



**AIDA**

*Protecting our right to a  
healthy environment*

# ANNUAL REPORT 2016

## From the Executive Directors

It is with great pride and joy that we present our annual report.

Our work on behalf of groups across Latin America has made important progress in the fight for justice for the environment, people, and communities of our region. The advances described herein were possible because of our team's commitment and collaborative approach, informed by continual learning. They were also possible because of our many dedicated partners and clients.

The Americas face tremendous and complex challenges. The degradation of land, air, and water threatens human health and sustenance, leaving people vulnerable. At the same time, violence is escalating and environmental defenders are under attack like never before. In moments like these, remembering and honoring those we have lost provides motivation to continue our struggle.

Recently, one of our clients, Jarliel Juruna, a native of the Xingu River in the Amazon, died while fishing on the river where he grew up — he was forced into deeper waters than usual because fish have become scarce since the Belo Monte Dam began operating. Others in his region are being displaced, forced to move in search of new homes and livelihoods.

Also this year, Berta Cáceres, a greatly admired human rights and environmental defender from Honduras was murdered because of her work to stop another dam. Many other activists also suffered her fate. These are some of the losses that have touched our team.

Yet, there is much reason for hope and signs of progress. For instance, Brazil recently cancelled one large Amazonian dam project and announced the country will be shifting funding away from fossil fuels toward renewables. Colombia reaffirmed its commitment to protect wetlands that store carbon and produce freshwater. And, the Declaration on the Rights of Indigenous Peoples was approved in the Americas, affording greater protection for vulnerable communities.

It is a blessing to lead this great team, whose members are determined to ensure that the law benefits all people in the Americas, particularly those most vulnerable to injustice and environmental degradation.

Thank you for joining us in this fight, and for your unwavering support of our work. All of our victories are yours as well.



*Anna Cederstav*



*Astrid Puentes Riaño*



# How AIDA works

With communities and partners throughout the Americas

*Justice for the environment*

Laying the groundwork to protect our right to a healthy environment for sustainable development in the region

OUTCOMES

Using the law to protect the environment

METHODS

Hold governments accountable through high-profile legal actions

Build capacity and share skills

Bring arguments from international law to domestic court cases and policy debate

PROBLEMS

Unsustainable development

Detrimental public policies





# FRESHWATER PRESERVATION

High in the Andes, above the continuous forest line, lies a rare and fragile landscape: the páramo. Here, where the weather is cold and alternately sunny, foggy, and rainy on any given day, a huge diversity of life thrives: native grasses and herbs, dwarf shrubs and unusual trees, spectacled bears and Andean condors. Páramos are critical carbon sinks and, in Colombia, supply 70% of the population with water from blue mountain lakes.

Colombia's National Development Plan put all this at risk. Even though the country's páramos are legally protected from agriculture and industry, the plan made an exemption for mining companies that had licenses and contracts before legal protections were put in place.

*This year, in Colombia's highest court, AIDA helped win a ruling that bans mining in páramos for good.*

On the request of a coalition that challenged the plan, AIDA's team, led by attorney Carlos Lozano Acosta, submitted a brief with arguments based on international environmental laws. No other brief contained these arguments. The court set a legal precedent by holding that the National Development Plan is unconstitutional and “put at risk the fundamental rights of the entire population to access good quality water.” For the first time, the court also declared the páramos legally protected as carbon sinks and biodiversity hotspots.

“The court's decision is historic,” says Carlos, who adds, “I have a páramo behind my house. I get my drinking water from it.”

AIDA also held the International Finance Corporation (IFC) accountable for its decision to invest in the proposed Angostura gold mine, which will be just outside of—but still harm—the protected area of Santurbán páramo. Working closely with local and international partners, we submitted an analysis of legal and policy protections for páramos to IFC's ombudsman, who found that IFC did not properly consider the mine's impacts on biodiversity. For now, the mine has been stopped. Carlos and the AIDA team are still working with allies to press the bank to divest.

