

December 19, 2023

To: ArcelorMittal SA
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L-1160 Luxembourg
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Investor.Relations@arcelormittal.com

For the attention of:

The Members of the Board of Directors: Lakshmi N Mittal, Patricia Barbizet, Vanisha Mittal Bhatia, Tye Burt, Karel de Gucht, Clarissa Lins, Aditya Mittal, Karyn Overlmen, Etienne Schneider, Michel Wurth

The Executive Officers: Genuino M.Christino, Jefferson de Paula, Geert Van Poelvoorde, Stefan Buys, John Brett, Brad Davey, Dilip Oommen, Stephanie Werner-Dietz

The Executive Vice President – the CEO of ArcelorMittal CIS: Vijay Goyal

Dear Sirs/Madams,

Subject: Regarding Recent Incidents at ArcelorMittal Temirtau JSC

We, the undersigned organisations, extend our heartfelt condolences to the families affected by the tragic accidents that have happened within ArcelorMittal's operations in Kazakhstan over the years. We write to you to convey our support for the victims, their families and Qara Qar/Black Snow foundation's¹ work and to convey our requests to you.

We note with regret that these accidents raise serious concerns regarding lack of attention to worker safety within ArcelorMittal's mining operations in Kazakhstan. ArcelorMittal's mining operations in Kazakhstan have witnessed around 18 significant accidents since its establishment in 1995, resulting in over 180 fatalities and numerous severe injuries².

The last incident happened at the Kostenko coal mine on October 28, 2023, resulting in the devastating loss of 46 lives³. This follows a previous incident on August 17, 2023, at the Kazakhstanskaya mine, where 13 miners were hospitalized, and 5 lost their lives⁴. We also cannot forget and want to bring to attention the fatal accident of September 9th 2006, when 41 workers of the mine "named after V.I.Lenin" died⁵, or the accident of January 11th 2008, when 30 workers of the Abayskaya mine died⁶. It is disheartening to note that there were

¹ <https://blacksnow.kz/>

² <https://www.youtube.com/watch?v=MNfMndk2mcc>

³ <https://eurasianet.org/kazakhstan-deadly-mine-disaster-hastens-arcelormittal-temirtau-nationalization>

⁴ <https://www.interfax.ru/world/926632>

⁵ <https://eurasianet.org/kazakhstan-mine-safety-back-in-spotlight-after-fatal-accident>

⁶ <https://www.industrial-union.org/archive/icem/methane-blast-kills-at-least-23-at-arcelormittal-coal-mine-in-kazakhstan>

many more such accidents⁷⁸. Accordingly, all these facts show that across ArcelorMittal's coal mines in Kazakhstan there is one common problem of occupational safety.

As explained and revealed by the State Commissions' investigations, we understand that the underlying causes of these accidents are outbreaks of methane gas, and that the State investigation established categorically that the fault rests with the employer, ArcelorMittal Temirtau JSC, due to poor-quality and insufficient modernization of production to ensure safety.⁹¹⁰¹¹ These incidents have persisted almost three decades, casting a shadow over ArcelorMittal's commitment to the safety and well-being of its workforce¹².

Black Snow foundation represents the victims of the accident that happened on 3 November 2022 (in which 5 employees died and 4 were severely injured)¹³, the accident dated 7 November 2021 (6 employees died and 2 severely injured)¹⁴, and the accident dated August 17, 2023 (5 people died and 13 injured)¹⁵. We understand that the affected families are not satisfied with the compensation, about which they publicly complain.¹⁶¹⁷ We support the Black Snow foundation's actions towards requesting due compensation for the victims of these accidents, including Ms. Steshina, Mr. Zeynalov, Ms. Kashkei, Mr. Sanzharov, Mr. Yntykbekov, Ms. Burgun, Ms. Khalikova, Mr. Bekturganov, Ms. Inkina, Mr. Dubrovskiy, Mr. Khaniyev¹⁸ and those victims who lost 46 members of their families.

We also note that ArcelorMittal is not only accountable for its workers' safety but also for the environmental impact of its operations. As explained by Black Snow, the pollution caused by ArcelorMittal's plants has been linked to various ecological problems, including black snowfall recorded in Temirtau in 2018¹⁹. This event revealed alarming excesses of harmful substances like ammonia, hydrogen sulfide, hydrocarbons, carbon monoxide, and nitrogen dioxide in the city, further exacerbating concerns about the company's environmental practices.

There are publicly admitted confirmations that ArcelorMittal has sold its operations in Kazakhstan²⁰. In light of this, we would like to express our thoughts and demand that ArcelorMittal should not leave the country without completely paying all that it is demanded by the families it impacted. This is part of business integrity and corporate responsibility. However, despite the immense losses of those affected, we observe that currently ArcelorMittal Temirtau JSC is trying to minimize their costs on compensations to victims²¹.

