



ethecon Foundation Ethics & Economics
Fundación Ética & Economía Foundation Ethics & Economics

Dossier

English French German Spanish version

**International ethecon Black Planet Award 2012
for Ivan Glasenberg (CEO), Simon Murray (Chair-
man) and Tony Hayward (Non-Executive Director)
as well as major shareholders of the commodity
trading company GLENCORE (Switzerland)**



Cover Photo

The photo depicts the GLENCORE Headquarters in Baar (Switzerland) as well as (f.l.t.r.) the GLENCORE managers Ivan Glasenberg (CEO), Simon Murray (Chairman) and Tony Hayward (Senior Independent Non-Executive Director; Environment, Health and Safety Committee), vilified with the International ethecon Black Planet Award 2012.

With adequate profit, capital is very bold.
A certain 10 percent will ensure its employment anywhere;
20 percent certain will produce eagerness;
50 percent, positive audacity;
100 percent will make it ready to trample on all human laws;
300 percent, and there is not a crime
at which it will scruple, nor a risk it will not run,
even to the chance of its owner being hanged.

Thomas J. Dunning
Economist and trade unionist (1799 - 1873)
published in the Quarterly Review
London 1860





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for Ivan Glasenberg, Simon Murray and Tony Hayward
as well as the major shareholders of the
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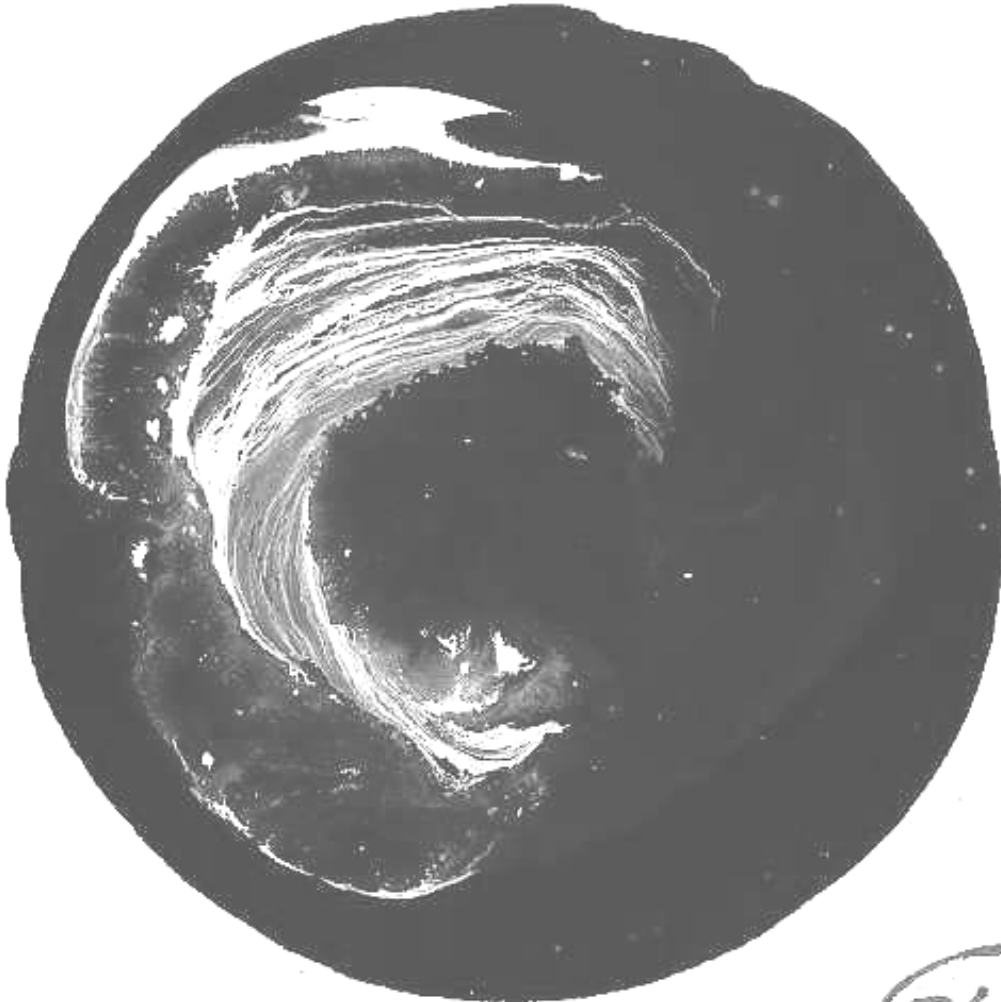
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The picture depicts the „Blue Planet“ painted by Otto Piene as well as the motto of the cycle of his works titled „Blue Planet“.

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Pleno

¡El planeta azul debe mantenerse verde!

Keep the Blue Planet green!

Der Blaue Planet soll grün bleiben!



**The International ethecon Blue Planet Project
and the two International ethecon Awards¹
(by ethecon founder Axel Köhler-Schnura²)**

Ladies and Gentlemen,
Dear friends,

Since 2006 ethecon – Foundation Ethics & Economics has bestowed two international awards annually. Today we are here to present the awards for 2010.

What are these awards? What are the ethecon awards all about?

In order to answer these questions, I must expand a bit.

My fellow founders of ethecon, the sustaining members, donors and of course myself, along with Mrs. Rehmann, both of us founding sponsors of ethecon, established the foundation in 2004. As individuals who are not willing to sit back and watch fundamental ethical principles be trampled upon, who resolutely take a stand against the fact that profit is increasingly the sole motivating force in our society and in managing the environment - for the sole purpose of making the rich richer, to the detriment of mankind and society with the risk of complete human, social and ecological ruin. We are looking at the social and ecological destruction of the planet caused by the disintegration of fundamental ethical principles on the part of those responsible for the economy.

The idea to encourage efforts to save and preserve ethical principles and respectively to pillory those who have contempt for the same, matured in our founding year 2004. There are and have been many awards honouring "achievements" in various areas of society, but far too few prizes acknowledging resistance against the abuse and ruin of ethics and morals, and the subsequent environmental destruction, war and exploitation.

Our idea coincided with the art cycle "Blue Planet" created by the artist Otto Piene. Otto Piene – born in 1928 – is one of the major artists of the 20th century. Art connoisseurs well know that together with

¹ Speech on the occasion of the bestowal of the two International ethecon Awards 2010 on November 20, 2010 in Berlin.

² Axel Köhler-Schnura, Dipl.Kfm., Düsseldorf/Germany, born in 1949, married, four children (one deceased); studied business administration, sociology, computer science and various languages. Until 1976 economic sociology research within the Deutsche Forschungsgemeinschaft/DFG (German Research Institute). After that various positions in private industry, the last position in the executive management of a polygraphical company. Since 1988 owner of companies in the field of ecology. Substantially involved in the founding of organizations as Dachverband der Kritischen AktionärInnen (Association of the Critical Shareholders), Pestizid Aktionsnetzwerk (Pesticide Action Network Germany/PAN) and the Coordination gegen BAYER-Gefahren (Coalition against BAYER-Dangers/CBG). Active as a volunteer on the board of Edition Kunst gegen Konzerne (Edition Art against Corporations), the Alternative Savings and Solidarity Fund ProSolidar and the international network of the Coalition against BAYER-Dangers. Founding donor and chairperson of the board of directors of the International ethecon Foundation Ethics & Economics; formerly in the German Coordinating Circle of the European Social Forum. Frequent publications. Awarded with the Business Crime Award 1998, the Prize for Civil Courage 2000 and the Henry Mathews Award in 2011; in 2008 nominated for the Alternative Nobel Prize. (Quoted from inter alia Who's Who/Edition for Germany on Wikipedia/Germany.)



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Heinz Mack and Günther Uecker he founded the epochal ZERO-Kunst (the art group ZERO) and is the creator of Sky Art.

Piene's message in his blue planet cycle: "Keep the Blue Planet green!" His creed is as simple as it is amazing: "Yes, I dream of a better world. Why would I dream of a worse one?"

With their main focus on an international award, Piene and ethecon launched the "International ethecon Blue Planet Project". During the ensuing discussions it became apparent that it is not enough to acknowledge ethically and morally sound actions intended to bring about a better world. It is equally important to condemn misdeeds and dealings which violate and ignore ethics and morals and which are therefore responsible for the ruin of our "Blue Planet." The idea of two complementary prizes was born: the international ethecon-prizes, the positive "Blue Planet Award" and its negative counterpart, the "Black Planet Award".

The two awards are an entity, two sides of the same coin. Together they mirror the status of the ethical principles that define our world. At the same time they illustrate a vision of ethical and moral principles which make possible a world without exploitation and oppression. They denounce ruthlessness, greed, war and environmental destruction; pursue the ideas of solidarity, freedom, environmental protection and justice; call for resistance, change and commitment in the interest of these ideals; strive for a sustainable future for our world.

One prize commends commitment to the preservation and rescue of the "Blue Planet" and points out prospects and possible actions, the other condemns the desecration of our world, points out the imminent dawn of a "Black Planet" and exposes complacency and ignorance.

Together, the two international ethecon awards show one thing: there are grounds for hope. Or, in the words of Piene: "More light, more green!"

As a matter of principle, the international ethecon prizes are awarded only to individuals and not to institutions. This is to counteract the increasing systematic anonymization of decision-making for, in a positive as well as a negative sense, it is always individuals who carry responsibility. Especially in the case of negative developments, personal responsibility is gladly hidden behind the facade of institutions and excused by alleged practical constraints which serve as grounds for decisions.

Another important feature of the "Black Planet" trophy is that it is not a valuable piece of art. Instead, it is a cheap disposable product, created by a teenager. Because it is the younger generation whose future is being destroyed. It is the intention of ethecon to show young people that there are adults who take responsibility for their welfare, who care about their future and who make all efforts necessary to assure that the planet is not left to our children and grandchildren as a barren desert.



The international ethecon prizes are awarded annually, within a ceremony open to the public, like today. We invite as many socially active personalities as possible to take part. At today's ceremony members of the Anti-Castor (nuclear transport) movement are present, as well as Stuttgart21 (a controversial construction project) activists; we have statements from Greenpeace, Amnesty International, Pro Asyl and other groups from Germany and abroad.

The recipient of the "International ethecon Blue Planet Award" is invited to attend the ceremony and has the opportunity to give a short speech. After a statement by an ethecon representative, explaining the reasons for the choice of the recipient, he or she is then presented with the award. As a guest of the foundation we also offer him or her the possibility to co-operate with the foundation or within our network. The bestowal of the "International ethecon Blue Planet Award" is documented in a dossier, which is translated into three languages and distributed internationally.

The process differs for the "International ethecon Black Planet Award": during the ceremony the bestowal is simply announced. The award winners are informed by means of an open letter circulated internationally in three languages. The detailed justification statement is published in a brochure, which is also distributed in three languages throughout the world. Within six months the recipients are presented with the award during a public demonstration, staged as sensationally as possible. Included in this protest gathering are as many individuals and organisations from international social movements as possible.

It is a telling fact that, as a rule, the individuals "honoured" with the international ethecon Black Planet Award" disdain the trophy. Not one of these censured persons has personally accepted the award and thereby stood up to public criticism. Up until now, only once – in the case of Peter Brabeck-Letmathe, Liliane de Bettencourt as well as other executives and major shareholders of the food industry giant Nestlé in 2006 – was the trophy voluntarily accepted by the recipients. And then by a representative of the press department in front of the main gate to the corporate headquarters in Switzerland. We have no knowledge of what happened to it after that.

In the case of the bestowal of the International ethecon Black Planet Award 2009 onto the major shareholders and executives of the Taiwanese chemical and genetic engineering firm Formosa Plastics Group we were witnesses to the destruction of the trophy by security forces, who in a very angry and demonstrative manner threw the award into the rubbish bin.

Ladies and Gentlemen,
Dear friends,

"ethecon – Foundation Ethics & Economics" is a grass-roots foundation within the world-wide anti-corporate and anti-globalisation movements for environmental protection, peace and justice and



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for Ivan Glasenberg, Simon Murray and Tony Hayward
as well as the major shareholders of the
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sustained by activists against corporate power, exploitation, war and environmental destruction. It is connected to world-wide networks and committed to the principles of international solidarity.

The "International ethecon Blue Planet Project", with its two international ethecon prizes, sees itself accordingly as a symbol of this solidarity and these principles. This is expressed not only through the nature of the project and the awards and through the character of the award recipients, but also in the selection procedure for the annual prizes.

