switzerland

RE: Specific Instance Complaint filed against Xstrata Copper in Argentina for impacts to Glaciers and Periglacial Environments in the Filo Colorado and El Pachón projects.

CC: OECD National Contact Point Australia, OECD National Contact Point Switzerland, OECD National Contact Point Argentina

Dear Mr. Hayward

I would like to draw your attention to a complaint our organization filed in Australia in June of 2011 for impacts caused by Xstrata Copper's Filo Colorado & El Pachón projects to glaciers and periglacial (permafrost) environments of Argentina. You can find the original complaint filed at:

<http://wp.cedha.net/wp-content/uploads/2011/06/Specific-Instance-xstrata-copper-glaciers-June-1-2011-final-english.pdf>

These impacts to glaciers and permafrost areas have been caused due to the introduction of exploration roads in both the El Pachón (in San Juan Argentina) and Filo Colorado (Catamarca Argentina) projects. The impacts persist today and can be easily seen on Google Earth.

After receiving no recognition of impacts by Xstrata Copper at Filo Colorado, and outright denial of glacier presence at El Pachón, we originally presented our concerns to the Australian government, referring to Australia's responsibilities under the OECD Guidelines for Multi-National Enterprises to ensure multinational company compliance with global environmental norms and standards. The complaint was forwarded by the Australian government to the Argentine government, to be handled jointly by the OECD National Contact Point offices. While we initially had collaboration with Xstrata's environment team at El Pachón to address these concerns and impacts, over two years have now passed with NO advancement, or indication that Xstrata is addressing passed impacts at Filo Colorado, or indication of what the company intends to do with visible impacts at El Pachón.

We have had a very open, constructive and engaging approach to these issues and wish to work with Glencore-Xstrata to determine a remedial plan to address these impacts. I hope to hear Glencore-Xstrata regarding our complaint and way forward. After two years of this stagnant situation, I will be meeting with representatives of the Argentine government's foreign ministry next week to discuss the case.

Jorge Daniel Taillant
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