

# ANNUAL REPORT 2017



# A NOTE FROM OUR DIRECTORS

**T**hanks to you — our donors and supporters — this report is full of wonderful advances!

We wish these pages could tell you all the notable stories from the year's work...

- Supporting a Colombian organization, Tierra Digna, in a case that created rights for the Atrato River itself and protected people in many river communities ...
- Advising Costa Rica's Public Prosecutor in a case that, for the first time in the country's history, punished someone for illegal shark finning...
- Securing specialized medical care for Peruvians affected by toxic industrial pollution...
- Assisting United Nations investigations into human rights abuses...
- Beginning work to protect pristine Patagonian waters from salmon farms...
- Testifying at the Inter-American Court on Human Rights about the connection between human rights and the environment.

Much more information is on our website, but PLEASE feel free to contact us at any time if you'd like to know more!

We are so grateful to be able to collaborate with donors and organizations throughout the Americas. Together, we're all helping to protect the right to a healthy environment.

With sincere gratitude,

*Anna Cederstav Astrid Puentes R.*

Anna Cederstav & Astrid Puentes Riaño  
Co-Executive Directors



# GLOBAL SOLUTION TO OCEAN CRISIS



Gladys Martínez loves the sea.

She spent her childhood playing on Costa Rica's white-sand beaches. Since she joined AIDA in 2006, Gladys has been instrumental in saving endangered species, protecting reefs, and creating national policies for marine conservation. Now Gladys plays a key role in an effort that's highly personal. Since last year, she has been the only person from a Latin American environmental group to attend all meetings in support of the creation of the High Seas Treaty.

**T**he high seas — the waters more than 200 miles from any shore — make up almost two-thirds of the world's oceans, covering 43% of the space on Earth.

Sadly, the oceans are running out of fish. A third of global fisheries have collapsed, and the rest are in bad shape from overfishing. Shipping, deep-sea mining, underwater cables, power generators, aquaculture pollution, oil and gas operations, even rocket launchers—all further disrupt the marine environment.

The entire web of ocean life is at stake from our failure to protect the high seas. Dolphins, billfish, and tuna are losing their food source. Corals are dying. Whales, sharks, and sea turtles teeter on the brink of extinction.

**But if we manage human activities and create protected reserves, marine life can recover.**

Unfortunately, no one has a mandate to protect life in international waters. There's only a patchwork of uncoordinated agreements and organizations. So, the United Nations decided to create the High Seas Treaty, scheduled to be ready in 2020.

Last year, Gladys began attending conferences at the United Nations, where she provides legal and scientific information to Latin American negotiators. She also helps Latin American ambassadors to develop shared positions on what the treaty should include.

Gladys is promoting environmental impact assessments that consider the entire ecosystem, not just a single species. She also advocates strong enforcement provisions, and new protected areas covering at least 10% of the high seas. In particular, she hopes to spur creation of four Marine Protected Areas in waters off Latin America.

**“This is for my kids,” says Gladys.**

“I want them to grow up knowing the ocean I know. If we keep exploiting the oceans, all the species will be decimated. The chance for recovery is on the high seas.”

# SAVING THE CIÉNAGA GRANDE

**L**ong ago, on Colombia's Caribbean coast, an imaginative boy named Gabriel García Márquez held his grandfather's hand as he crossed the Ciénaga Grande, the Great Swamp.

The young boy watched as fishermen climbed into houses perched on stilts high above waters teeming with fishes. He spied an immense variety of wildlife in a sanctuary of mangroves, lagoons, and forests.

Years later, that same boy, now an imaginative writer, wrote the famous novel *One Hundred Years of Solitude*.

In recent times, illegal activities have almost destroyed this special place.

Dikes block the flow of water. People clear trees for agriculture and livestock. Where mangroves once thrived, bare sticks jut from water. The teeming lagoons of Gabriel's youth are almost devoid of fish.

For decades, Colombia's government has done little to conserve the area even though the Ciénaga Grande has officially been deemed a Sanctuary of Flora and Fauna. UNESCO declared it a biosphere reserve. It's listed as a Wetland of International Importance under the Ramsar Convention, a treaty for the protection of wetlands.

**Today, thanks to an idea Anna Cederstav had 20 years ago, the Ciénaga Grande has new hope for restoration.**

Anna was just starting at AIDA when she read the record of decisions made by parties to the Ramsar Convention. It said ordinary people could write to the Secretariat overseeing the treaty.

"Okay," she thought, "we'll write to them."

