



International Network for Economic, Social & Cultural Rights
Red Internacional para los Derechos Económicos, Sociales y Culturales
Réseau international pour les droits économiques, sociaux et culturels
الشبكة العالمية للحقوق الاقتصادية والاجتماعية و الثقافية

30 August, 2012

Board TO:

Peter A. Crossgrove, Chairman of the Board, Excellon Resources, Inc.
Brendan Cahill, VP Operations, Excellon Resources, Inc.
Rupy Dhadwar, CFO, Excellon Resources, Inc.

CC:

Javier Hernández, Representante del Alto Comisionado de la Naciones Unidas para los Derechos Humanos, Oficina México.

Dr. Alejandro Poiré Romero, Secretario de Gobernación

Lic. Jorge Herrera Caldera, Gobernador Constitucional Del Estado Durango

Dr. Raúl Plascencia Villanueva, Presidente de la Comisión Nacional de Derechos Humanos

Marisela Morales Ibáñez, Fiscal General de la República

Rosalinda Velez Juarez, Secretaria del Trabajo y Prevision Social Reforma

Marisela Morales Ibáñez, Fiscal General de la República

Lic. Omeheira López Reyna, Unidad para la Promoción y Defensa de los Derechos Humanos, SEGOB

Jaime Fernández Saracho, Secretario de Gobierno de Durango

Lic. Felipe de Jesús Martínez Rodarte, Presidente de la Comisión de Derechos Humanos del Estado de Durango

Mtra. Sonia Yadira de la Garza Fragoso, Fiscal General del Estado de Durango

Sr. Javier Hernández, Representante del Alto Comisionado de la Naciones Unidas

para los Derechos Humanos, Oficina México

Embassy of Canada, Mexico City

RE: Respect for the Rights of the Ejido La Sierrita and Workers of the Platosa Mine

The International Network for Economic, Social and Cultural Rights (ESCR-Net) is the largest global network of organizations and activists devoted to achieving economic, social and environmental justice through human rights. Our membership is comprised of over 230 organizations and individuals from 67 countries.

We want to express our grave concern regarding the reported refusal of Excellon Mexico to participate in negotiations with the La Sierrita Ejido, alleged lack of compliance by Excellon with several previous agreements made with La Sierrita in 2008, and reported intimidation of people calling for dialogue. ESCR-Net has closely followed this case in recent years and has witnessed efforts by the Ejido La Sierrita and ProDESC to pursue peaceful means to attain a fair and equitable resolution to concerns regarding Excellon's operations.

Mr. Hossam Bahgat
Egyptian Initiative for
Personal Rights, Egypt

Ms. Julie Cavanaugh-Bill
Western Shoshone
Defense Project—WSDP,
Newe Sogobia/United
States

Ms. Shanthi Dairiam
International Women's
Rights Action Watch -
Asia-Pacific, Malaysia

Mr. Legborsi Saro
Pyagbara
Movement for the
Survival of the Ogoni
People—MOSOP,
Nigeria

Mr. Wilder Sánchez
Chávez
Confederación
Campesina del Perú—
CCP, Perú

Ms. Aye Aye Win
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According to reports received, Excellon has repeatedly declined to participate in negotiations convened by the Government regarding concerns expressed about the company's operations. We have been notified that Excellon is not complying with several clauses in the contract, including the construction of a water treatment plant and concessions for transportation of minerals and food services in the mine, and that exploration activities have occurred on Ejido land not covered in the temporary occupancy agreement, without prior consent. We are also concerned about reports that the representatives of Excellon have threatened to press legal charges against members of the Ejido and the Local 309 if they do not end their peaceful blockade to protest the continued operation of the mine until negotiations resume.

ESCR-Net wishes to remind you that the members of the Ejido and the local labor union have the right to assemble peacefully, free from repression or criminalization for their activities in defense of human rights. We recall that Excellon has an obligation to respect the human rights of communities affected by their operations, including the right to participation, information and other rights that facilitate their meaningful input into decisions that have impact on their lands and livelihoods. We further underscore the existence of domestic and international human rights standards, including the Constitution of Mexico, the Universal Declaration on Human Rights, the International Covenant on Civil and Political Rights, which protect the rights of people to peacefully assemble, and the United Nations Guiding Principles on Business and Human Rights, which encourage companies to engage in good faith efforts to promote dialogue and the peaceful resolution of disputes with affected communities .

We urge Excellon to respect the rights of the members of the La Sierrita Ejido to peacefully assemble and express their concerns. We call upon your company to enter in good faith into dialogue with the representatives of the Ejido and their partners, and do all in your power to ensure that the process is transparent, credible and inclusive, and promotes a peaceful, just and sustainable outcome to the present situation.

Finally, we request that you keep us informed of the measures taken to these ends.

Sincerely,

A handwritten signature in black ink, appearing to read "C. Grove", written in a cursive style.

Chris Grove
Director