



Interamerican Association for Environmental Defense
Asociación Interamericana para la Defensa del Ambiente

Annual Report 2005



AIDA's Participating Organizations:

Centro de Derecho Ambiental y de los Recursos Naturales (CEDARENA) – Costa Rica

Centro de Derechos Humanos y Medio Ambiente (CEDHA) – Argentina

Centro Mexicano de Derecho Ambiental (CEMDA) – México

Earthjustice – United States

Corporación de Gestión y Derecho Ambiental (ECOLEX) - Ecuador

Fiscalía del Medio Ambiente (FIMA) – Chile

Fundación para la Defensa del Interés Público (FUNDEPUBLICO) – Colombia

Justicia para la Naturaleza (JPN) – Costa Rica

Sierra Legal Defence Fund (SLDF) – Canada

Sociedad Peruana de Derecho Ambiental (SPDA) – Peru

The Interamerican Association for Environmental Defense

AIDA is a non-profit international environmental law organization that works with partner groups throughout the Americas. Our mission is to empower citizens to protect human health and the environment by enforcing and developing national and international environmental laws and mechanisms for citizen participation. We aim to protect important biodiversity, shared resources, and human rights, and to ensure that international policies, laws and financial flows contribute to rather than compromise environmental protection. Our projects focus on international issues and strategies, with multinational AIDA teams collaborating to establish precedents that will have regional and long-term impacts. We provide legal and technical assistance free of charge to communities and non-governmental organizations working to protect the environment.

2005 Highlights

This year, AIDA collaborated with local groups to combat environmentally destructive practices and projects in regions as diverse as the Peruvian Andes, the Central American coast, the Colombian highlands, and southern-cone waterways. In addition to direct legal work, we held training workshops to strengthen local environmental efforts and help national groups become more effective advocates for environmental protection.

AIDA launched a number of projects to challenge activities that threaten the health of the environment and the people of the Americas. Working with our partner organizations, we brought cases before the Inter-American Commission on Human Rights and domestic courts in Costa Rica, and continued supporting litigation efforts in Colombia and Peru. If successful, these cases will protect the human right to a healthy environment, improve the well-being of populations, and promote responsible, environmental practices in the Americas.

AIDA also started working with a new partner organization in Ecuador: ECOLEX, the Organization for Environmental Law and Management. To strengthen enforcement of environmental law in Ecuador, we are helping ECOLEX develop cases aimed at protecting biodiversity in the Tropical Andes and the Ecuadorean Amazon.

Finally, we are happy to announce that Colombian attorney John Nova has joined AIDA's team as a legal advisor. Working to protect Colombian biodiversity, John is focusing on the use and development of environmental law, and advocating for environmentally-responsible decision-making in Colombia's political process.

Establishing the Link between Environmental Harm and Human Rights Violations

Individuals and communities in many American nations are threatened by environmental destruction and degradation, depriving them of the basic rights to life, health, integrity, and means of subsistence. AIDA is responding to this threat by bringing human rights-focused arguments into the environmental debate, and by emphasizing government responsibility to protect the human right to a healthy environment. During 2005, AIDA continued developing its Human Rights and Environment Program both through direct casework and by training lawyers across the Americas, to inspire similar efforts by other environmental and human rights groups.

With the support of the Global Opportunities Fund of the United Kingdom, through the UK Argentine and Mexican Embassies, AIDA, in collaboration with the Center for Human Rights and Environment (CEDHA), organized a regional workshop on Human Rights and the Environment in Buenos Aires, Argentina. Attended by lawyers from ten countries, the workshop focused on ways to develop and implement national and international legal strategies to protect human rights that are violated by environmental damage, to document those violations, and to bring such cases before the Inter-American System on Human Rights. AIDA hopes to hold another such workshop in 2006 in Brazil. We are also preparing a manual to help lawyers better use domestic courts and international fora to address violations of human rights based on environmental degradation.

La Oroya, Peru

AIDA continues to collaborate with our colleagues at the Peruvian Society for Environmental Law (SPDA), other local and international organizations, and governmental authorities that aim to protect the health and life of the residents of La Oroya, Peru. A multi-metal smelter owned by the US-based Doe Run company has caused severe public health problems in this economically depressed Andean city. Respiratory problems caused by sulfur dioxide contamination and lead poisoning are particularly widespread.