As she says now, "International law is what they call 'soft law.' That means, it works on a kind of honor system. Few treaties contain a way to enforce them. So, where there's no enforcement mechanism, civil society has to create it."





AIDA's first letter to the Secretariat described a Peruvian wetland that was about to be dewatered by a new factory. School kids in Lima wouldn't be able to take class trips to the only wetland in their desert coastal region. Peru's government okayed the plant; it wasn't living up to its treaty obligations. The Ramsar Secretariat forwarded our letter to the Peruvian government. To no one's surprise, the factory was built.

Undaunted, Anna tried again. This time we told Ramsar about an oil company planning to drill off Costa Rica's Caribbean coast, claiming blowouts were a thing of the past. This time, the Ramsar Secretariat contacted Costa Rica's government and asked for an investigation and an explanation. As the Environment Ministry held hearings, a vast public campaign grew against drilling. In the end, the government declared a moratorium on oil drilling. AIDA's Ramsar petition created time and momentum for that to happen.

Later, we petitioned Ramsar about a massive tourist complex that would destroy critical mangrove forests north of Puerto Vallarta, Mexico. The Ramsar Scientific and Technical Review Panel visited the site and issued recommendations for the government. That led Mexico to develop a national wetlands policy, and a National Wetlands Committee on which AIDA now sits.

And when Ramsar again sent a panel to visit coral reefs in Baja California threatened by another tourist complex, Mexico's president saw their report and asked the environmental authorities to ensure the reefs would not be harmed.

**People will remember this as the year magic began to return to the Ciénaga Grande de Santa Marta.**

In each of these cases, AIDA asked the Ramsar Secretariat to add the wetland in question to the Montreux Record—a list of the world's most critically threatened wetlands. That was not done.

This year, the Ramsar science panel visited Ciénaga Grande and made its recommendations, and then the Secretariat and Colombia took one more step. They added Ciénaga Grande to the Montreux Record. The listing comes with special benefits: financial and technical assistance for the government.

**At last, a real effort to restore Ciénaga Grande can begin.**

Long ago, a magical story germinated in Gabriel García Márquez as he traveled through the Cienega Grande. And 20 years ago, the seed of the region's rebirth sprouted when Anna realized AIDA could send a letter.



## REVERSING COURSE AT THE WORLD BANK

High in the Andes, unique environments called páramos touch the sky. Rare plants called frailejones have uniquely adapted to protect themselves from the cold, the high levels of UV radiation, and the lack of nutrients. Their succulent leaves absorb water from the clouds and store it in their trunks. Pumas prowl, condors soar, and the threatened Spectacled Bear seems to survey the land through a Batman mask.

Nestled in the valleys, stunningly blue lakes of crystal-clear water feed streams and rivers that flow to the lowlands. In Colombia, a single páramo—the Santurbán—supplies nearly two million people with water.

No wonder tens of thousands of people marched through the streets of Bucaramanga to protect this place and the waters that flow from it.

Part of the páramo, or even all of it, might have been lost forever. A Canadian mining corporation bought rights to create an open-pit gold mine there. That plan stimulated interest in a whole mining district in the area, and the government granted leases to other mining companies.

**AIDA knew the International Finance Corporation, part of the World Bank, had financed the mine. We developed a complaint to the bank's oversight office, in partnership with the Center for International Environmental Law, the Centre for Research on Multinational Corporations, and MiningWatch Canada. In 2012, we filed it on behalf of the Committee for the Defense of Water and the Páramo of Santurbán.**

The complaint explained the devastating effects the mine would have on plants, animals, water, and people. It also explained that páramos are important carbon sinks, vital in the fight against climate change. And importantly, the bank is supposed to follow its own social and environmental safeguards. In this case, the bank clearly did not evaluate the risks before it made its investment.

Carlos Lozano, AIDA's senior attorney in Bogotá, took over the case when he joined AIDA in 2013. Carlos grew up in the agricultural heartland of Tolima. There and in Bogotá, he has always gotten his water from páramos, so he knows how precious they are.

The bank took a long time to respond to AIDA's complaint. Two years after it was filed, Carlos flew to Washington, DC. He repeated the complaint's arguments in meetings with officials at World Bank headquarters, joined by colleagues from the coalition.

Two more years passed, during which Carlos supported several strategies to protect Santurbán. He provided arguments that helped convince Colombia's highest court to declare mining in páramos unconstitutional. That ruling applies to areas the government officially designates as páramo. But the government has left 24% of Santurbán unprotected. The mine that the World Bank financed still posed a threat to that 24%.