# HUMAN RIGHTS



Amazon Watch

Brazil's government was determined to build Belo Monte Dam. It didn't matter that indigenous and traditional river communities would be flooded off their ancestral lands. It didn't matter that the construction company violated court orders to provide displaced people with adequate water, schools, housing, medical care, and sanitation. And it didn't matter that submerged vegetation will rot and release tons of methane, contributing to climate change. The dam was built and began operating in 2016.

*But it mattered that AIDA brought international pressure and publicity to Belo Monte. A few months after the reservoirs started to fill, Brazil's government backed away from its determination to build another large dam.*

The Federal Environmental Agency canceled Tapajós Dam, citing the negative impacts it would have on indigenous people.

Even though Belo Monte is operating, AIDA isn't letting Brazilian authorities off the hook. Under the leadership of María José Veramendi, AIDA collaborated with colleagues in Brazil to represent affected communities before the Inter-American Commission on Human Rights, which opened our case in December 2015.

That same month, AIDA accompanied the UN Working Group on Business and Human Rights on its first visit to Latin America—including a trip to Altamira, the city nearest Belo Monte. At the end of its visit, the Working Group issued a statement noting the human rights violations it witnessed, saying, "It seems that the Government grants a license for a large infrastructure project and then provides little oversight or regulation of the project... Human rights impacts must be properly overseen by the State on an on-going basis." The Working Group sent a report to the UN Human Rights Council in June 2016, containing numerous recommendations for improvement, including some inspired by information AIDA provided.

We also told the UN Special Rapporteur on the Rights of Indigenous Peoples, Victoria Tauli-Corpuz, about Belo Monte. Tauli then visited the affected indigenous communities and documented human rights violations in another report to the UN Human Rights Council.

It's undeniably tragic that Belo Monte Dam has begun operating. In the fight for human rights in Brazil, it's a big step backward. But with the pressure exerted by international authorities and Brazil's decision to cancel Tapajós, this year we took two giant steps forward.



CLIMATE  
CHANGE

*This year we expanded efforts to prevent governments from using hydraulic fracturing (fracking), a technology that would lock the region into decades of further dependence on fossil fuels.*

Fracking releases tons of methane (a potent greenhouse gas), destroys water sources, and harms the health of humans and livestock. To limit the damage, AIDA provided legal expertise in several ongoing court cases in Bolivia and Colombia.

In July 2016, more than 500 government officials, community representatives, students, and journalists received information we produced about legal tools to deal with the impacts of fracking. Organizations in Colombia and Argentina have already used this information in their efforts to limit fracking.

The Latin American Alliance on Fracking, which AIDA founded in 2014 and has continued to coordinate, has snowballed to comprise more than 40 environmental, social, international, and trade union organizations from Argentina, Bolivia, Brazil, Chile, Colombia, Mexico, Peru, and Uruguay. This year the Alliance engaged in successful advocacy with the European and Latin American Parliament (EuroLat), which called on governments

to apply the precautionary principle to stop fracking in Latin America. While the EuroLat statement isn't binding, it will influence law and policy regionally, as congressmen from all Latin American countries participate in EuroLat.

To ensure that Latin American negotiators of the Paris Climate Agreement had a clear position on climate finance and on respect for human rights, we provided technical analysis and suggestions to many negotiators throughout the year. We're proud that the agreement includes provisions for improved transparency and accountability in government use of climate finance. AIDA also played a role in ensuring that the agreement's preamble recognizes the importance of respecting human rights.

At the Green Climate Fund, the world's largest climate finance institution, AIDA helped the board of directors to design the Fund's policies. In the role of active observer and liaison to civil society groups from the global South, AIDA attorney Andrea Rodriguez advised Latin American board members about what to strengthen and promote. Our efforts led the board to adopt policies that allow the public to monitor and participate in the Fund's operations. The policies now also support nations in determining their own priorities for the use of climate finance, rather than leaving that to outside institutions like the World Bank.