This year, AIDA brought the environmental and human health crisis in La Oroya, Peru to the attention of the Inter-American Commission on Human Rights (IACHR) of the Organization of American States by requesting that the Commission ask the Peruvian government to take immediate measures to ensure the protection of public health in La Oroya. AIDA developed the petition in collaboration with AIDA participating organizations and on behalf of families and individuals whose human rights to life and health have been grossly violated by the smelter contamination. The petition requests that the Commission work with the Peruvian government to provide relief from the contamination that afflicts La Oroya, along with adequate and timely health treatment for the population.

As part of our efforts to promote awareness of the environmental and human rights crisis in La Oroya, and to help the Peruvian government identify and implement potential solutions, AIDA continued to provide significant technical assistance to the government and other institutions. For example, AIDA translated a

U.S. Centers for Disease Control (CDC) study on La Oroya into Spanish, so that Peruvian officials could access this vital information. We also provided comments on the Peruvian regional draft “Plan to Clean the Air in La Oroya.” Finally, AIDA developed an electronic library of documents to facilitate the exchange of information related to the situation in La Oroya.

Hazardous Waste Contamination

Inappropriate disposal and management of hazardous substances is a tremendous environmental problem in Latin America. Although the human harms are often not immediately evident, hazardous contamination may be one of the greatest environmental threats to human health and life in the region. To reduce this threat, AIDA in 2005 advised local activists regarding the impacts of toxic substances, strategies for assessing and cleaning up contaminated areas, and to hold polluters responsible. For example, AIDA helped activists address toxic contamination caused by gold-mining in Bolivia and hazardous waste disposal in Argentina.

Mega-Dams

Proposals for damming rivers are on the rise in the Americas as more and more countries are hoping to meet increasing national and international energy and water needs via hydroelectric generation. In response to numerous requests for assistance from community groups threatened by planned hydroelectric mega-dams, AIDA, in 2005, began working to stem human rights and environment violations caused by dam projects. As a first step, we are researching and chronicling such violations. With a focus on the Yacyretá dam between Argentina and Paraguay, the Tijuco Alto dam in Brazil, and the Parota dam in Mexico, AIDA is preparing a report that will examine the risks posed by these projects and lay out a strategy to protect the rights of the many vulnerable communities that are threatened by them.

AIDA aims to ensure that proposed dams are constructed in compliance with the rights of affected individuals and communities, and only after careful consideration of water and energy needs, and a thorough analysis of environmental costs and alternatives for meeting the energy demand. Thus, in 2005, AIDA collaborated with our partners at the Mexican Environmental Law Center (CEMDA) to provide legal support to communities who stand at risk of suffering human rights violations and environmental degradation from construction of the Parota mega-dam near Acapulco in Mexico. This dam project would cause the displacement of more than 10,000 campesinos and affect thousands of others that depend on the Parota River for irrigation and drinking water.

Biodiversity and Critical Natural Ecosystems

Faced with growing human populations, a tendency toward increased consumption, and the rapid expansion of human settlements, shielding sensitive ecosystems and species from adverse impacts has become a difficult challenge. Nevertheless, to maintain the ecological balance that enables – and in many ways defines – human life on Earth, we must find a way to protect these natural systems. AIDA’s

biodiversity projects focus on preserving essential and unique ecological resources that are threatened by human activities. Because environmental and human harm often go hand in hand, this work also benefits countless human communities.

As part of our program to protect biodiversity and environmental resources, AIDA also helps other organizations develop their biodiversity casework. Thus, for example, this year AIDA staff helped ECOLEX develop strategies to minimize the impacts of palm oil plantations in the Chocó region and of petroleum development in the Amazon, and to protect Ecuador's Yasuní National Park. To broaden the understanding of environmental law and make this an element of the basic legal education, AIDA also helped a group of Ecuadorian law professors design environmental law courses.

Bellavista de Miramar, Costa Rica

In Costa Rica, AIDA helps local activists in their struggle to minimize the environmental impacts caused by a gold mine being developed by the Canadian firm Glencore. In May of 2005, AIDA staff scientist Anna Cederstav testified before the Constitutional Chamber of the Costa Rican Supreme Court regarding the potentially catastrophic impacts the operation of this gold mine could have on local aquatic resources. In a significant victory one week later, the Court ruled in favor of environmental claims, requiring substantial further studies and measures to protect ground and surface waters at the mine.