7 https://www.inform.kz/en/miners-die-in-arcelor-mittal-coalmine-accident_a3997215

8 <https://www.steelorbis.com/steel-news/latest-news/methane-outburst-at-arcelormittal-temirtaus-tentekskaya-coalmine-478810.htm>

9 <https://kz.kursiv.media/2021-11-25/pravitelstvennaya-komissiya-ustanovila-100-nuvu-vinu-amt-v-chn-na/>

10 <https://ru.sputnik.kz/20221123/gibel-gornyakov-areselormittal-temirtau-itogi-raboty-komissii-ozvuchil-ilin-29645643.html>

11 <https://qurk.kz/news/pravitelstvennaya-komissiya-oglasila-zaklyuchenie-po-pozharu-na-shahte-kazahstanskaya>

12 <https://corporate.arcelormittal.com/sustainability/approach/health-safety>

13 https://en.inform.kz/news/gasman-dies-at-jsc-arcelor-mittal-temirtau_a4010938/

14 <https://www.rferl.org/a/kazakhstan-mining-accident/31549680.html>

15 <https://kaztag.kz/ru/news/goryashchuyu-shakhtu-kazahstanskaya-reshili-izolirovat-putem-vozvedeniya-gipsovykh-peremychek>

16 <https://www.luxtimes.lu/businessandfinance/mining-accident-victims-blame-arcelormittal/4364559.html>

17 <https://www.virgule.lu/luxembourg/des-victimes-daccidents-miniers-portent-de-graves-accusations-contre-arcelormittal/4371906.html>

18 <https://www.barrons.com/news/treated-like-slaves-workers-dying-in-arcelormittal-s-kazakh-mines-c990101>

19 <https://www.bbc.com/news/world-asia-42653738>

20 <https://corporate.arcelormittal.com/media/press-releases/arcelormittal-completes-sale-of-arcelormittal-temirtau>

21

<https://www.business-humanrights.org/en/latest-news/letter-to-arcelormittal-regarding-cos-repeated-refusal-to-purchase-apartment-for-widow-of-miner-who-died-in-kazakhstan-mine/>

Therefore, we, the undersigned, urgently request the following actions from you:

- 1. Provide assurance that all compensation will be paid in full before ArcelorMittal completes its departure from the country.** We ask you to provide your timeline and plan to achieve this. We expect you to address the ongoing concerns of victims by providing fair and just compensation to those affected by the recent accidents in Kazakhstan. The compensation should be in accordance with the best compensation practices in Europe²²²³ and the USA²⁴²⁵²⁶. ArcelorMittal should also raise standards and limits for compensation to families of deceased miners. ArcelorMittal states in its response to Black Snow Foundation²⁷, that it cannot provide Ms. Steshina with a requested apartment that would meet her family's needs, because they "[a]lways aim to [p]roviding accommodation options that are of the same quality and cost". We, therefore, request you to review and enhance the standards and limits for providing compensation to the families of miners who have tragically lost their lives, ensuring that the compensation level is up to date and is commensurate with the magnitude of the loss and the needs of victims.
- 2. Review Internal Policies for Unconditional Observance of Human Rights:** Undertake a thorough review of internal policies and processes to ensure the unconditional observance of human rights in all countries where ArcelorMittal is represented and operates its factories. In response to Black Snow Foundation's allegations, ArcelorMittal states that it is "*committed to working towards a goal of zero accidents, injuries, and the general well-being of the workplace. This commitment is endorsed by our company's Health and Safety Policy and procedures, our Human Rights Policy, as well as our Code of Business Conduct.*"²⁸ We would like to note that having various policies in place is one thing but implementing them in real life is different. We truly believe, and the names of more than 180 people died in the fatal accidents may probably prove, that these policies are just existing formally. Every second death in the international group of companies ArcelorMittal falls on the Kazakhstan division²⁹.
- 3. Halt World-Wide Projects Lacking Confidence in Security and Human Rights Compliance:** we call on ArcelorMittal to cease the development and implementation of projects where there is any doubt about security and strict adherence to human rights principles.

These actions are essential for ArcelorMittal to demonstrate a genuine commitment to the safety of its workforce, environmental responsibility, and respect for human rights.

We anticipate your swift attention to these matters and look forward to your reply, and more importantly, to tangible steps towards positive change.

Sincerely,

²² <https://ec.europa.eu/social/main.jsp?catId=1120&langId=de>

²³ <https://oshwiki.osha.europa.eu/en/themes/international-comparison-occupational-accident-insurance-system>

²⁴ <https://www.dol.gov/agencies/owcp/dcmwc/regs/compliance/blbene>

²⁵ <https://www.justice.gov/opa/pr/alpha-natural-resources-inc-and-department-justice-reach-209-million-agreement-related-upper>

²⁶ <https://www.leagle.com/decision/20011254813so2d44111143>

²⁷ <https://www.business-humanrights.org/en/latest-news/arcelormittal-response-3/>

²⁸ <https://www.business-humanrights.org/en/latest-news/arcelormittal-response-2/>

²⁹ <https://primeminister.kz/en/news/throughout-time-amt-focused-only-on-making-profits-without-creating-adequate-safety-for-workers-alkhan-smailov-25142>

Bank Track
Centre for Environmental Rights
Coal Action Network
Ecologistas en Acción
Environmental Defender Law Center
Friends of the Earth Finland
Qaraqar/ Black Snow foundation
SteelWatch
Tsikini
Vaal Environmental Justice Alliance