# MARINE PROTECTION

At the confluence of Colombia's Magdalena River and the Caribbean Sea sits a coastal wetland two-and-a-half times the size of Washington, DC. An immense variety of life forms flourish in waters, mangroves, swamps, and forests surrounding fishing villages containing 200-year-old houses on stilts.

National and international laws protect this special place: Ciénaga Grande de Santa Marta is a national wildlife sanctuary for plants and animals, a UNESCO biosphere reserve, and a Wetland of International Importance under the Ramsar Convention, an intergovernmental treaty.

Even so, Ciénaga Grande is under threat. Logging, illegal dikes, intentionally set forest fires, roads, and agricultural and livestock operations are destroying nature's balance. Local fisheries are being devastated and mangrove forests—which store 50 times more carbon than tropical forests—are dying.

*Local communities, academics, and NGOs asked AIDA for help. They saw that when we petitioned the Secretariat of the Ramsar Convention for help to conserve coastal wetlands in Mexico, the government responded by creating a National Wetlands Policy. They hope to spur a similar success in Colombia.*

So AIDA's attorneys, led by Gladys Martinez, prepared a Ramsar petition requesting an advisory mission and expert technical assistance to support the Colombian government in protecting Ciénaga Grande. After our request, the government assumed it as theirs and also asked Ramsar for the mission—which was conducted in August 2016. The mission will help Colombia meet its treaty obligations. It also raised the profile of Ciénaga Grande in Colombia and internationally. Among other recommendations, the Ramsar experts urged Colombia to align national and local policies for wetlands protection. Significant media coverage and public debate have increased pressure on the government to protect Ciénaga Grande. We continue to support government efforts to improve protection of this vital ecosystem.



AIDA was created to help build legal capacity for environmental protection in Latin America. Verónica Muriel's story illustrates two important ways AIDA does that.

A native Colombian, Verónica went to the United States to earn a Master's degree in environmental law at Lewis and Clark Law School in Portland, Oregon. Because she was interested in international environmental law, at her school's law clinic she developed research for negotiators of treaties concerning trade in endangered species and climate change. In her studies and writing, she focused on how to combine international and national law to protect the environment and human rights. Seeing Verónica's commitment, her thesis advisor suggested that she pursue an internship at AIDA.

### *Our internships help train the next generation of environmental lawyers in Latin America.*

During her final semester, Verónica interned at AIDA's office in Bogota, Colombia. "I had theoretical knowledge, but at AIDA I gained practical experience supporting court cases with research, writing, and meetings with plaintiffs," said Verónica.

After graduation, Verónica taught environmental law at Universidad Sergio Arboleda and then joined the Ministry of Foreign Affairs, where she negotiated Colombia's implementation of environmental treaties. "It was a great experience," said Verónica, "but being an environmental lawyer is about helping others. I have a social responsibility and the job didn't allow me to fulfill that as much as the work at AIDA."

When AIDA had an opening for a coordinator of the Colombian Environmental Justice Network, Verónica jumped at the chance. The Network builds the capacity of environmental defenders by holding discussions on emerging issues, supporting other groups, and publishing legal tools online at [justiciaambientalcolombia.org](http://justiciaambientalcolombia.org). She started her new job in August 2016.

"The Network is a great platform to work with people in the field," she said. "It's amazing how much you can help people, even with very few resources. I can connect people who need advice with people who can give advice. And the Network has huge power to spread information, which is so important because public opinion has a lot of influence. Going forward, I think it's important to involve communities far from Bogota. That's a challenge in Colombia, but these are the places where people need help the most."