The award winners are not selected by the foundation boards alone, but rather in a process of international solidarity. Each spring, thousands of individuals and groups who work actively throughout the world in the fight for peace, justice and environmental protection are asked to suggest award nominees. Later, the names of the award winners and information about the bestowal ceremony are conveyed back to these critical groups.

The integration of the foundation in international movements for peace, environmental protection and justice may be clearly seen in the increasing participation of other groups in the presentation "ceremony" for the "International ethecon Black Planet Award", the networking among these groups becoming consistently better and better. The award is presented in the recipient's city of residence, accompanied by visible protests staged by an increasing number of activist groups. The public flogging of the "Black Planet Award" recipients has become more and more effective through the power and energy of these international movements. In Taiwan, for example, the "International ethecon Black Planet Award 2009" was the object of widespread media coverage for weeks. The defaming of the executives of Formosa Plastics was reported without exception by all the regional media at least twice.

The selection of the annual award receivers on these basic principles, the annual bestowal ceremony in the course of a conference with varying themes pertaining to our responsibility for the preservation of a liveable world, the presentation of the "International ethecon Black Planet Award" - accompanied by international publicity actions - this is the essence of the "International ethecon Blue Planet Project".

When the Blue Planet Award was born in 2005, we needed an accompanying trophy. Otto Piene agreed to cooperate with us and starting in 2006 he created a new trophy each year, the "International ethecon Blue Planet Award", as a valuable and unique glass and wood sculpture.

That is, until the year 2009. Then he asked us – having in the meantime reached the age of 82 – to be relieved of this role. In the person of Katharina Mayer, the great photographic artist and Becher pupil, born in 1958, we found someone who will worthily continue the Blue Planet Project, founded by ethecon and Piene. We are proud to have Katharina Mayer on our team. We will learn more about her later in the programme.



Ladies and Gentlemen,
Dear friends,

I know we are all curious about this year's award winners, but also about Katharina Mayer, who will speak to us today about the new "International ethecon Blue Planet Award" trophy. In this spirit I wish all of us an engrossing afternoon.

Thank you very much.



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for Ivan Glasenberg, Simon Murray and Tony Hayward
as well as the major shareholders of the
commodity trading company GLENCORE (Switzerland)

Excerpt

from ethecon's statement justifying the censure of Ivan Glasenberg (CEO), Simon Murray (Chairman), Tony Hayward (Non-Executive Director) as well as the major shareholders of the commodity trading company GLENCORE / Switzerland through the bestowal of the International ethecon Black Planet Award 2012³

“““

The leading managers and major shareholders are responsible for the decisions and actions of the company. They are responsible for the ruin of human health and destruction of the environment on a large scale, even for the death of many people. They do not just pose a risk for the peace and the human rights but also for democracy, ecology and humanity as a whole. They act solely to their own advantage of personal power and private enrichment. For that they kick moral and ethics with their feet and accept the downfall of the earth as a “Black Planet”. In the case of GLENCORE the major shareholders are at the same time also the responsible managers and vice versa.

ethecon sees in the actions of CEO Ivan Glasenberg and chairman Simon Murray, member of board of directors Tony Hayward as well as the major shareholders and the leading managers a shocking contribution to the ruin and destruction of our blue planet. For this frightening defiance and infringement of human ethics ethecon reviles the foundation ethics and economy Ivan Glasenberg, Simon Murray and Tony Hayward of GLENCORE with the international ethecon Black Planet Award 2012.

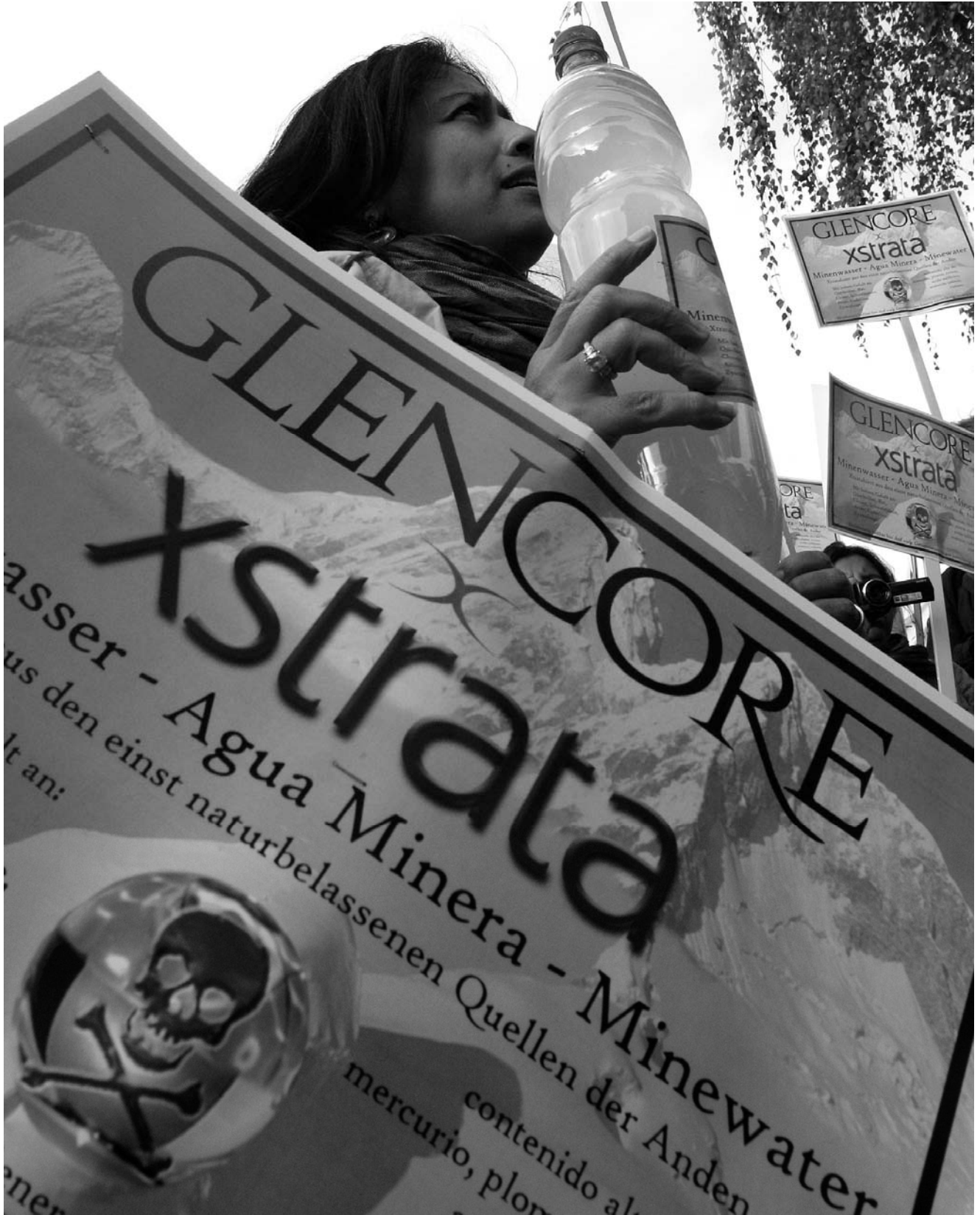
...”

Berlin, September 01, 2012⁴

³ On p. 24 of this dossier you can find the „Open letter“ to the managers and major shareholders of GLENCORE who were censured with the International ethecon Black Planet Award 2012, published on November 17, 2012 in Berlin. It contains the crucial parts of the justification that was published on September 1, 2012. Therefore, the book dispenses with the original justification.

⁴ The ethecon Foundation has deliberately chosen September 1st as the date for the announcement of the winners of the two annual International ethecon Awards. September 1st is World Peace/Anti-War Day in Germany.

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**Background report
on Ivan Glasenberg (CEO), Simon Murray (Chairman),
Tony Hayward (Non-Executive Director) as well as the major shareholders
of the commodity trading company GLENCORE (Switzerland)⁵**

The GLENCORE International AG is the world's largest commodity trading company. The company had revenues of US\$ 186 billion in 2011 which puts them on 14th place of the biggest companies in the world.⁶ It is by far the biggest company in Switzerland, followed by NESTLE, the second biggest company in Switzerland with US\$ 94 billion of revenue. (Rank 71 of the world ranking of the biggest companies).⁷

GLENCORE supplies the industry mainly with commodities. The company's customers for example, the steel maker ARCELOR MITTAL, the electronic company SONY or the energy giants SHELL and BP.⁸

GLENCORE was founded in 1974 by Marc Rich under the name of MARC RICH + CO AG and was renamed in GLENCORE in 1994. Its headquarters are situated in Baar, Switzerland.

The further course of the company history was affected by negative publicity about the founder of the company Marc Rich. Since 1983, Mark Rich, as a former US citizen⁹ was wanted for tax fraud by the FBI. As a result of this, he was on their "Most-wanted" list for years. The former prosecutor and later mayor of New York Rudolph Giuliani, who accused Rich, described him as the "biggest tax fraudster in the history of the USA". It never came to a trial as Rich flew to Switzerland when the official arraignment was on.¹⁰

In 1992, Marc Rich hit the headlines when he tried to manipulate the zinc markets. Secretly, the company bought one million tons of zinc in order to force up the price by creating an artificial shortage of zinc supplies. However, this didn't work out. The value of zinc shrank even before the planned businesses were terminated. The speculators lost \$ 172 Million and so the company went out of business.

Rich decided to call back Willy Strothotte who was fired before. Willy Strothotte agreed under the condition that Rich withdraw from the company. In November 1994 Rich sold his stock and received in return the "modest" amount of \$ 600 Million. The creation of a new company name – GLENCORE (Global

⁵ If not indicated differently, the information comes from Wikipedia. See <http://de.wikipedia.org/wiki/GLENCORE> and <http://en.wikipedia.org/wiki/GLENCORE>.

⁶ See http://de.wikipedia.org/wiki/Liste_der_größten_Unternehmen_der_Welt.

⁷ See http://en.wikipedia.org/wiki/List_of_companies_by_revenue.

⁸ Erklärung von Bern (Hg.), Rohstoff das gefährlichste Geschäft der Schweiz. Zürich 2011, p. 129f.

⁹ In September 1982, several months before the arraignment, Rich abstained from the US-American citizenship and became a citizen of Spain, where he lived for 10 years. See http://en.wikipedia.org/wiki/Marc_Rich.

¹⁰ In 2001, Marc Rich was pardoned by Bill Clinton shortly before he resigned from office as a president. The fact that Rich's ex-wife donated 450 000 for the Clinton Library raises the question whether the Amnesty was bought or not which Bill Clinton of course denied. See http://en.wikipedia.org/wiki/Marc_Rich.

Energy Commodity and Resources) aimed to put the company's history at bay and to make a fresh start.

This was a success: 1993 revenues amounted to \$ 25 billion; in 2010 they amounted to \$ 145 billion. However, the company's usual approach was still based on tax evasion, corruption, violation of human rights and environmental exploitation.¹¹

In spring 2011, GLENCORE went public bringing \$ 12 billion into the company. Solely the six top GLENCORE managers, including CEO Ivan Glasenberg earned more than the whole population of the 96 poorest countries in one year.¹² All top 12 managers are also the 12 biggest shareholders of the company.

Ivan Glasberg has been working for the company since 1984 and since 2002 he is CEO of GLENCORE. He originally comes from South Africa and possesses in addition to the South-African citizenship also the Australian and Israeli citizenship. Furthermore, Glasenberg is the biggest shareholder at GLENCORE and he possesses more than 15 % of shares of the company.¹³ Glasenberg is a member of the supervisory board of the mine operator XSTRATA. GLENCORE holds more than a third of shares of their company and they have been in negotiations on potential acquisitions for some time. Glasenberg's net assets are estimated to be \$ 7.3 billion and therefore he is the 125th richest man in the world.¹⁴

The British Simon Murray is the chairman of GLENCORE and therefore he is Willy Strothotte's key to success. When Murray was in his early 20s he was in the foreign legion. He fought lastly as an officer in the notorious Algeria war at the side of the French colonial power against the rebellious population but also against the rebellious French troops. He operated – especially in Asia – in several different companies and he was consistently involved in scandals and white-collar crimes. Between 1994 and 1998 he was CEO of the Asian operation of the DEUTSCHE BANK¹⁵ Additionally, Murray has become famous at GLENCORE because of his sexist remarks.¹⁶

Tony Hayward (also British) has been a member of the board of directors of GLENCORE since 2011.¹⁷ Hayward was previously CEO of BP and had to carry responsibility for the explosion of the deep sea platform „Deepwater Horizon“ in 2010 and the following oil catastrophe in the gulf of Mexico. The

¹¹ See <http://en.wikipedia.org/wiki/GLENCORE>.

