

Ms. Melissa Fourie  
Executive Director  
**Centre for Environmental Rights NPC**  
2nd Floor, Springtime Studios,  
1 Scott Road, Observatory, 7925  
Cape Town, South Africa

Per Email: mfourie@cer.org.za

16 March 2016

Dear Ms Fourie

**Response to Open Letter to Anglo American**

Thank you for your letter dated 29 February 2016. I am writing to you in my capacity as Executive Head: Anglo American South Africa, having been asked by our Group Chief Executive, Mark Cutifani, to reply to your letter on behalf of the Group in South Africa. While I do not intend to exhaustively deal with the contents of your letter, it is essential that Anglo American records its responses pertaining to some of the statements made by yourselves in that letter.

Anglo American has consistently demonstrated good corporate citizenship and remains committed to conducting its businesses in compliance with all applicable laws in the jurisdictions in which it operates. We are supportive of civil society organisations taking an active role in upholding the rights of communities and other interested and affected parties, and we encourage CER to continue to pursue its objectives, even if this at times places us at odds with yourselves.

As has been well-publicised, Anglo American is focusing its asset portfolio on its global leadership positions in diamonds and in platinum group metals as well as its world-class position in copper. This combination of assets will have the advantage of benefiting from the ongoing shift away from infrastructure investment towards consumer-driven demand, positioning Anglo American for these expanding markets. Anglo American is committed to exiting its non-core assets in a responsible manner that seeks to ensure that these assets continue to be managed by experienced and credible operators in the best interests of employees, neighbouring communities and other stakeholders. Indeed, we believe that each operation earmarked for disposal has a sustainable and profitable remaining life of mine.

**A member of the Anglo American plc group**

**Anglo Operations (Pty) Ltd**  
Registered Address, 44 Main Street, Johannesburg 2001. PO Box 61587 Marshalltown 2107 South Africa. T +27 (0)11 638 9111. F +27 (0)11 638 2455.  
Incorporated in the Republic of South Africa. Registration Number 1921/006730/07

**Directors:** C Goosen, R S Lawson, N J Mason-Gordon, S Mayet, T M Mkhwanazi, D J Morris, J G Williams

**Company Secretary:** E Viljoen



Anglo American has a 99-year history in South Africa, has deep ties to the country and will remain invested in this country. We do not believe that any of the operations that we have earmarked for disposal can be equated to the Aurora Mine or the Blyvooruitzicht Mine to which you refer. Moreover, the Anglo American Group was not involved in those disposals.

As is the case with all holders of mineral rights, those Anglo American Group companies holding our mineral rights are required by law to annually assess their environmental rehabilitation liability and to make the necessary financial provisions in the manner prescribed in the National Environmental Management Act and its associated regulations. Any third party to whom a right is transferred would be required, by law, to continue to make these assessments and to make the necessary financial provision. As you are aware, the purpose of that financial provision is to ensure that adequate financial resources are available to enable the rehabilitation and remediation of impacted sites, without placing a financial burden the state.

As to your contentions relating to the Promotion of Administrative Justice Act (PAJA), and specifically when public participation is required, Anglo American disagrees with the CER's interpretation of the law. In any event, PAJA applies to an administrator's conduct, and not to the conduct of Anglo American, and as such we do not believe that it would be sensible to engage the CER in a debate on this issue in correspondence.

Anglo American remains committed to complying with all applicable laws, including those that relate to the publication of some of the records that you have requested. Anglo American will publish all information that it is required by law to publish, in the prescribed manner and within the required timeframes.

Anglo American also discloses information on a voluntary basis through, for example, our annual Sustainability Report. The Report is compliant with international best practice standards and our compliance with the GRI and ICMM principles and assurance procedure are audited by PwC. The Report includes voluntary disclosures relating to, among other matters, environmental management and significant environmental incidents. The latter is subject to independent verification. Anglo American's 2015 Sustainability Report was published on Monday 14 March 2016 and is available on our website ([www.angloamerican.com](http://www.angloamerican.com)).

Thank you again for your interest. I request that you direct all future correspondence to my office.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Andile Sangqu', written over a blue horizontal line.

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