In August 2016, four years after we filed the complaint, the oversight office issued a report. The findings were cause for celebration: The bank didn't assess the impacts of the entire mining project. It had looked at exploration, but not extraction. Compliance with the bank's own environmental and social standards was "uncertain and potentially challenging."

The report also noted that one of the purposes of the bank's investment was to support environmental and social impact studies that the mining company never carried out properly. And despite that failure, the bank made continued investments in the mine.

**After all this time, AIDA and our partners had made incredible progress at the World Bank. Carlos had helped local communities to use the bank's complaint process. He had increased their access to information and amplified their voices. He had even increased the bank's understanding of, and accountability for, the threats posed by mining in páramos.**

But bank officials justified the investment as good for the economy.

**Finally, in December 2016, Carlos got the news he'd worked four years to hear. The World Bank would divest from the mine.**

This decision, so long in coming, marks the first time Colombian citizens have used an international bank's complaint process to uphold their right to a healthy environment. This victory proves that ordinary people working together, supported by AIDA, can hold international banks accountable for what they invest in, where, and how.



# SCIENCE HELPS CREATE SURPRISING TRIUMPH



**G**old. Buried treasure. Almost eight hundred tons of it. All at the top of a lush green mountain dotted with farms, more than 10,000 feet above sea level.

That's what AngloGold Ashanti, a South African mining corporation, found in Cajamarca, Colombia. When it was discovered in 2007, it was the largest trove of gold found in a decade. The corporation designed a mine they called La Colosa—the Colossus.

This was their plan:

- Get the government to approve a mine straddling a national forest reserve and a protected wetland.
- Blast more than a trillion tons of rock off the mountaintop.
- Build a dam, as tall as an 80-story building, on a nearby fault.
- Dump mine waste behind it, creating a massive pond of toxic tailings.
- Trust that the dam — a pile of rocks really — won't break, as similar dams have before.
- Believe that toxic tailings and acid mine drainage won't contaminate the Coello River, which supplies 800,000 people with water, for centuries to come.
- And believe the region's peasant farmers will just go along with the plan.

Alarmed? So were the farmers, who started protesting the mine. We won't tell you anyone's name, because soon after activists started to speak out, they received death threats.

## **Local communities came to AIDA for help.**

Here was a case, like many through the years, that would benefit from scientific evidence. For one thing, it's not always enough to prove the law protects people and the environment. It's better to show how a proposed project, like a mine or a dam, is likely to cause harm.

For another, environmental impact assessments routinely don't tell government authorities what they need to know. In Latin America, corporations proposing projects — not government agencies that regulate them — prepare these assessments. Corporations tell the government what they want it to know, and omit what they don't want it to scrutinize. In some countries, officials have only 90 days to review thousands of pages. And most government officials have not studied science in depth, so they may not know how to evaluate what they read critically, or realize what's missing.



**AIDA recently began hiring scientists to help the government and the public understand what's at stake.**

The scientists collect and create scientific evidence to back up our legal arguments — on geology, water flow, water quality, and engineering. Then they turn the data into easily understood information for community activists and government officials.

Andrés Ángel joined AIDA as our first science fellow this year. To explain the mine's threats in plain language, Andrés developed a fact sheet, "10 Things You Should Know About La Colosa." We distributed it widely to local farmers and Andrés traveled the region explaining the project and its consequences to them.

For years, AIDA has been working with a coalition of community and national organizations that cooperatively developed a legal strategy. The people of Cajamarca decided to organize a public referendum on the question, "Should we allow mining in our territory?" They faced a challenge: the new town mayor cut the number of ballot boxes in half, in a mountainous region with many distant villages.

But Cajamarca's farmers would be heard.

**Understanding the consequences of the mine, a whopping 98% voted NO.**

When the results came in, people were literally dancing in the streets.

The corporation says it will respect the vote. But it has maintained title to the land and kept a security presence there. The government's mining minister has questioned whether the referendum will be honored.

In case the corporation tries to move ahead with the mine, AIDA will be ready. Andrés recently designed and presented a workshop for local farmers, biologists, national park officials, and irrigation district managers. He taught them how to collect samples to monitor the area's water, geology, and biology. Together, they're creating a record of baseline conditions that could come in handy one day.

Cajamarca's success sparked an explosion of referendums across Colombia.

Public perception of environmental advocacy has improved in a country that had little appetite for it during 50 years of war.