¹² See <http://www.sgb.ch/themen/gewerkschaftspolitik/international/artikel/details/solidaritaet-mit-den-opfern-von-xstrata-glencore-und-anderer-multis/>.

¹³ See http://en.wikipedia.org/wiki/Ivan_Glasenberg.

¹⁴ See <http://www.forbes.com/profile/ivan-glasenberg/>

¹⁵ See http://en.wikipedia.org/wiki/Simon_Murray and <http://www.tagesanzeiger.ch/wirtschaft/unternehmen-und-konjunktur/Der-SoeldnerPraesident/story/16878549?track>.

¹⁶ In April 2012 he mentioned that he does not like to hire young women for the executive suite as they would probably get married or become pregnant. He had to apologise for this remark afterwards. See <http://www.guardian.co.uk/business/2011/apr/24/glencore-simon-murray-women-in-boardrooms>.

¹⁷ See <http://www.glencore.com/ehs-committee.php>.

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explosion caused 11 workers to die and the leak of the drilling could not be closed for months. Instead of sucking off the oil carpet a highly poisonous solvent was used.¹⁸ His transition to GLENCORE as announced by the Swiss newspaper with the headline “New job for Ex-BP-Boss, Oil pest Tony”.¹⁹ Cynically, Hayward is also responsible for the „committee of environment, health and security“ at GLENCORE. In 2010 Hayward was already maligned with the ethecon Black Planet Award.²⁰

The company GLENCORE has a fundamental influence on the international commodity markets with a worldwide market share of 50 %. As a global player GLENCORE is very active in all five continents and it is present in more than 40 countries. GLENCORE possesses numerous subsidiaries all around the world, from Bermuda to Luxembourg to Switzerland.

The company is divided into three units: metal, energy and agriculture. GLENCORE commands a broad product range and it operates as a dealer as well as a producer. In the 1980s, as a director of the metal division Strothotte already invested in smelter of aluminium and in a zinc and lead mine in Peru. Since 2011 GLENCORE is not a dealer anymore, but they control increasingly as a producer the first part of the value creation. It is produced especially in extremely parlous countries in which other producers avoid to produce how in for example Congo, Columbia or Kazakhstan.

The global player has also big profits thanks to price speculations. GLENCORE's rise happened also because of the opening of markets at the end of the cold war. At that time many mines and refineries of the former Soviet extraction industry were sold at knock-down prices to private investors. They needed access to the western markets that GLENCORE could offer. In return, the company received exclusive partnership agreements with the most important commodity companies of the former Soviet Union. Consequently, GLENCORE possesses profitable and cost-effective sourcing channels as well as a dense network of relationships within the former Soviet republics. It is no coincidence that GLENCORE is positioned before the giant GAZPROM.

There is an essential connection between GLENCORE and the Russian oligarch within the aluminium sector. The Russian aluminium producer RUSAL is a partner company as well as a subsidiary of GLENCORE. RUSAL covers half of the European aluminium demand and covers 10 % of the demand in China as well. GLENCORE markets 31 % of that exorbitant production quantity.²¹

The company makes its exorbitant profits, amongst other things, by shameless tax cheat. In accordance with assumptions of “Arbeitsgruppe Schweiz Kolumbien” GLENCORE evades taxes and

¹⁸ See http://en.wikipedia.org/wiki/Tony_Hayward.

¹⁹ See <http://www.blick.ch/news/wirtschaft/neuer-job-fuer-ex-bp-chef-oelpest-tony-id73627.html>.

²⁰ Black Planet Dossier 2010 http://www.ethecon.org/download/Dossier_Black_Planet_Award_2010_English.pdf.

²¹ Erklärung von Bern (Hg.), Rohstoff das gefährlichste Geschäft der Schweiz. Zürich 2011, p.141.

royalties.²² According to the court of Auditors GLENCORE has made use of legal tricks in order just to pay half of the pending royalties. There is almost 100 million dollar involved in it.²³ The company is also accused of massive tax evasion in Congo and Zambia. In china GLENCORE is under suspicion as well of having evaded taxes as well as having practices to fuel smuggling of large scale.²⁴

GLENCORE likes to make profit without undertaking any investment. So the company participated in an illegal privatisation of a melting plant Vinto in Bolivia. In 2002 the former government owned melting plant was sold at less than fair value to the British-Indian ALLIED DEALS (for 14 instead of 140 million US dollar). ALLIED DEALS has fallen into disrepute because of false accounting and sold the melting plant to the company COMSUR of the former president Sanchez de Losada. When he got into legal difficulties he resold the the plan to GLENCORE's subsidiary SINCHI WAYRA (Bolivia). However, in 1967 a prohibition of selling mining operations to private investors have been enshrined in the Bolivian constitution. All transactions relating to the melting plant Vinto were illegal consequently. Accordingly, the government of Evo Morales has nationalised again the melting plant of Vinto. Ever since, GLENCORE demands compensation but without being able to identify clearly their own investments into the mine. The company also wants to make profit here without having ever invested. The mining operation was originally built by the Bolivian government. GLENCORE bought it for a bargain price in an unconstitutional deal. GLENCORE threatened with a convocation of an international arbitration court and hindered with violence the sale of tin of the nationalised mining operation in order to put the government of Morales under pressure.²⁵

Another profitable source of income for GLENCORE is the agricultural business, especially the move of basic food to where the highest prices are. Famine means for the company profit. It is big land owner on three continents and controls a fourth of the world markets for barley and rapeseed oil. They control a fifth of sunflower oil, and a tenth of wheat and soya oil. GLENCORE is the worldwide exporter for Russian wheat of all.²⁶

The company is considered to be extremely anti-union.²⁷ In the past, it often occurred that mines were occupied and miners went on strike that were instantly violently evicted. There were also violent

²² Royalties (sometimes, running royalties, or private sector taxes) are usage-based payments made by one party (the "licensee") to another (the "licensor") for the right to ongoing use of an asset, sometimes an intellectual property (IP). Royalties are typically agreed upon as a percentage of gross or net revenues derived from the use of an asset or a fixed price per unit sold of an item of such, but there are also other modes and metrics of compensation, see <http://en.wikipedia.org/wiki/Royalties>.

²³ See <http://www.askonline.ch/themen/wirtschaft-und-menschenrechte/bergbau-und-rohstoffkonzerne/glencore-in-kolumbien/royaltie-betrug-contraloria/>.

²⁴ See <http://www.mutiwatch.ch/de/p97000731.html>.

²⁵ See <http://www.mutiwatch.ch/de/p97000349.html> and <http://www.askonline.ch/themen/wirtschaft-und-menschenrechte/bergbau-und-rohstoffkonzerne/glencore-und-xstrata-weltweit/bolivien-verstaatlicht-glencore-werk/>.

²⁶ See Tages-Anzeiger from 27/02/2012, <http://www.tagesanzeiger.ch/wirtschaft/unternehmen-und-konjunktur/GLENCORE-ernaehrt-die-Welt/story/25987904>.

²⁷ See <http://www.mutiwatch.ch/de/p97000239.html>.

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attacks on unionists, death threats against unionist as well as murders of unionist by paramilitaries who cooperated with GLENCORE. The company does not even stop short of benefiting of child labour. GLENCORE's industrial areas and mines cause massive environmental pollutions and diseases for the indigenous population. Outstanding examples for the inhuman behaviour of the company are MOPANI MINES in Zambia and the Democratic republic of Congo, LOS QUENALES in Peru as well as CALENTURITAS in Columbia.

The copper mine and the melting plant MOPANI MINES in Zambia/Africa belong since 2002 73 % to GLENCORE. MOPANI MINES employs around 16 000 people and is considered to be the most productive minefield of the region. After the decolonisation most of the land as well as the mines and the melting plant became property of the government. Several farmers populated the free land. At the beginning of the 90s lands and mines were once again handed over to private investors who instantly began to banish the "illegal" settlers.

When GLENCORE banished the local settlers of the area of MOPANI MINES action was brought at the Canadian national contact point as the practises violates against the OECD guidelines. After that, GLENCORE assured that they would not perform any expulsions anymore and that they would find settlement possibilities with the local authorities and NGOs. In contrary, in 2006 there were once again expulsions as a new mine was opened. In doing so, as before, they did not communicate with the settlers whatsoever and no alternative settlement possibilities were provided.²⁸

In addition to the inhuman expulsions there are immense contamination of the environment. Poisoning and dangerous spoiling materials are tipped in an open waste disposal site right next to the local village. Waste water is piped through a leaking pipeline which goes through a inhabited space. Poisonous acid and sulphur fumes rise out of a tank of copper. As a consequence, people suffer from severe skin diseases, degraded vision, bronchitis and even deformities. The number of mentally handicapped children is grown at an alarming rate. Originally, the purchase of the mine and melting plant was linked with environmental regulations. For example, the emissions were supposed to be lowered by 20 %. Since the taking over of GLENCORE the emissions rose instead by 80 %.²⁹

In 2011, the year when GLENCORE went public, several EU members of parliament turned to the EU presidency as well as to the EU commission with an open letter and condemned the financing of questionable mining projects of the company with EU funds. In the course of this, they mentioned the GLENCORE subsidiary MOPANI MINES and the "tax avoidance strategy" of the company as an example.³⁰

²⁸ See <http://www.mutiwatch.ch/de/p97000698.html>.

²⁹ ibidem

³⁰ See <http://www.askonline.ch/themen/wirtschaft-und-menschenrechte/bergbau-und-rohstoffkonzerne/glencore-und-xstrata-weltweit/boersengang-von-glencore/>.

Peru is another example for the unscrupulous action of GLENCORE. In Izcaycruz GLENCORE owns the mine called LOS QUENUALES. According to the local union, the company makes unfair dismissals and suppresses union organisations. When the company refused to negotiate about a list of demands and about complaints of the union, the union called a strike on September 5 2007. GLENCORE called in police force and violent clashes took place. In addition, the company cut off the strikers with any supply of provisions in order to stall the strike.³¹

Also in the Democratic republic Congo GLENCORE's motto applies which is „profit over people“. The concern controls half of the worldwide copper trade. In the region Katanga GLENCORE mines annually around 130 000 tons of copper. The cleaning of the commodity is made with sulphuric acid which is disposed in the neighbouring river afterwards. The fishes become extinct. Tests of the aid organisation “Fastenopfer” and “Brot für alle” showed that the water is extremely acidic. The high levels of lead, copper and zinc is four times higher than the Swiss standard permits. Residents of the area who wash themselves with that water suffer from skin diseases. Vegetable farmers reported harvest failures as the soil was affected by the acid.

In Tilwezembe in Congo, a mine is located whose concession GLENCORE owns but they do not make use of it. Dozens of local small prospectors work here daily at the risk of their lives. Among them also youngsters and children work. Through intermediaries the copper reaches the GLENCORE subsidiary MOPANI MINES. That is proven by video recordings by journalists who did research on site.³² Again and again cave-ins of shafts happen there. In may 2006 an accident occurred in the mine in which 6 workers were badly hurt. 10 were found dead. GLENCORE has not reacted to this tragedy whatsoever.

In Columbia in 2002, members of paramilitary groups occupied the area of El Prado which is close to GLENCORE's coal mine concessions CALENTURITAS. In the process they murdered 10 people. Later on at the Columbian court they admitted that they stole the land only for the purposes of reselling it to the company. GLENCORE's CEO Ivan Glasenberg claimed that the company did not want the land at all. However, in 2008 GLENCORE had to pay 1.8 million dollars for “improvements” of the occupants of the area who are seen as supporters of the murderers by the Columbian authorities. By swapping lands the area actually should have been in GLENCORE's hands as the company admitted later on. He admitted that the deal failed because the Columbian authorities failed to comply its part of the agreement.³³

A number that speaks for itself is the death rate of the 61.000 GLENCORE employees who work mostly in mines or in industrial sites. In 2011 there were three cases of death per 10.000 employees. For

³¹ See <http://www.mutiwatch.ch/de/p97000699.html>.

