

Dear Ms. Smith,

Following on from Mr Alistair Clark's e-mail of 16 December 2009 in which he informed me that you would be undertaking a visit to ArcelorMittal Temirtau in early 2010, I would like to provide you with some updates and observations which I hope you will find useful.

I would also like to ask you when the visit will take place and whether meetings with civil society representatives will be organised during that time.

In case you are not already aware of it, I would like to inform you about the approval of a new, third, Stakeholder Engagement Plan (SEP) by ArcelorMittal Temirtau (AMT) on January 19, 2009. The plan was made public at the company's web-site <http://www.arcelormittal.kz/socialnaya/vzaimodejstvie/>.

After our meeting in November, 2009 at the EBRD we provided ArcelorMittal with our comments and recommendations on the SEP. However we are concerned that stakeholders do not appear to have been consulted on the plan and that none of our expectations regarding the kind of information to be disclosed have been met in the new SEP.

As we discussed at the meeting, we believe that it is essential for the development of the Stakeholder Engagement Plan to be based on consultation with stakeholders, in order to clarify needs and build trust. We would ask you to clarify with AMT what, if any, public consultations have been organized to provide opportunities for stakeholders to comment on the draft plan?

We are also concerned that the commitments to release environmental and health and safety information the company undertakes in the SEP are still much too vague. AMT promises to release "environmental information" and "health and safety data", but does not specify what kind of information and does not set deadlines. The company only promises to do it "continuously". Taking into account our previous experience on requests for information from the company and the phrasing in the new SEP that says "We will search for answers to all REASONABLE requests," we are worried about how the process of information disclosure will be organized and which information will be considered reasonable.

The new plan also mentions a review of the efficiency of the company's complaint mechanism carried out with the participation of NGOs and held by AMT in September 2009. We are not aware whether that was one meeting or a series of meetings, and this is the first time we have heard anything about it. On January 26, 2010 we sent a request to ArcelorMittal Temirtau asking for information on the review, but since no answer has been received yet we can only add that the NGOs and activists we know in Karaganda (Karaganda EcoMuseum NGO, Blago NGO, Mr.Pavel Shumkin, EcoCenter NGO) involved in monitoring AMT's activities have not been invited to any such meeting.

We participated in the meetings on the SEP organized by AMT in 2008, but know nothing about any public consultations in 2009, if there were any. There were separate meetings with AMT's corporate and social responsibility department organized upon our request, where among other issues we also discussed the issues related to the SEP.

We kindly ask the EBRD to raise those issues with ArcelorMittal and clarify the situation.

Yours sincerely,

Dana Sadykova

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Karaganda