And because international media covered the David and Goliath story, scholars, attorneys, and conservationists in other countries are finding inspiration in Cajamarca's victory.



# FINANCIAL STATEMENTS

## STATEMENT OF ACTIVITIES AND CHANGE IN NET ASSETS

	FISCAL YEAR 16	FISCAL YEAR 17
<b>REVENUES</b>		
Grants	623,149	950,000
Donations	108,405	149,616
Investment Income	392	443
Other Revenues	56,237	56,420
Donated Services and Facilities <sup>1</sup>	222,068	211,184
<b>TOTAL REVENUES</b>	<b>1,010,251</b>	<b>1,367,663</b>
<b>EXPENSES</b>		
Program	660,927	716,724
Fundraising	100,687	102,217
Administrative Expenses	67,388	55,801
Donated Services and Facilities <sup>1</sup>	222,068	211,184
<b>TOTAL EXPENSES</b>	<b>1,051,070</b>	<b>1,085,926</b>
NET ORDINARY REVENUES	-40,819	281,737
<b>CHANGE IN NET ASSETS<sup>2</sup></b>	<b>-40,819</b>	<b>281,737</b>

## STATEMENT OF FINANCIAL POSITION

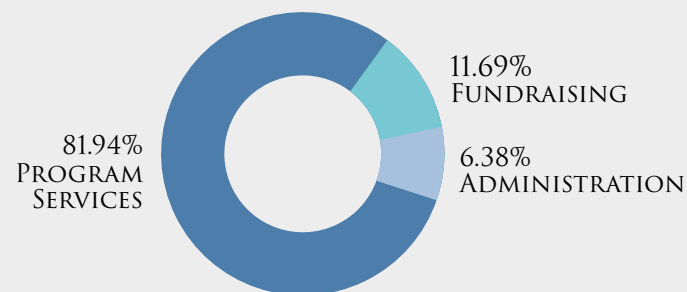
	31-JUL-16	31-JUL-17
<b>ASSETS</b>		
Cash and investments	655,341	785,383
Accounts receivable	390,936	525,601
Property and equipment	8,620	5,170
<b>TOTAL ASSETS</b>	<b>1,054,897</b>	<b>1,316,154</b>
<b>LIABILITIES</b>		
Accounts payable	86,380	61,223
Credit cards payable	5,440	10,117
<b>TOTAL LIABILITIES</b>	<b>91,820</b>	<b>71,340</b>
<b>NET ASSETS</b>		
Unrestricted	311,094	370,226
Temporarily restricted	651,983	874,588
<b>TOTAL NET ASSETS</b>	<b>963,077</b>	<b>1,244,814</b>
<b>TOTAL LIABILITIES AND NET ASSETS</b>	<b>1,054,897</b>	<b>1,316,154</b>

## NOTES:

1) AIDA receives significant in-kind donations of professional time as well as office costs, materials, and equipment from AIDA participating organizations, particularly Earthjustice. Numerous professional volunteers and interns also contribute time and resources to AIDA. These contributions are valued at fair market value and shown in the Financial Statements as “Donated Services and Facilities.”

2) Because AIDA receives multi-year grants, a positive change in net assets results from receipt of funds that are designated for use in future years.

## HOW AIDA SPENDS DONATIONS





## BOARD OF DIRECTORS

*President:* Manolo Morales, Executive Director, ECOLEX, Ecuador

*Vice-President:* Pedro Solano, Executive Director, Peruvian Society for Environmental Law (SPDA), Peru

*Secretary:* Margot Venton, Staff Lawyer, Ecojustice, Canada

*Chief Financial Officer:* Martin Wagner, International Program Director, Earthjustice, USA

Rafael Gonzalez, President, Justice for Nature (JPN), Costa Rica

Gustavo Alanís, President, Mexican Environmental Law Center (CEMDA), Mexico

Jerónimo Rodríguez, Subdirector of Natural Wealth Program, Chemonics International Colombia

## AIDA TEAM

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## PARTICIPATING ORGANIZATIONS

Argentina - CEDHA

Canada - Ecojustice

Chile - FIMA

Costa Rica - CEDARENA and JPN

Ecuador - ECOLEX

Mexico -CEMDA

Panama - CIAM

Peru - SPDA

United States - Earthjustice



*Interamerican Association  
for Environmental Defense*


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A young boy perches on a traditional boat in the small  
fishing village of Nueva Venecia, Colombia.

[www.aida-americas.org](http://www.aida-americas.org)