³² In Swiss TV a report was shown that included also an interview with Ivan Glasenberg who denied everything. It was shown in the Swiss newscast „10vor10“ under name „child labour and polluted waters“: <http://www.videportal.sf.tv/video?id=41f0a2b9-45ce-41af-8196-103890823afc>.

³³ See <http://www.bbc.co.uk/news/17702487>.



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comparison, the worldwide biggest mine company BHP BILLITON Ltd. Had in the same period of time just 0.2 cases of death per 10.000 employees. At XSTRATA³⁴, the mining company, that has merger negotiations with GLENCORE, this rate is just 0.8.³⁵

The leading managers and major shareholders are responsible for the decisions and actions of the company. They are responsible for the ruin of human health and destruction of the environment on a large scale, even for the death of many people. They do not just pose a risk for the peace and the human rights but also for democracy, ecology and humanity as a whole. They act solely to their own advantage of personal power and private enrichment. For that they kick moral and ethics with their feet and accept the downfall of the earth as a "Black Planet". In the case of GLECNORE the major shareholders are at the same time also the responsible managers and vice versa.

ethecon sees in the actions of CEO Ivan Glasenberg and chairman Simon Murray, member of board of directors Tony Hayward as well as the major shareholders and the leading managers a shocking contribution to the ruin and destruction of our blue planet. For this frightening defiance and infringement of human ethics ethecon reviles the foundation ethics and economy Ivan Glasenberg, Simon Murray and Tony Hayward of GLENCORE with the international ethecon Black Planet Award 2012.

³⁴ GLENCORE and the mining company XSTRATA have been planning their merger for a long time but it keeps on being postponed. On November 21, 2012 the shareholders of both companies finally gave their consent to build the commodity trading and mining giant „Glenstrata“. So far, it is unclear if this merger will actually come about, since Offices of Fair Trading from all over the world still have to review it (effective December 2012).

³⁵ See <http://www.mineweb.com/mineweb/view/mineweb/en/page504?oid=15798&sn=Detail&pid=92730>.



Contact details for the award winners

Ivan Glasenberg (CEO)

Simon Murray (Chairman)

Tony Hayward (Senior Independent Non-Executive Director; Environment, Health and Safety Committee)

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GLENCORE

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commodity trading company GLENCORE (Switzerland)

Selected internet links about GLENCORE

<http://de.wikipedia.org/wiki/GLENCORE>

<http://en.wikipedia.org/wiki/GLENCORE>

http://de.wikipedia.org/wiki/Liste_der_größten_Unternehmen_der_Welt

http://en.wikipedia.org/wiki/Ivan_Glasenberg

<http://www.forbes.com/profile/ivan-glasenberg/>

<http://www.spiegel.de/wirtschaft/unternehmen/GLENCORE-und-xstrata-ivan-glasenberg-wird-zum-maechtigsten-haendler-a-859031.html>

http://de.wikipedia.org/wiki/Marc_Rich

http://en.wikipedia.org/wiki/Simon_Murray

<http://www.tagesanzeiger.ch/wirtschaft/unternehmen-und-konjunktur/Der-SoeldnerPraesident/story/16878549?track>

<http://www.guardian.co.uk/business/2011/apr/24/GLENCORE-simon-murray-women-in-boardrooms>

http://en.wikipedia.org/wiki/Tony_Hayward

<http://www.blick.ch/news/wirtschaft/neuer-job-fuer-ex-bp-chef-oelpest-tony-id73627.html>

<http://www.bbc.co.uk/news/17702487>

<http://www.dradio.de/dlf/sendungen/firmen/1878347/>

<http://www.sgb.ch/themen/gewerkschaftspolitik/international/artikel/details/solidaritaet-mit-den-opfern-von-xstrata-GLENCORE-und-anderer-multis/>

<http://www.spiegel.de/wirtschaft/unternehmen/rohstoff-riese-xstrata-billigt-uebernahme-angebot-von-GLENCORE-a-858857.html>

<http://www.guardian.co.uk/business/feedarticle/10466235>

<http://www.tagesanzeiger.ch/wirtschaft/unternehmen-und-konjunktur/GLENCORE-ernaehrt-die-Welt/story/25987904>

<http://www.videoportal.sf.tv/video?id=41f0a2b9-45ce-41af-8196-103890823afc>

<http://www.askonline.ch/themen/wirtschaft-und-menschenrechte/bergbau-und-rohstoffkonzerne/GLENCORE-und-xstrata-weltweit/boersengang-von-GLENCORE/>



<http://www.askonline.ch/themen/wirtschaft-und-menschenrechte/bergbau-und-rohstoffkonzerne/GLENCORE-in-kolumbien/royaltie-betrug-contraloria/>

<http://www.askonline.ch/themen/wirtschaft-und-menschenrechte/bergbau-und-rohstoffkonzerne/GLENCORE-und-xstrata-weltweit/bolivien-verstaatlicht-GLENCORE-werk/>

<http://www.evb.ch/p19349.html>

<http://www.evb.ch/p25019348.html>

<http://www.londonminingnetwork.org/tag/GLENCORE/>

<http://www.minesandcommunities.org/10916>

<http://www.mutiwatch.ch/de/p97000349.html>

<http://www.mutiwatch.ch/de/p97000698.html>

<http://www.mutiwatch.ch/de/p97000699.html>

<http://www.mutiwatch.ch/de/p97000731.html>

<http://www.mineweb.com/mineweb/view/mineweb/en/page504?oid=15798&sn=Detail&pid=92730>

<http://www.publiceye.ch/de/hall-of-shame/GLENCORE/>

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for Ivan Glasenberg, Simon Murray and Tony Hayward
as well as the major shareholders of the
commodity trading company GLENCORE (Switzerland)

Non-governmental organisations concerned with GLENCORE

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eMail contact@londonminingnetwork.org

Internet <http://londonminingnetwork.org>

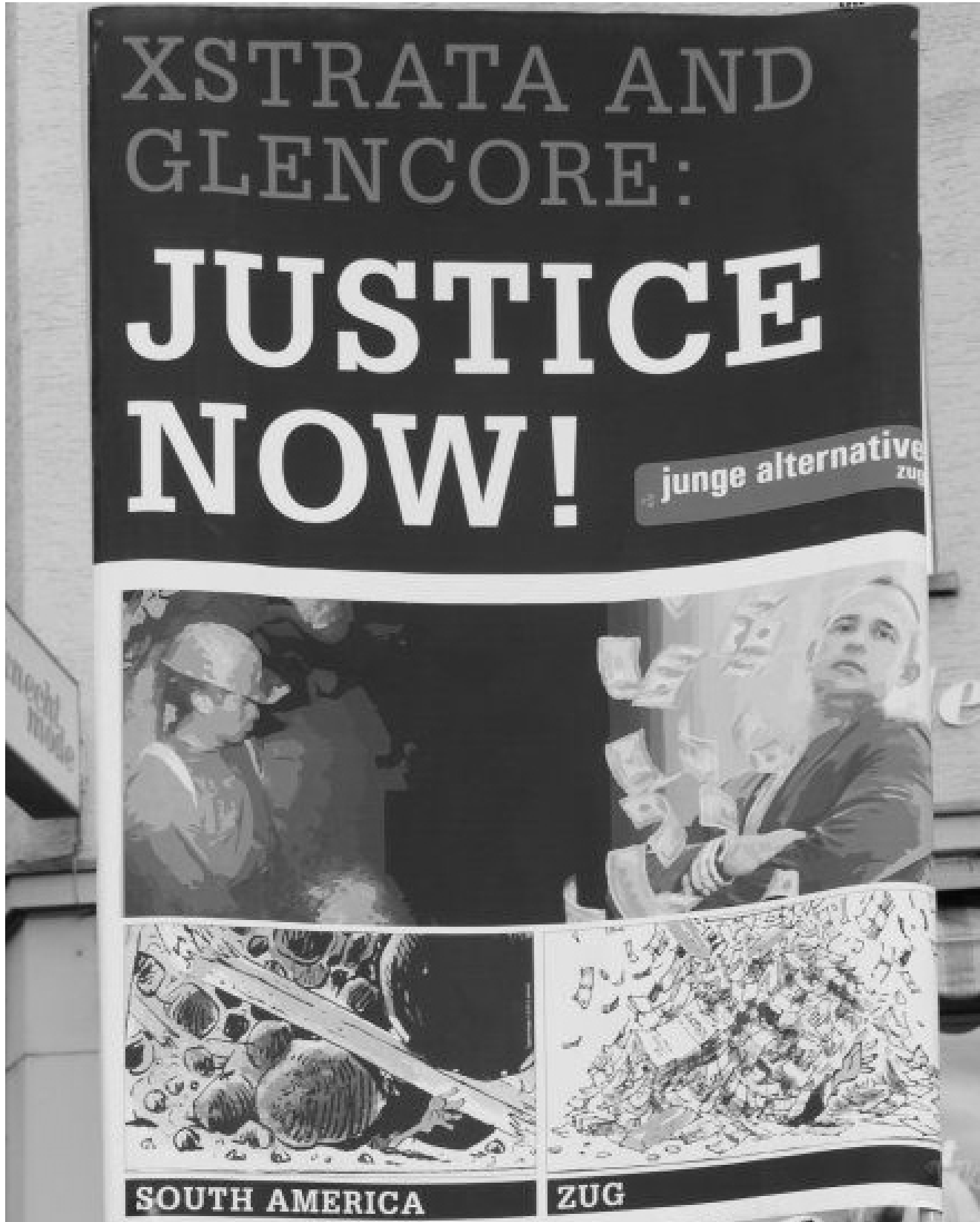
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International ethecon Black Planet Award 2012
for Ivan Glasenberg, Simon Murray and Tony Hayward
as well as the major shareholders of the
commodity trading company GLENCORE (Switzerland)





Open letter

**to Ivan Glasenberg (CEO), Simon Murray (Chairman),
Tony Hayward (Senior Independent Non-Executive Director) as well as
the major shareholders of the commodity trading company GLENCORE / Switzerland**

Mr. Glasenberg,
Mr. Murray,
Mr. Hayward,
Ladies and Gentlemen,

In the course of our public conference in Berlin on November 17, 2012, we presented the International ethecon Black Planet Award 2012. In a comprehensive nomination and selection procedure before the conference, we had chosen all of you as recipients of the „Black Planet Award 2012“. With this decision we aimed to expose and criticize you on an international scale.

Our foundation based its decision on news reports over many months as well as on publicly known facts, information compiled world-wide by journalists over the course of many years, documents accessible to the general public, investigations by judicial and government authorities in various countries and not least, on information published by your own company.

In summary, ethecon – Foundation Ethics & Economics states the following reasons for its decision to pillory you, Mr. Glasenberg, Mr. Murray, Mr. Hayward and the major shareholders of GLENCORE:

The GLENCORE International AG is the world's largest commodities trading company. The company GLENCORE has a fundamental influence on the international commodity markets with a worldwide market share of 50 %. As a global player GLENCORE is very active in all five continents and it is present in more than 40 countries. GLENCORE possesses numerous subsidiaries all around the world, from Bermuda to Luxembourg to Switzerland.

The company makes its exorbitant profits, amongst other things, by shameless tax cheat. In accordance with assumptions of “Arbeitsgruppe Schweiz Kolumbien” GLENCORE evades taxes and royalties. According to the court of Auditors GLENCORE has made use of legal tricks in order just to pay half of the pending royalties. There is almost 100 million dollar involved in it. The company is also accused of massive tax evasion in Congo and Zambia. In china GLENCORE is under suspicion as well of having evaded taxes as well as having practices to fuel smuggling of large scale.

GLENCORE likes to make profit without undertaking any investment. So the company participated in an illegal privatisation of a melting plant Vinto in Bolivia. In 2002 the former government owned melting plant was sold at less than fair value to the British-Indian ALLIED DEALS (for 14 instead of 140 million US dollar). ALLIED DEALS has fallen into disrepute because of false accounting and sold the melting plant to the company COMSUR of the former president Sanchez de Losada. When he got into

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legal difficulties he resold the the plan to GLENCORE's subsidiary SINCHI WAYRA (Bolivia). However, in 1967 a prohibition of selling mining operations to private investors have been enshrined in the Bolivian constitution. All transactions relating to the melting plant Vinto were illegal consequently. Accordingly, the government of Evo Morales has nationalised again the melting plant of Vinto. Ever since, GLENCORE demands compensation but without being able to identify clearly their own investments into the mine. The company also wants to make profit here without having ever invested. The mining operation was originally built by the Bolivian government. GLENCORE bought it for a bargain price in an unconstitutional deal. GLENCORE threatened with a convocation of an international arbitration court and hindered with violence the sale of tin of the nationalised mining operation in order to put the government of Morales under pressure.