Plan Colombia

In Colombia, the United States is sponsoring a widespread program to eradicate coca and poppy plant crops through the aerial spraying of toxic herbicides. The chemicals used, however, also pose substantial risk to fragile ecosystems and native Colombian species, and local residents assert that the spraying causes health harms. To stop this destructive practice and promote more sustainable programs to help farmers make a living by growing other crops, AIDA implements legal and political strategies in both Colombia and the United States.

In 2005, AIDA celebrated a significant victory when our efforts once again helped postpone plans to extend the spraying program to Colombia's National Parks, thus protecting significant biodiversity in these remote regions. AIDA's efforts to educate government officials and the public helped generate strong opposition to spraying in the parks. We continue to provide information about the impacts of the spraying and potential alternatives to the public and lawmakers in both the United States and Colombia.

AIDA also brought attention to the environmental risk the spraying poses to frogs and other amphibian populations and aquatic ecosystems in Colombia. Our efforts resulted in the U.S. Senate Appropriations Committee voting to require an environmental study of the spraying's impact on aquatic life and amphibians. We are working with expert biologists and government officials to ensure the adequacy and integrity of the studies to be carried out.

The damages from the spraying program have also been seen across the border in neighboring Ecuador. In 2005, AIDA collaborated with our Ecuadorian partner organization, ECOLEX, to produce a report about the impacts the spraying program has had on human and environmental health in the border area. We also

helped educate Ecuadorian government officials about the human rights and environmental impacts of the sprayings in their country. As a result of advocacy by AIDA and other citizen groups, the Ecuadorian government issued strong protests against spraying in the border area. In a significant victory for the environment in the Ecuador-Colombia border region, Colombia finally agreed to establish a buffer zone where spraying is banned and alternative eradication strategies will be implemented.

Sustainable Fisheries in the Americas

Unsustainable fishing practices threaten to decimate fish stocks and worsen the environmental crises already jeopardizing the health of the oceans and marine species in the Americas and globally. AIDA staff and lawyers from six countries are working together to produce an extensive study of regulations and other legal mechanisms that can be used to better manage fisheries resources, protect coastal habitats, and develop regulatory and economic incentives to facilitate the transition to sustainable use of the seas. The information is being made available to government agencies, lawmakers, fishing communities, scientists and organizations working to protect marine biodiversity in the Americas.

AIDA aims to strengthen the capacity of Latin American environmental lawyers, organizations, and government agencies involved in marine protection, and to promote progressive strategies for sustainable use of the seas by shaping regulatory structures that will afford effective protections for marine resources. As part of this effort, AIDA is also directly interacting with government officials and recommending changes to proposed laws and regulations for managing marine resources.

On the international front, in June, AIDA representatives from three countries participated in the Open-Ended Informal Consultative Process on Oceans and the Law of the Sea (UNICPOLOS) at the United Nations headquarters in New York, to work with government representatives on developing proposals for more effective sustainable management of international ocean resources.

Protecting Marine Turtles

AIDA continues to provide legal and scientific assistance to conservation groups working to protect marine turtles across the Americas. With all seven species of marine turtles seriously threatened worldwide and some subpopulations such as the Pacific Leatherback on the road to extinction, AIDA and Costa Rican partner CEDARENA are working on cases designed to protect turtles and their nesting beaches.

In a great 2005 victory for AIDA, construction of beach houses and tourist development at one of the most important breeding areas for leatherback turtles in the Americas – Playa Grande – was halted due to a Court Injunction resulting from a case filed by AIDA and supported by Costa Rican NGOs. The Court ordered the Costa Rican environmental authorities and local municipality to put an end to all ongoing construction and halt issuance of further permits pending review of the case.

AIDA in 2006

As AIDA moves forward to develop and improve international legal strategies for current and new cases, we will continue to draw on expertise from our partner organizations throughout the hemisphere. We aim for our casework to help vulnerable populations in the Americas protect the environment on which their

survival depends. We also pledge to continue our efforts for the protection of biodiversity and to strengthen our partner organizations' effectiveness in working toward the same ends.

AIDA Finances

AIDA's operating budget is approximately U.S. \$350,000 per year. More than 80% of our expenditures go to direct program work helping to protect vulnerable communities and the environment in the Americas. We employ two full time attorneys, and twelve part-time lawyers and scientists in eight countries.