CAPACITY  
BUILDING

# FINANCIAL STATEMENTS

## STATEMENT OF ACTIVITIES AND CHANGE IN NET ASSETS

	FISCAL YEAR 15	FISCAL YEAR 16
<b>REVENUES</b>		
Grants	839,902	623,149
Donations	68,714	108,405
Investment Income	550	392
Other Revenues	3,276	56,237
Donated Services and Facilities <sup>1</sup>	396,123	222,068
<b>TOTAL REVENUES</b>	<b>1,308,565</b>	<b>1,010,251</b>
<b>EXPENSES</b>		
Program	764,874	660,927
Fundraising	70,549	100,687
Administrative Expenses	53,140	67,388
Donated Services and Facilities <sup>2</sup>	396,123	222,068
<b>TOTAL EXPENSES</b>	<b>1,284,686</b>	<b>1,051,070</b>
<b>NET ORDINARY REVENUES</b>	<b>23,879</b>	<b>-40,819</b>
<b>CHANGE IN NET ASSETS</b>	<b>23,879</b>	<b>-40,819</b>

## STATEMENT OF FINANCIAL POSITION

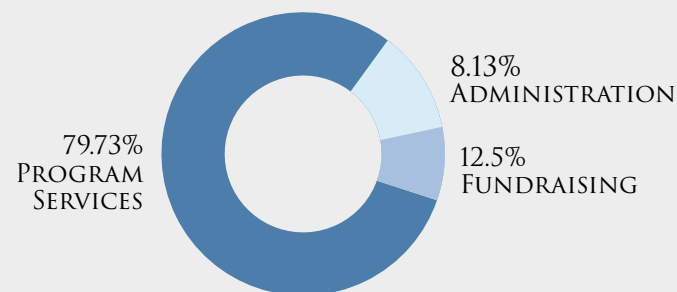
	31-JUL-15	31-JUL-16
<b>ASSETS</b>		
Cash and investments	672,269	655,341
Accounts receivable	390,145	390,936
Property and equipment	14,373	8,620
<b>TOTAL ASSETS</b>	<b>1,076,787</b>	<b>1,054,897</b>
<b>LIABILITIES</b>		
Accounts payable	69,513	86,380
Credit cards payable	3,378	5,440
<b>TOTAL LIABILITIES</b>	<b>72,891</b>	<b>91,820</b>
<b>NET ASSETS</b>		
Unrestricted	376,855	311,094
Temporarily restricted	627,041	651,983
<b>TOTAL NET ASSETS</b>	<b>1,003,896</b>	<b>963,077</b>
<b>TOTAL LIABILITIES AND NET ASSETS</b>	<b>1,076,787</b>	<b>1,054,897</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 change in net assets often results from receipt of funds restricted for use in future years.

## HOW AIDA SPENDS DONATIONS



## BOARD OF DIRECTORS

*President:* Manolo Morales, Executive Director, ECOLEX

*Vice-President:* Pedro Solano, Executive Director, SPDA

*Secretary:* Margot Venton, Staff Lawyer, Ecojustice

*Chief Financial Officer:* Martin Wagner, International Program Managing Attorney, Earthjustice

Gustavo Alanís, President, CEMDA

Rafael Gonzalez, President, JPN

Jerónimo Rodríguez, Environment Program Coordinator in Colombia, German Cooperation Agency

## AIDA TEAM

### CO-EXECUTIVE DIRECTORS

Anna Cederstav

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### ATTORNEYS

Andrea Rodríguez Osuna

Ariel Pérez Castellón

Carlos Lozano Acosta

Flavia do Amaral Vieira

Florencia Ortúzar Greene

Gladys Martínez de Lemos

Héctor Herrera Santoyo

María José Veramendi Villa

Rodrigo da Costa Sales

Sandra Moguel Archila

Verónica Muriel Carrioni

## PARTICIPATING ORGANIZATIONS

These Participating Organizations are nonprofit, public interest environmental law groups that have made a special commitment to supporting AIDA's mission of using the law to protect the environment and human rights in our hemisphere.

Argentina: CEDHA

Canada: Ecojustice

Chile: FIMA

Costa Rica: CEDARENA

Costa Rica: JPN

Ecuador: ECOLEX

Mexico: CEMDA

Panama: CIAM

Peru: SPDA

United States: Earthjustice

## COMMUNICATIONS, FUNDRAISING, AND ADMINISTRATION

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A Kayapó woman bathes her baby in the calm waters of  
the Xingú River. Village of Aukre, Southern Pará, Brazil