Another profitable source of income for GLENCORE is the agricultural business, especially the move of basic food to where the highest prices are. Famine means for the company profit. It is big land owner on three continents and controls a fourth of the world markets for barley and rapeseed oil. They control a fifth of sunflower oil, and a tenth of wheat and soya oil. GLENCORE is the worldwide exporter for Russian wheat of all.

The company is considered to be extremely anti-union. In the past, it often occurred that mines were occupied and miners went on strike that were instantly violently evicted. There were also violent attacks on unionists, death threats against unionist as well as murders of unionist by paramilitaries who cooperated with GLENCORE. The company does not even stop short of benefiting of child labour. GLENCORE's industrial areas and mines cause massive environmental pollutions and diseases for the indigenous population. Outstanding examples for the inhuman behaviour of the company are MOPANI MINES in Zambia and the Democratic republic of Congo, LOS QUENALES in Peru as well as CALENTURITAS in Columbia.

The copper mine and the melting plan MOPANI MINES in Zambia/Africa belong since 2002 73 % to GLENCORE. MOPANI MINES employs around 16 000 people and is considered to be the most productive minefield of the region. After the decolonisation most of the land as well as the mines and the melting plant became property of the government. Several farmers populated the free land. At the beginning of the 90s lands and mines were once again handed over to private investors who instantly began to banish the "illegal" settlers.

When GLENCORE banished the local settlers of the area of MOPANI MINES action was brought at the Canadian national contact point as the practises violates against the OECD guidelines. After that, GLENCORE assured that they would not perform any expulsions anymore and that they would find settlement possibilities with the local authorities and NGOs. In contrary, in 2006 there were once again expulsions as a new mine was opened. In doing so, as before, they did not communicate with the settlers whatsoever and no alternative settlement possibilities were provided.

In addition to the inhuman expulsions there are immense contamination of the environment. Poisoning and dangerous spoiling materials are tipped in an open waste disposal site right next to the local village. Waste water is piped through a leaking pipeline which goes through a inhabited space. Poisonous acid and sulphur fumes rise out of a tank of copper. As a consequence, people suffer from severe skin diseases, degraded vision, bronchitis and even deformities. The number of mentally handicapped children is grown at an alarming rate. Originally, the purchase of the mine and melting plant was linked with environmental regulations. For example, the emissions were supposed to be lowered by 20 %. Since the taking over of GLENCORE the emissions rose instead by 80 %.

In 2011, the year when GLENCORE went public, several EU members of parliament turned to the EU presidency as well as to the EU commission with an open letter and condemned the financing of questionable mining projects of the company with EU funds. In the course of this, they mentioned the GLENCORE subsidiary MOPANI MINES and the "tax avoidance strategy" of the company as an example.

Peru is another example for the unscrupulous action of GLENCORE. In Izcaycruz GLENCORE owns the mine called LOS QUENUALES. According to the local union, the company makes unfair dismissals and suppresses union organisations. When the company refused to negotiate about a list of demands and about complaints of the union, the union called a strike on September 5 2007. GLENCORE called in police force and violent clashes took place. In addition, the company cut off the strikers with any supply of provisions in order to stall the strike.

Also in the Democratic republic Congo GLENCORE's motto applies which is „profit over people“. The concern controls half of the worldwide copper trade. In the region Katanga GLENCORE mines annually around 130 000 tons of copper. The cleaning of the commodity is made with sulphuric acid which is disposed in the neighbouring river afterwards. The fishes become extinct. Tests of the aid organisation "Fastenopfer" and "Brot für alle" showed that the water is extremely acidic. The high levels of lead, copper and zinc is four times higher than the Swiss standard permits. Residents of the area who wash themselves with that water suffer from skin diseases. Vegetable farmers reported harvest failures as the soil was affected by he acid.

In Tilwezembe in Congo, a mine is located whose concession GLENCORE owns but they do not make use of it. Dozens of local small prospectors work here daily at the risk of their lives. Among them also youngsters and children work. Through intermediaries the copper reaches the GLENCORE subsidiary MOPANI MINES. That is proven by video recordings by journalists who did research on site. Again and again cave-ins of shafts happen there. In may 2006 an accident occurred in the mine in which 6 workers were badly hurt. 10 were found 10. GLENCORE has not reacted to this tragedy whatsoever.

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A number that speaks for itself is the death rate of the 61 000 GLENCORE employees who work mostly in mines or in industrial sites. In 2011 there were three cases of death per 10 000 employees. For comparison, the worldwide biggest mine company BHP BILLITON Ltd. Had in the same period of time just 0.2 cases of death per 10 000 employees. At XSTRATA, the mining company, that has merger negotiations with GLENCORE, this rate is just 0.8.

Mr. Glasenberg,
Mr. Murray,
Mr. Hayward,
Ladies and Gentlemen,

You, the major shareholders and the executive management, are the ones responsible for the decisions and operations of the GLENCORE company. You are accountable for the ruin of human health and the destruction of the environment on a grand scale as well as for the death of many people. Your actions and decisions pose a threat not only to peace and human rights, but also to democracy, ecology and humanity as a whole. You act solely for your own personal gain. To reach this end, you flout morals and ethics and knowingly risk the transformation of our blue planet into a black one.

In your actions ethecon sees a flagrant contribution to the ruin and destruction of our blue planet. For this contempt and violation of human ethics, ethecon – Foundation Ethics & Economics – denounces you with the International ethecon Black Planet Award 2012.

We cannot go without mentioning that the bestowal of the Black Planet Award 2012 on you, the accountable people within the GLENCORE company, occurs in combination with the Blue Planet Award 2012, which was conferred on the anti-globalisation activist Jean Ziegler. In comparison to you, who irresponsibly endanger and ruin our Blue Planet, Prof. Ziegler promotes the preservation and rescue of our Blue Planet and its inhabitants in an exemplary manner.

We call on you to model your personal involvement on the example set by women and men such as Jean Ziegler. Put an end to the exploitation and the destruction of humanity and the environment through the GLENCORE company. Ensure social equality, safety and human rights within the company



and throughout its whole field of influence. Preserve the environment and peace. Use your money for ethical investments and solidarity projects instead of using it to make even more profits, this last appeal representing the will of the vast majority of the world population.

This is the appeal, coupled with the Black Planet Award 2012, with which ethecon – Foundation Ethics & Economics, addresses you, the accountable managers and shareholders of the GLENCORE company.

At the same time we demand and together with national and international movements who are critical of big companies and globalisation we actively advocate that these ought to have a liability as a company as well as a personal liability and should be held accountable and be punished if necessary for the environmental, health, social and other damages the company has caused.

Berlin, November 17, 2012

Axel Köhler-Schnura
(Chairperson, Board of Directors)

Elke von der Beeck
(Chairperson, Board of Trustees)

International ethecon Black Planet Award 2012
for Ivan Glasenberg, Simon Murray and Tony Hayward
as well as the major shareholders of the
commodity trading company GLENCORE (Switzerland)



Diatribes

**on occasion of the bestowal of the International ethecon Black Planet Award 2012
on Ivan Glasenberg (CEO), Simon Murray (Chairman) and Tony Hayward
(Non-Executive Director) as well as the major shareholders
of the commodity trading company GLENCORE (Switzerland)
by Dr. Josef Lang (Switzerland)³⁶**

GLENCORE - Heart of Darkness

“Snatching the treasures from a country’s heartland, that is their sole desire, without any moral claim different from robbers who force a safe.” That sentence, Ladies and Gentlemen, is not mine. It is from a novel published 110 years ago by the Polish-English writer Joseph Conrad. It was entitled “The Heart of Darkness”. The story is set in two places: The City of Brussels where the headquarters of “Société Anonyme pour le Commerce du Haut-Congo” are domiciled and taxed and the colony on the Congo river and in the jungle. About the latter, the sentence is written in Conrad’s novel: “Anything – anything at all can be done in this country.”

Congo is among GLENCORE’s core business. GLENCORE is the abbreviation of “Global Energy Commodities and Resources”. The second half of the name means core or heart. The old English “core” is derived from the old French “coeur”. So GLENCORE can be translated as the “heart” of the global commodities trade. Conrad described the colonial monster he had to condemn with the words: “... its greedy mouth wide open as if it was going to devour the entire world including mankind.”

One year ago, when the explorers of the two Swiss benevolent societies Bread for All and Lenten Sacrifice got as far as the Congolese daylight mine TILWEZEMBE, they must have felt very much like Marlow, the narrator of “Heart of Darkness”: “I felt as if I had treaded the dark circle of the inferno.” As we all know, Dante in his Divina Comedia described hell as a daylight mine which lowers in nine “circles” all the way to the seat of satan.

The Congolese hell which Bread for All and Lenten Sacrifice brought to daylight is not as well-arranged as the hell of Dante or Conrad. Let me quote from a study from April this year: “According to information available to us, there are 700 children or adolescents below the age of 17 employed in mining; that is equivalent to one third of the informal miners. Conditions of work and life are precarious to the extreme. There are holes dug out with a depth of 25 to 80 metres without any safety structure. Extremely few workers have access to safety belts, protective clothing or helmets. There is a great danger of being overwhelmed with earth as the excavated material is not secured in a professional

³⁶ From 2003 until 2011, Dr. Josef Lang was a Member of the Swiss National Council. He is the vice-president of the Green Party in Switzerland, a member of the board of directors of a federation of trade unions and a peace activist. In July 2012, he was one of the organizers of a demonstration under the motto „Solidarity with the victims of Xstrata, GLENCORE and other multinational companies” in the Swiss Canton of Zug, where the headquarters of those two companies are located. See also: www.joseflang.ch.

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manner and the pits may collapse at any time." The miners are not insured, hygienic conditions are extremely precarious, wages are a mere 200 \$ per month.

GLENCORE, who are owners of TILWEZEMBE, refer to it as an "inactive mine" and wash their hands in innocence. But they market an important part of their copper ore worldwide via their Sambian subsidiary MOPANI. And there are more infernal circles drawn in a survey entitled "GLENCORE en République Democratique du Congo: le profit au détriment des droits humains et de l'environnement"³⁷ compiled by Chantal Peyer and Francois Mercier together with local NGOs:

2. Pollution of the Luilu river with sulphuric acid from the hydro-metallurgical processing plant run by the GLENCORE subsidiary KAMOTO COPPER COMPANY (KCC) is threatening plant and animal life in the water, rendering the water unsuitable for use by the local population.

3. Excavation activities of a second GLENCORE subsidiary which underwent close scrutiny by the name of MUTANDA MINING scare away wild animals to neighboring Zambia. Some of these are endangered species.

4. There is a disregard for existing standards of labour law at MUANDA MINING as well as at KAMOTO COPPER COMPANY. There is no correct compensation for overtime work; freedom of assembly and the freedom of trade unions are restricted; local staff are discriminated against. This has caused strikes in both GLENCORE companies in 2011 and 2012.

5. On 21st June 2010, three persons were killed and numerous others were injured during clashes between informal mine workers defending themselves against their forced eviction against private security forces as well as public security forces summoned by KCC.

6. The by-law about mining is constantly violated by KCC. It requires from the licence holders "to entertain a constructive dialogue with local communities." Quite often they do not even answer letters from local community committees.

7. There is a permanent shortage of water, high dust pollution and damage to the buildings of the town Musonoi which is part of the KCC licence area. The same is true for the town of Luilu.

8. 75 % of the ownership of KCC lies with 5 companies domiciled in tax havens. The mother company KATANGA MINING LIMITED (KML) which is 75 % owned by GLENCORE is registered in Bermuda. Another servicing company by the name of KATANGA MINING SERVICES AG can be found in the canton Zug. It is estimated that Congo loses a quarter of the tax revenue every year due to such multinational methods. To make things worse, KCC convert profits into losses. The survey contains an

³⁷ Translation: GLENCORE in the Democratic Republic of the Congo: Profits at the Expense of Human Rights and the Environment.

estimate that this has caused losses for Congo to the amount of 144 million \$ in 2010 and 52 million \$ in 2011.

9. GLENCORE are deeply involved in the epidemic corruption in Congo. This is mainly due to their close business contacts with big-scale adventurer Dan Gertler who is an intimate friend of President Joseph Kabila who was reelected last year. Kabila saw to it that shares of mines were sold at a fraction of their actual value in order to finance his election campaign. Some of these riches landed with GLENCORE via Gertler. The newspaper Neue Zürcher Zeitung called Gertler and GLENCORE "strategic partners" in their 12th February 2009 edition.