AIDA is funded entirely by donations from individuals, participating organizations, and grant-making Foundations committed to our work. We also receive significant in-kind donations from lawyers and other volunteers. If you would like to make a financial contribution to support AIDA, you may do so [electronically](http://www.aida-americas.org) at our website: <http://www.aida-americas.org> (click the "Donate" link), or by sending a check to AIDA at:

AIDA c/o Earthjustice
426 17th Street, 6th Floor
Oakland, CA 94612

If you have questions about how best to make a donation, you can reach us at (510) 457-4010.

Thanks!

Our many dedicated volunteers, partners, and supporters were instrumental in making this year's achievements possible. Special thanks are owed to an outstanding team of professional and student volunteers including: Harvetta Asamoah, Whit Bissell, Michael Coren, Daniel Fromm, Katia Juarez, Miriam Lopez-Arguello, Adele Negro, Kate Schafer, Pablo Silva, Eduardo Villa, Sharleen Villagra, Nate Wilson, and Jessica Yarnall. We are also indebted to the Conservation, Food, and Health Foundation, the C.S. Fund, Earthjustice, the Global Opportunities Fund of the United Kingdom, the John D. and Catherine T. MacArthur Foundation, the Oak Foundation, and the Tides Fund for Drug Policy Reform, as well as numerous other anonymous and private donors for the financial support that enables us to do our work.

AIDA BOARD OF DIRECTORS

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AIDA Participating Organizations:

Argentina – CEDHA (Centro de Derechos Humanos y Medio Ambiente, Center for Human Rights and Environment)

Canada – SLDF (Sierra Legal Defence Fund)

Chile – FIMA (Fiscalía del Medio Ambiente)

Colombia – FUNDEPUBLICO (Fundación para la Defensa del Interés Público, The Foundation for the Defense of Public Interest)

Costa Rica – CEDARENA (Centro de Derecho Ambiental y de los Recursos Naturales, The Environmental and Natural Resources Law Center)

Costa Rica – JPN (Justicia para la Naturaleza, Justice for Nature)

Ecuador – ECOLEX (Corporación de Gestión y Derecho Ambiental, Organization for Environmental Law and Management)

Mexico – CEMDA (Centro Mexicano de Derecho Ambiental, The Mexican Environmental Law Center)

Peru – SPDA (Sociedad Peruana de Derecho Ambiental, The Peruvian Society for Environmental Law)

United States – Earthjustice

Asociación Interamericana para la Defensa del Ambiente
Statement of Financial Position*
As of July 31, 2005

ASSETS**CURRENT ASSETS**

Cash and cash equivalents	\$ 288,933
Grants receivable	\$ 42,000
Prepaid expenses	<u>6,650</u>
Total current assets	<u>337,583</u>

PROPERTY & EQUIPMENT

Office equipment (net)	<u>1,540</u>
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TOTAL ASSETS	<u><u>\$ 339,123</u></u>
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LIABILITIES

TOTAL LIABILITIES	<u><u>\$ -</u></u>
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NET ASSETS

Unrestricted	208,370
Temporarily restricted	<u>130,753</u>

TOTAL NET ASSETS	<u>339,123</u>
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TOTAL LIABILITIES AND NET ASSETS	<u><u>\$ 339,123</u></u>
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* Accrual basis financial statements, audited by Mandel & King C.P.A.s.

Asociación Interamericana para la Defensa del Ambiente
Statement of Activities and Changes in Net Assets*
For the Year Ended July 31, 2005

	Unrestricted	Temporarily Restricted	Total
REVENUES, GAINS AND OTHER SUPPORT			
Grants & contributions	\$ 10,959	\$ 155,105	\$ 166,064
Interest income	2,041		2,041
Donated services and facilities	196,775		196,775
Total revenues, gains and other support	209,775	155,105	364,880
EXPENSES AND LOSSES			
Program expenses	250,183		250,183
Administration expenses	55,768		55,768
Fundraising expenses	6,142		6,142
Total expenses and losses	312,093	-	312,093
Net operating income	(102,318)	155,105	52,787
NET ASSETS RELEASED FROM RESTRICTIONS			
Satisfaction of program restrictions	187,686	(187,686)	-
CHANGE IN NET ASSETS	85,368	(32,581)	52,787
NET ASSETS, BEGINNING OF YEAR	123,002	163,334	286,336
NET ASSETS, END OF YEAR	\$ 208,370	\$ 130,753	\$ 339,123

* Accrual basis financial statements, audited by Mandel & King C.P.A.s.