Dan Gertler, the middle man between the local elite and global capital, plays a similar role for GLENCORE to the role the main character of Conrad's Congo novel Mr. Kurtz played for that Belgian trading company. Whereas Hannah Arendt presents "Mr. Kurtz", as she calls him, as the prototype of a fascist in her book about totalitarianism Gertler mingles with Avigdor Lieberman's right-wing extreme Beiteinu party. There is a close connection between exploitation of the third world, inequality of south and north and the master race mentality of the latter. (I will come back to that later in the context of the GLENCORE metropolis.)

The two initial letters of GLENCORE's company name are an indication that this is a global enterprise with 2.800 employees in trade and 55.000 employees in production. Last year this multinational with activities in more than 40 countries generated a net profit of 4.1 billion Dollar and a turnover of 186.2 billion Dollar. That means they are ranking as No. 14 worldwide and as No. 5 in Europe as far as turnover is concerned. When they went public at the stock exchange a year and a half ago it generated earnings to the amount of 23 billion Dollar for GLENCORE's Top Six. There are 96 countries in the world where an entire people earn in a whole year.

If GLENCORE's profits are lower this year this is not at all due to the two Congolese copper mines KATANGA and MUTANDA. Both of them continue to be true gold mines.

The following comparison goes to show how huge this giant is: One percent of the GLENCORE profits originate from agricultural production. This one percent is the fruit of 280.000 hectares of acres they own themselves. That is pretty much exactly the entire agricultural area of Switzerland. Another 11 percent of their profits originate from trade and speculation with foodstuffs. The following example is taken from the book "Commodities. Switzerland's most dangerous business" which explains how this business works as well as its devastating results.

"When Russia was afraid of massive losses in their wheat harvest due to a devastating draught the government decreed an export ban in the summer of 2010. This caused global wheat prices to skyrocket by 15 percent within two days – a disaster for hundreds of millions of people who, even before, lacked the necessary income to feed themselves and their families. According to the anglo-

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saxon business press the bosses of the Russian GLENCORE subsidiary had talked the men responsible in the Kremlin into this export ban. Indications to that effect from one of their employees were denied immediately by company headquarters in Baar. It did not sound very convincing at the time. But it is now completely unbelievable after recent information from banks who made preparations for GLENCORE's going public at the stock exchange. According to that, the commodities giant is reported to have speculated on rising wheat prices in the early summer of 2010. (...) Profits of the agricultural branch have more than doubled last year (i.e. in 2010, J.L.) The price was paid by the starving population of the global South. Egypt as world's biggest importer of wheat paid 184 \$ per ton in early July 2010. One month later, after the Russian export ban, it was more than 100 \$ more than that."³⁸

By the way, last July the Dutch subsidiary GLENCORE Grain Rotterdam was fined for bribing a functionary of the EU General Directorate for Agriculture and Rural Development. The GLENCORE informer in question was in charge of fixing the official weekly prices for buying and selling of grain. There was very little media echo to this court decision.

According to a survey by DEUTSCHE BANK dating from June 2011 GLENCORE's main speciality is to carry out lightning strikes, if necessary – even in regions “where other mining companies would rather not operate”. It is “this opportunistic approach” which “created the main part of GLENCORE's work”. DEUTSCHE BANK who are fond of such subtle language NB under the auspices of my confederate namesake³⁹ – estimate that about 70 percent of GLENCORE's production sites are situated in extremely corrupt countries and/or in conflict-prone countries such as Congo, Colombia (coal), Kazakhstan (zinc) or Equatorial Guinea (new oilfields). The ROYAL BANK OF CANADA who are actively engaged in mining once said about GLENCORE: “It is in areas like Congo which other people think are uncomfortable. GLENCORE make themselves comfortable there.”

On the other hand, such sites can have uncomfortable effects for GLENCORE themselves. US pension funds, for instance, sold their GLENCORE papers when it became known that Glencore made themselves comfortable in the “rogue state” Sudan. One reason for the fact that “rogue states” are no deterrent to GLENCORE may be that ten years ago the arch-conservative French President Jacques Chirac accused them of being “rogue owners”. This was about the closure of the factory METALEUROP in Pas de Calais and the dismissal of 830 employees with methods uncommon even in France. Prior to that, GLENCORE had cashed in French state and EU funds for the rehabilitation of measures against air pollution.

Now let us turn to today's owners of GLENCORE. I also have to name them and shame them. I will exercise a little more restraint in my choice of words than the French President, however. This has to

³⁸ Erklärung von Bern (Ed.): Rohstoffe - Das gefährlichste Geschäft der Schweiz. Zürich 2011, p. 250 et seqq.

³⁹ This refers to JOSEF Ackermann, a Swiss banker and former CEO of the DEUTSCHE BANK, see http://en.wikipedia.org/wiki/Josef_Ackermann.

do with the fact that I – quite different from Monsieur Chirac – see the underlying problem in the system of the economy and not in the persons.

Ivan Glasenberg was born in Johannesburg in 1958 and grew up there where – still in the apartheid days – he was discovered and supported by Marc Rich who employed him in the coal trade. His job was to find foreign buyers for South African coal which was not an easy job in the face of the UN embargo. Glasenberg worked to the full satisfaction of Marc Rich and the racist regime.

In Wikipedia, the following statement about Glasenberg can be found which is literally incorrect, though its content is correct: “Since 1984 he has been working for the GLENCORE company of which he is the CEO since 2002.” The company is called GLENCORE only since 1994, but there is a continuity to the old MARC RICH.⁴⁰

There are few name changes or “rebrandings” in corporate history with such an impact on the media and with such a success as the one from MARC RICH to GLENCORE. In conjunction with big Swiss banks the MARK RICH Company belonged to the most important breakers of the boycott against the Apartheid regime in South Africa. Their contribution was crucial to prolonging the existence of the illegitimate state. Glasenberg’s current actions and statements are easier to understand when the circumstances of his “socialisation” as a trader in South Africa are taken into account.

Apart from the big Swiss banks, MARC RICH was one of the most important boycott breakers in favour of the apartheid regime. That is how they prolonged the life of that state of injustice. There is a better understanding of Glasenberg’s current actions and statements with a knowledge about the conditions of his “socialisation” as a trader.

Let us now turn to Simon Murray the enigmatic Chairman of the Board of Directors! The 72 year old Briton fought in the foreign legion for the French colonial regime against the Algerian liberation movement in the early sixties. Ideologically, Murray has not changed much ever since. In his first interview as GLENCORE President he ranted and raved in the “Sunday Telegraph” against Africans “who sneak in and seek asylum and then we no longer get rid of them.” These are the words of a former colonial warrior who fought against Africans on African soil and who enriches himself until the present day from African commodities taken from the African earth by underpaid Africans. What Murray had to say about women is that they lack the ambition to perform in a company as well as men. And indeed there is not a single woman among the GLENCORE top management.

I can be very brief as far as Tony Hayward is concerned because he already won the Black Planet Award two years ago and because yesterday the ignoble role he played during and after the oil spillage in the Gulf of Mexico was brought back to our minds. In those days Spiegel online wrote the following

⁴⁰ For further information on Marc Rich, his company and the rebranding see p. 11 et seqq. of this dossier.



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about the boss of BP: "A figure of light turns into the face of the black plague". Exactly one year after the disaster GLENCORE announced that they had called Hayward to be a member of their board of directors. In this committee which consists of three people he is responsible for the "environment, health and safety". He who leaves the gardening to the billy-goat does not care much about the garden, as the German saying goes.

In May 2010, one month after the BP disaster, Ivan Glasenberg received a letter from his business colleague Anthony Lipmann. In the letter the former cobalt wholesaler reported about a visit to the Sambian MOPANI mine, three quarters of which are owned by GLENCORE. After figuring out that here in Africa's biggest copper smelter the sulphur emissions are 30 to 70 times above the permitted maximum value he continues and describes the results: "Beached-out earth, meagre crops, corrosion on the roofs, the paint, the lungs due to the acid rain."

A report broadcast by Swiss television a month ago showed that it is the little children who suffer most from the emissions.

Even though the MOPANI MINE is extremely profitable – due to high market prices for copper etc. – it does not generate a net profit. The Sambian subsidiary sells the raw material at a rock-bottom price to the mother company in the Canton of Zug who in turn sell it at market prices. From 2003 to 2007, the Sambian GLENCORE have given 700 million Dollar as a present to GLENCORE in Zug. There are estimations that the Sambian annual tax revenue is reduced by 22 percent as a result of these methods.

How many African lives, the lives of children in particular, did this sort of development aid by Zambia to the benefit of Zug and Switzerland cost? Here is one of the key sentences in Conrad's "Heart of Darkness": "That (...) was the worst thing about it – this suspicion that they were also human beings." That is the worst thing about it – this suspicion that human lives are concerned!

GLENCORE are one of the originators of another environmental disaster which had more general attention than the MOPANI one; I am referring to the one in CERREJON in Colombia, the biggest coal mining area in Latin America. There is a documentary film about it entitled "Paradis fiscal, enfer social" ("Fiscal Paradise, Social Hell"). It contrasts the tax haven of Zug with the social hell in Northern Colombia. Later on GLENCORE ceded their share of CERREJON to XSTRATA. But after an imminent merger they will once again be an immediate part of this ecological and social disaster. The movie pictures about the devastations of nature and man could serve as an excellent illustration of Dante's "Inferno" or Conrad's "Heart of Darkness".

The metropolis of Conrad was London and Brussels, that of GLENCORE are London and Zug. Marlow, the British narrator, remembers Jesus' polemics against the pharisees and their false make-believe on arrival in the Belgian capital which used to be the domicile of the CONGO COMPANY. Brussels does not



stand up to what it does and what it signifies: The exploitation of Congo. Just like the official Zug, being one of the most important commodities centre on the planet, does not want to know about the ugly side of their wealth.

Marlow is absorbed by the Belgian commercial company; he is drawn into their web of lies. Yet he kept fighting against becoming a part of that false make-believe. All the people of Zug and Switzerland fight that same struggle once they face the truth of a gigantic rip-off. Anyone who explains the dramatic gap in the affluence of the First World and the Third World with northern industriousness and southern laziness is a victim of the very same arrogance like that of Conrad's Mr. Kurtz. It is no coincidence that the bourgeois parties in the Canton Zug are the most right-wing and anti-asylum sections of their national mother parties.

Marlow sets out to the "Heart of Darkness" thinking that darkness are the others, the strangers. When he returns from Africa he knows that the darkness is everything; it is part of the system. And its heart is here, in the own world. GLENCORE is part of the heart of today's darkness of which Jean Ziegler has given such an impressive description in his books.⁴¹ That is why the company from Zug and Messieurs Glasenberg, Murray and Hayward as well as the major shareholders fully deserve to be condemned with the Black Planet Award, the prize of the dark planet.

⁴¹ The Swiss professor of sociology and anti-globalisation activist Jean Ziegler was the first United Nations Special Rapporteur on the Right to Food from 2000 to 2008 and a member of the Advisory Committee of the UN Human Rights Council from 2008 to 2012. He is the author of numerous works, criticising among other things the „refeudalization of the world“. See http://en.wikipedia.org/wiki/Jean_Ziegler. While ethecon's negative award 2012 was bestowed on the people in charge of GLENCORE, the positive International ethecon Blue Planet Award 2012 was bestowed on Jean Ziegler. For further information on Jean Ziegler see the Blue Planet Dossier 2012. The dossier can be ordered as print version or downloaded from our website www.ethecon.org.



International ethecon Black Planet Award 2012
for Ivan Glasenberg, Simon Murray and Tony Hayward
as well as the major shareholders of the
commodity trading company GLENCORE (Switzerland)

Greetings

**on occasion of the bestowal of the International ethecon Black Planet Award 2012
on Ivan Glasenberg (CEO), Simon Murray (Chairman) and Tony Hayward
(Non-Executive Director) as well as major shareholders
of the commodity trading company GLENCORE (Switzerland)**

Marianne Aeberhard/MultiWatch (Switzerland)⁴²

Ten years ago, representatives of various small organizations united with the intention of keeping an eye on Nestlé – the Swiss giant. This was caused by a cry for help from the foodstuff trade union SINALTRAINAL of Colombia who had lost the lives of several members in labour conflicts with Nestlé and who were the target of massive threats from paramilitary groups (and they still are). In 2005, MultiWatch was founded based on the same loose alliance of campaigns with the purpose of carrying out a public hearing about Nestlé Colombia and to hold an international forum about Nestlé. MultiWatch is supported by several trade unions, benevolent and church organizations and NGOs. The public hearing about Nestlé Colombia resulted in a broader scope of MultiWatch who now define themselves as a permanent surveillance platform monitoring multinational companies which are domiciled in Switzerland. The aims of MultiWatch are drawing attention to violations of human rights committed by Swiss multinational companies, keeping the general public informed about the activities of Swiss multinationals and about topics such as human rights and impunity by means of well-directed action and campaigns and exerting pressure on the stakeholders involved. Among other things, MultiWatch try to contribute to the establishment of binding rules for transnational activities of multinational companies and will take violations of such rules to court.

GLENCORE are also monitored systematically ever since members of the MultiWatch board of executives made a visit to the coal mines in the departments of César and La Guajira (Colombia) in 2007. GLENCORE were absolutely unknown at that time. Therefore, the company did not shy away from any ways and means in order to pursue their strategy of unscrupulous maximum profit. So in early August 2007 it was only thanks to an international intervention that it was possible to prevent the notorious Colombian police special task force ESMAD from causing a bloodbath outside the La Jagua GLENCORE coal mine. At that time, there was a picketline of 117 former mineworkers and their wives and children blocking the main gate of the coal mine. These mineworkers used to work in the GLENCORE mine as temporary contract workers employed by labour leasing companies. For years and years their contracts kept being prolonged for one more year at a time. When the workers started defending themselves against precarious employment and started organizing in a trade union GLENCORE stopped their cooperation with labour leasing firms and there were mass layoffs.

⁴² Marianne Aeberhard is managing director of the Swiss organisation MultiWatch www.mutiwatch.ch.



Further up north GLENCORE owned a one third share of the giant El Cerrejón coal mine. (These days it is via their majority stake in Xstrata.) It was a shattering experience watching the inhabitants of villages which were adjoining to the mine being deprived of their livelihood without due compensation. The small village of Tabaco was vacated by force as early as 2002. It was flattened by bulldozers in front of the eyes of the inhabitants and their cattle and agricultural machinery confiscated. Up to the present day, there has been no appropriate compensation or resettlement in spite of international pressure and monitoring.

Such a conduct by GLENCORE made MultiWatch decide to designate the company for the 2008 Public-Eye-Award. "Public Eye" is an alternative event to the Davos World Economic Forum where the most sinister companies are chosen and put to a "Wall of Shame". The jury was convinced and awarded the 2008 Swiss Award to the unknown giant. GLENCORE has refused to receive the Swiss Award three times. For them this had the unexpected side effect that for the first time the company was made known to the Swiss people. Because more VIPs got involved each time there was an attempt to hand over the award and media attention was growing. Many people were amazed to find out that it was not Nestlé who are the country's biggest company but instead it was some questionable commodities giant. Former New York Mayor Rudolph Giuliani once called the company's founder "the worst tax dodger in the history of the US", sentenced to several hundred years of imprisonment in the US.

Unbelievable facts about the company have come to light after GLENCORE went public at the stock exchange in 2011 and due to the planned mega merger with the Swiss mining giant Xstrata: With the help of some creative accounting GLENCORE withhold 29 billion US Dollars from the Sambian people – that is twice the GDP. This was discovered in a survey of the Bern Declaration (member of MultiWatch) in cooperation with partner organizations from Zambia, France and Canada. In 2011 it resulted in a lawsuit filed by the OECD at the national Swiss point of contact. But enrichment at the expense of the poorest people is not limited to Zambia; likewise in China, Congo and Colombia, the company resorts to the same tricks in order to transfer most of their profits to off-shore tax havens. And that is not all: A recent survey by the charities Bread for All and Lenten Fast Sacrifice (both of them benefactors of MultiWatch) has shown that massive pollution and child labour is the order of the day in GLENCORE mines in Congo.

The facts I have presented here are probably the tip of the iceberg. This is why it continues to be extremely important to keep an eye on this company and to exert pressure. Considering GLENCORE are about to merge with Xstrata to form one of the world's biggest commodities merchant, and considering that they are increasingly entering the very dicey trade with foodstuffs the "Black Planet Award" comes just at the right time!

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Stephan Suhner/Arbeitsgruppe Schweiz-Kolumbien (Swiss-Columbian task group) (Switzerland)⁴³

The Swiss-Columbian task group ask! is a human rights organization founded 25 years ago. We aim to give Colombian grassroots groups, local farmers, workers and the indigenous people a voice. We support change specifically in Switzerland in order to make possible a just peace with an encompassing validity of human rights in Columbia.

It is thus we strive toward a coherent Swiss foreign policy inclusive of the acceptance of both corporate prosperity and human rights. Switzerland has one of the highest proportions of (multinational) corporations per capita. The speedy growth of the raw resources trade in combination with tax benefits has led to a conglomerate risk that the Swiss officials tend not to take seriously. In spite of Switzerland's presumed human rights tradition the country seems blind when dealing with business practices in those countries in which Swiss corporations are active such as in Peru, the Congo, Columbia. But rather than postulating strict and protective legislation for workers, cooperatives or supporting courageous steps in labor protection in their host countries, Switzerland, as „Home State“ solely supports voluntary measures towards the protection of human rights by Swiss corporations.

GLENCORE has been situated in Columbia since 1995 and one of the largest „players“ in the raw resources market. GLENCORE is one of the three largest coal producers in Columbia today. The corporation also owns concessions for the mining of copper, gold and Molybdenum. The coalmines are highly exploitative, resulting in ecological devastation. Plants are hindered in their growth due to the high levels and density of mineral dust; the village inhabitants have filed complaints on ill livestock, contaminated water and various health issues such as skin disorders, diarrhea, breathing disabilities and permanent virus infections. The high dust density levels have led the environmental department to ordering GLENCORE to relocate three village communities.

The small village communities and townships around the coalmines have little stock in the produced wealth: the provision of basic utilities (drinking water, electricity, schools and health care) is precarious as taxes and exemption fees land in the pockets of corrupt politicians. Most of the workers are hired from outside areas; permanent unemployment and rising prices spiral the local population into increasing impoverishment.

In the past few months a number of legal inquiries were conducted against GLENCORE, especially on ecological and tax issues. GLENCORE was penalized for not having registered the control over several affiliate companies. At present GLENCORE is being sued for tax and royalty irregularities in their contracts with the Colombian government. It appears that, between 2005 and 2007 GLENCORE acquired

⁴³ Stephan Suhner is managing director of the Swiss human rights organisation workgroup Switzerland-Columbia ask: www.askonline.ch.



three local neighboring mines and later received the permission to mine the three as one. However, the three mines remained separate on paper and the overall production rate was divided between the three. Apparently less than 3 million tons per annum were mined, meaning a 5% rather than a 10% royalty payment. This construct also meant the workers were able to be sent to any one of the three mines. One of the three sub-contractors had hired no own workers and owned no machines. It was thus the trade union was able to enforce the reinstatement of the original contract situation and thus ensure equal labor contracts for all the mineworkers.

The Trade Union Sintramienergética has criticized GLENCORE for their antagonistic attitude toward trade unions in Columbia. GLENCORE's threats to lay off workers and/or to sue on labor issues were intended to intimidate and pressure both workers and trade unionists. GLENCORE is thus in violation of both ILO rights and Columbian labor legislation. In the past few years it has been almost impossible to negotiate peacefully – most issues have ended up a strike issue or have had to be taken to a court of arbitration.

The workers of the GLENCORE affiliate Corbonnes de La Jagua have been on strike since July 2012 because GLENCORE has refused to achieve negotiations results within the allotted time frame. During the strike GLENCORE has wrongly accused the trade union of breach of legislation, of slander and the use of force. None of the accusations could be proven – to the contrary: the labor court has ruled the strike legal and all accusations put forth from GLENCORE as unsubstantiated. The ongoing strike of now over 60 days without GLENCORE or the Minister of Labor yet showing one sign of interest in the negotiation of a result. The workers on strike live with the inherent risk of forceful evacuation by the police.

We thus demand GLENCORE to consider the critical human rights situation in Columbia and to take on their protective responsibilities and act both in accordance with Columbian labor legislation and international labor norms. We call for GLENCORE to return to the negotiation table and look for joint solutions with the union, the workers and the local communities.

After having been nominated for the Public Eye Award in 2008 by ask! GLENCORE again will receive an infamous award. On the one hand we are very pleased that ethecon's nomination will help the further publication of GLENCORE's human rights violations and to continue the pressure on the corporation. On the other hand, both we and the civil society of Columbia are full of consternation that the past four years have brought on so few positive changes!

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Chantal Peyer/Brot für alle (Bread for all) (Switzerland)⁴⁴

The outward appearance of GLENCORE's headquarters in Baar in the Canton Zug is modest. The company premises look like those of any other company – there are more than 30 of them domiciled in this local community which has turned into a tax haven. But the glass fronts conceal relentless activities: Within a few years GLENCORE has attained a dominant position on the international commodities market by means of investments and buybacks, developing from a mere wholesaler to a company in control of the entire production process. Today, the company stands for a couple superlatives: Chief producer and trader in world zinc business (60% market share), chief copper trader (50% market share), Switzerland's biggest company as far as turnover is concerned (186 billion \$ in 2011).

GLENCORE accumulated most of their wealth in "risky countries" i.e. countries such as Iraq, Kazakhstan, Equatorial Guinea, Colombia and the Democratic Republic of Congo where corruption, violations of human rights and environmental damages are widespread. GLENCORE have more power than most of these countries: Their turnover, for instance, is 26 times the national budget of the Republic of Congo and almost 44 times that of Zambia (figures from 2011). In spite of that the company is not subject to any democratic control whatsoever, and they do not pursue a credible policy of social responsibility which might counterbalance their economic power. GLENCORE operate in a twilight zone, as an article in "Foreign Policy" magazine pointed out recently: "GLENCORE generate their profits on the fringes (...) by working in the remotest areas of the world. And researchers found out that the operations are quite often on the fringe of what is legal."⁴⁵

GLENCORE have recognized the "GLENCORE Corporate Practice" in 2010, whereby the company commits itself to respect ethical, social and environmental principles. And in September 2011, six months after they went public at the stock exchange, the company published their first sustainability report. But both of these documents portray an outdated concept of social responsibility and they do not meet the challenges which arise from investments in "risky countries". On the normative level, for instance, the "Corporate Principles" refer to the General Declaration of Human Rights, but they disregard all the other elementary documents – the Treaty concerning civil and political rights, the Treaty concerning economic, social and cultural rights and finally the Convention of the International Labour Organisation, all of which found general recognition before they became part of a credible policy of social responsibility.⁴⁶ As for this matter, it is possible to conclude a narrowed concept of human rights and responsibility on the part of GLENCORE.

⁴⁴ Chantal Peyer is the co-author of a survey about GLENCORE's investments in the Democratic Republic of Congo and in charge of the study "Enterprises and Human Rights" by „Brot für alle" (Bread for All): www.bfa-ppp.ch/.

⁴⁵ "A Giant among Giants", Ken Silverstein, Foreign Policy, May/June 2012.

⁴⁶ cf. "Guidelines with regard to enterprises and human rights: Implementation of the UN rule "to protect, to respect and to repair", guideline 18, John Ruggie, June 2011.

On the level of implementation, the company promote charitable projects by building hospitals and schools and drilling wells, but they do not take into account the actual on-site problems which result from their activities. Basically everything seems to be happening as if GLENCORE were trying to conceal reality rather than being aware of the problems and to showing how they are about to solve them (to know and show). Furthermore, GLENCORE's approach does not relate to systematic studies which are necessary about the human rights and environmental situation and the work of independent external activities (NGOs or groups representing the population in question etc.). Nowadays these two principles are considered as crucial for any human rights policy.

Bread for All and Lenten Sacrifice published a report about GLENCORE's activities in Congo in April 2011: "GLENCORE in the Democratic Republic of Congo: Profit before Human Rights and the environment". The results of this research carried out together with Congolese NGOs are quite disconcerting.

In the area of human rights this survey found out as a fact that GLENCORE - via several middle men – bought back raw materials from a manual labour mine (Tilwezembe) where children and adults virtually work with their bare hands. Work conditions in industrial mining are not in line with legal requirements either. Local staff are being discriminated against foreign staff; there are regular complaints about staff being sacked unlawfully and there is no overtime pay in Mutanda Mining which one of GLENCORE's two branches.

As far as the environment is concerned it turned out that Kamoto Copper Company (KCC), GLENCORE's other branch, poured sulphuric acid into the Luilu River for four years. This actually means the company pumped their waste water into the river without any purification, the river being a main source of water for villages in the area. KCC stopped their acid emissions in April, but according to information gathered on site the control basin which the company built already shows some leaks. So far the company promised no compensation to the inhabitants of Luilu. As for the Mutanda mine, it is situated in the Basse-Kando hunting ground which is a sanctuary where there should have been no concessions. The noise and industrial damages have driven rhinos and other animals away. They escaped across the Zambian border according to witnesses' statements on site.

With regard to the dialogue with local communities, it seems that the communities affected by GLENCORE's activities (Luilu and Musonoi in particular) never received the surveys about environmental impacts which the company claims to have distributed. An the letters written by inhabitants about topics such as lack of access to drinking water, buildings damaged by explosions or gigantic dust clouds during the dry season were left unanswered. These are consistent witnesses' statements which clearly differ from GLENCORE's vows to have two "liaison officers" who visit these places regularly.



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And finally with regard to taxation, fiscal optimisation at any rate is the rule. In their first-ever 2011 sustainability report the company state investments of nearly 23 million Dollars in the Democratic Republic of Congo for building roads, hospitals or another airport or for drilling wells. But this investment is by far out of proportion with the amount GLENCORE withheld from the Congolese state through their practices of tax avoidance. In 2010 and 2011 alone, these “legal” practices withheld an amount between 123 and 196 million Dollars from Congo. There is another case which proves that these aggressive practices are on the brink of legality: In May 2012 KCC, a Congolese branch of GLENCORE, had to pay 14.5 Million Dollars penalty for tax dodging as the balance of export taxes and tax penalties.

The analysis by RSE of the policy of GLENCORE, but also the reality of investments in the Democratic Republic of Congo show that Switzerland’s biggest enterprise have not changed their corporate culture in spite of going public at the stock exchange. A change of course is necessary so that the local population can benefit from investments. The Foundation ethecon award is intended to draw GLENCORE’s attention to the necessity of checking their internal policies and of working together with an independent institute in order to create a survey of the human rights situation. This is even more important as the company keep multiplying their worldwide mergers and acquisitions.



Michael Baumgartner/Greenpeace (Switzerland)⁴⁷

Since the year 2000, Public Eye Awards have shown the players of the world economy that there are consequences to any business practice which despises people and the economy – mainly for those who are affected, but also for a company's public image. Whether it is exploitive work conditions, environmental sins, intentional misinformation or failure to face a company's responsibilities: Every January prior to the World Economic Forum (WEF) the most sinister companies of the year are publicly shortlisted to be named and shamed. These companies are made to feel the pressure of civil society: Our "renowned" shame awards expose company scandals to the international spotlight, giving more attention to NGO campaigns from all over the world.

Greenpeace Switzerland are among the supporters of the Public Eye Award. We are glad there are more organisations who do not shy away from accusing destructive company behaviour. In this case it is GLENCORE INTERNATIONAL AG. This commodities giant received the Public Eye Swiss Award in 2008 after causing massive pollution and public health hazards in their coal mines in Colombia. GLENCORE have proven their ruthlessness. The company's greed does not seem to be hampered by the destruction of nature nor by violent assaults on the local population. At present we can make no judgement in how far the situation around the three coal mines in the Colombian department of Cesar has improved. But given that they were nominated by Foundation ethecon it can be assumed that GLENCORE are still unwilling to exercise due executive care as should be expected from a multinational company.

We are grateful to the ethecon Foundation because they also name and shame destructive company behaviour. May our efforts bear fruit one day!

⁴⁷ Michael Baumgartner is Head of Project Public Eye, Greenpeace Switzerland: www.publiceye.ch.

International ethecon Black Planet Award 2012
for Ivan Glasenberg, Simon Murray and Tony Hayward
as well as the major shareholders of the
commodity trading company GLENCORE (Switzerland)

Richard Solly/London Mining Network (UK)⁴⁸

London Mining Network welcomes ethecon's Black Planet award to mining and commodities trading company GLENCORE.

London Mining Network is an alliance of 29 human rights, environmental, development, solidarity and Indigenous support groups concerned about the impact of British-based, British-listed and British-financed mining companies around the world.

We aim to hold the mining industry to account by publishing information about the negative impacts of its activities, calling for stricter regulation of mining companies listed on stock exchanges in the UK, amplifying the voices of mining-impacted communities, enabling representatives of such communities to speak at company Annual General Meetings in London, working with British parliamentarians and encouraging public support for campaigns and demonstrations aimed at putting pressure on the mining industry to clean up its act.

Glencore's listing on the London Stock Exchange in 2011 was the largest in a series of listings by mining companies based outside the UK, or controlled from outside the UK, opting to take advantage of the poor regulation of UK stock markets and the enormous amounts of money to be raised on them.

As we pointed out in our February 2012 report, UK-listed mining companies and the case for stricter regulation (<http://londonminingnetwork.org/docs/lmn-the-case-for-stricter-oversight.pdf>), even London's conservative Times newspaper took a dim view of GLENCORE: on 20 May 2011, business editor Ian King damned GLENCORE as 'a business with dubious morals. It trades grain amid food riots and has been accused of profiteering and environmental offences in numerous poor and war-torn countries.' He noted that few traditional City of London institutions would purchase the company's shares.

GLENCORE's Colombian subsidiary, Prodeco, is associated with paramilitary land-grabbing and military repression of protest. In Bolivia it has polluted rivers. Its 44% owned Century Aluminum associate in the USA has been pursued for environmental pollution. GLENCORE's mining and smelting operations in Zambia have been criticised for illegal toxic pollution of air and water which has resulted in the hospitalisation of numerous local people while the company has done its best to avoid paying taxes. In the Democratic Republic of Congo, it has not only been avoiding taxes and causing pollution but destroying agricultural livelihoods and using child labour. The company's treatment of its workers shows little more respect than its treatment of the communities whose lands and livelihoods it destroys. In Peru it is accused of anti-union aggression. Its safety record is appalling – while BHP Billiton, the world's biggest mining company, reported 0.2 deaths per 10,000 workers in its 2011 reporting year,

⁴⁸ Richard Solly is the co-ordinator of the NGO London Mining Network: <http://londonminingnetwork.org>.



and GLENCORE's target acquisition Xstrata reported 0.8, GLENCORE reported three deaths per 10,000, fifteen times that of BHP.

GLENCORE does an effective job of giving the impression that its sole interest is the rapacious pursuit of profit and that every ethical consideration is to be ruthlessly shoved out of the way to maximise financial gain. Its CEO and other leading officers and those who choose to invest in it all richly deserve the ethecon Black Planet Award.

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The international ethecon awards

The International ethecon Blue Planet Award and Black Planet Award have been presented since 2006. Each spring, ethecon - Foundation Ethics & Economics contacts up to 10,000 organisations and people all over the world, calling for nominations for these awards. The recipients of both international awards are chosen from among the nominees following a defined procedure. So far, the awardees have been:

Hall of Fame

International ethecon Blue Planet Award

2012

Jean Ziegler / anti-globalisation activist (Switzerland)

2011

Angela Davis / civil and human rights activist (USA)

2010

Elias Bierdel / refugee- and human rights activist (Austria)

2009

Uri Avnery / peace and human rights activist (Israel)

2008

José Abreu / engineer (Venezuela) and Hugo Chavez / revolutionary (Venezuela) – under the name of "El Sistema" they set up a worldwide unique and widely publicized program against poverty, drugs, social negligence and crime that guarantees every child in Venezuela the right to learn to play a musical instrument

2007

Vandana Shiva / peace and environmental activist (India)

2006

Diane Wilson / environmental and peace activist (USA)

Hall of Shame

International ethecon Black Planet Award

2012

Ivan Glasenberg (CEO), Simon Murray (Chairman), Tony Hayward (Senior Independent Non-Executive Director; Environment, Health and Safety Committee) and major shareholders of the commodity trading company GLENCORE (Switzerland)



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2011

Tsunehisa Katsumata (chairman), Masataka Shimizu (former president), Toshio Nishizawa (president) and major shareholders of the Tokyo Electric Power Company TEPCO (Japan)

2010

Tony Hayward (CEO), Bob Dudley (CEO-designate), Carl-Henric Svanberg (chairman of the board) and major shareholders of the oil- and energy company BP (Great Britain)

2009

Owner family Wang and Lee Chih-tsuen (CEO) of the chemical, genetic engineering and electronics company FORMOSA PLASTICS GROUP (Taiwan)

2008

Erik Prince (owner) , Gary Jackson (president) and Chris Bertelli (spokesman) and other accountable executives of the service provider for the military BLACKWATER (for reasons of public reputation renamed to Xe Services LLC) / (USA)⁴⁹

2007

Peter Brabeck-Letmathe (CEO) and Liliane Bettencourt (major shareholder) and other responsible managers and major shareholders of the food and GE-company NESTLÉ (Switzerland)

2006

Shareholders and the management of the agriculture, genetic engineering company and producer of chemical warfare agents MONSANTO (USA)

⁴⁹ After negative headlines in 2008 the company changed its name to XE. Since then, it has changed its name several times.



The ethecon Foundation

Our blue planet is in serious danger. This is no longer denied, not even by politics and science.

But the underlying cause continues to be ignored: the greed for profit connected with the worldwide dominant economic system.

This profit-based system is responsible for injustice, exploitation and ecological destruction. The lust for profit is becoming more and more the sole motivational force in our society and in our management of the environment. The devastating consequences of this development may no longer be overlooked: massive unemployment, the breakdown of the health-, education- and social security systems, destitution, poverty and homelessness, egoism, crime and ruthlessness, weapons production and war, climate change and the collapse of ecological systems.

A different world, a just world, may only be achieved through the development and the implementation of ecologically-sound and humane economic and social models not based on profit maximization. To reach this goal, we must start at the roots, that is, within the competing interests of ethics and economics. We must stand up against those who profit from the globalization process and social decay. For the good of ecology and society, the primacy of ethical principles over economics must be asserted. The rescue of our planet will only be possible when the supremacy of the profit principle is replaced by an economic system based on ethical principles.

The transformation of our society in the direction of a just and fair social system with an intact environment and the overcoming of the profit principle cannot be achieved overnight. This requires perseverance and endurance. In order to achieve this necessary change, broad social movements must be established and fragmented forces united. However, good ideas and voluntary commitment alone are not enough. They must be backed by sufficient financial means.

This is where "ethecon - Foundation Ethics & Economics" comes in. Whereas other groups and organizations – in a historical context – are active for a short time only, ethecon follows the insight, that successful work for the implementation of ethical principles in the interest of ecology and society must be designed to operate on a long-term basis, continuing past the current generation. The legal form as a foundation was deliberately chosen in order to ensure the necessary on-going financial basis for the securing and defence of the principle of solidarity as opposed to the principle of profit.

In order to bequeath future generations with a strong foundation, ethecon needs further endowment contributions, donations and sustaining members. Founded in 2004, the foundation was able to increase its initial capital of 85,000 Euros fourfold through the aid of subsequent endowment contributions (the latest figures may be found in the foundation's brochure "For a World without Exploitation and Oppression" or on <http://www.ethecon.org>).



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ethecon seeks people who, in light of the current devastating ecological and social developments, wish to use their financial resources in a responsible way. Many people want not only to talk about a just world, but to find ways to realize it, always with the goal of a sound environment, peace and humane working conditions for coming generations.

Act now

Here is where you can help. If you agree that the prevailing profit-defined conditions must be opposed on a long-range basis, beyond the current generation, then please support "ethecon – Foundation Ethics & Economics". If an endowment contribution (from 5,000 euros) is not possible, your donation or, even better, your sustaining membership (from 60 euros per year) would be greatly appreciated. It is now possible to make an endowment contribution over a longer period of time, with monthly payments starting at 20 euros.

All contributions are tax-deductible (national laws may differ on this point). In Germany, the tax-exemption limit is much higher than for regular donations and also more advantageous than for donations to political parties.

Please act now! ethecon needs you, as an endowment contributor, donor or sustaining member. You may reach "ethecon – Foundation Ethics & Economics" on the internet at <http://www.ethecon.org> or here:

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