



Center for Human Rights and Environment

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About this Report

This report centers mostly on 2002 activities, however it makes some references to activities taking place during 1999-2001.

For the sake of reporting on thematic orientation of activities, some analysis and listing of activities may be sited in various sections, causing some repetition of material. Each section is preceded by an analytical evaluation of the thematic issue covered, with highlights from that grouping of activities.

The report may be read in summary form by reviewing the executive summary as well as introductory analytical paragraphs of each section.

Many activities may be listed only in the full description of activities by section, and hence, a comprehensive review of CEDHA's activities can only be had by reading the full report.

The report was prepared by CEDHA's Executive Director with assistance from program staff.

This report is a fair representation of CEDHA's programmatic, institutional and financial standing.

I. Review Program Purpose and Objectives

The Center for Human Rights and Environment (CEDHA) is a non-profit organization promoting sustainable development through the promotion of the symbiotic relationship existing between the environment and people, and striving to build awareness of the importance of addressing human rights and environmental protection in all development processes. CEDHA is particularly concerned and focuses much of its program agenda on providing access to justice in cases of human rights violations resulting from environmental degradation.

CEDHA's overall goals are to develop and strengthen:

- **the awareness** of the linkages between the environment and human rights;
- **the capacity** of state, civil society and private sector actors, to work towards more environmentally and socially sustainable development.

Programs

CEDHA divides its core activities into three programs, the *Access to Justice Program*, the *Sustainable Trade Program* and the *Responsible Business Program*. The bulk of our work falls under one of these three programs, however some activity may occur at the margins. (see initiatives section below)

Access to Justice

CEDHA's Access to Justice Program's (AJP) overall goal is to provide access to justice in cases of environmental degradation leading to human rights violations.

Sustainable Trade

CEDHA's Sustainable Trade Program strives to make trade regimes more environmentally and socially sustainable (particularly Mercosur, FTAA, WTO).

Responsible Business

CEDHA's Responsible Business Program aims to catalyze and enable the adoption of socially and environmentally responsible business practices.

A more detailed description of the three program's objectives follows below in Sections IV-VI.

Initiatives

CEDHA also has several initiatives under way, which are gaining momentum and deepening activities. Recent developments and institutional and staff growth are spawning many new activities many of which fall under similar typologies. We have called these "initiatives"; many are now taking on programmatic nature.

These are:

The Right to Water Initiative

Environmental Justice in the Americas Initiative

Strengthening Participation in the Americas Initiative

Global Governance Policy Advocacy Initiative

Environment and Human Rights Legal Clinic Development

II. Executive Summary:

General Overview of 2000-2002 Period

CEDHA as an Actor in Human Rights and Environment

Launched in September of 1999, CEDHA has successfully established itself as a local and international actor improving environmental and human rights protection, and more particularly, fostering greater harmony in areas of overlap of human rights and environmental advocacy. During this period, CEDHA has been able to greatly influence the awareness and development of this field overlap at the local and international level, and has seen substantial advances towards meeting and exceeding objectives. Institutionally, CEDHA has grown rapidly in terms of staff, program activities, impacts, and foundational support and budget.

Programmatic Activities

Since its' founding, CEDHA has created three central thematic programs and defined several local, regional and international initiatives, which are rapidly gaining programmatic status. CEDHA's program agenda includes activities centered on access to justice, capacity building on advocacy and protection of human rights, strengthening legal protection mechanisms, influencing global governance institutions which have human rights and environmental impacts, carrying out academic research on related human rights and environment issues, strengthening civil society participation in environmental matters, fostering greater environmental justice (working against discriminatory environmental policy and treatment), promoting community empowerment in cases of environmental degradation, promoting environmental and human rights education, working with business towards greater sustainability, promoting sustainable trade, and advancing international and local environmental and human rights policy and legislation. We recently established an additional hub in the Patagonia Region (CEDHA Patagonia) promoting a greater understanding of environmental identity – understood as the link between culture and environment. CEDHA Patagonia is helping forge links between the scientific community, grass roots movements, indigenous populations and public policy makers.

Local Activities

While from birth, CEDHA established itself largely as an international actor based in Latin America, we have more recently solidified our work at the local level, and have become an important referent for human rights and environment issues in Argentina and in the region. Locally, CEDHA has become an important information and advisory resource for environmental degradation victims and for NGOs focused on environmental and human rights protection. We have helped strengthen local environmental and human rights protection mechanisms, we have helped draft and pass local legislation on environmental and human rights protection, and we have helped draw attention to local environmental problems affecting communities, and worked towards the protection of victims of such environmental degradation.

CEDHA's Impact

As a consequence of CEDHA's actions and initiatives, working sometimes as principle leader and others as collaborator with other governmental and/or non-governmental groups, we've seen, as a result of CEDHA's advocacy, international jurisprudence set in international human rights tribunals on cases involving human rights violations resulting from environmental degradation, we've influenced international institutions (such as the Organization of American States, the World Trade Organization, and the United Nations-UNEP and the OHCHR) towards incorporating human rights and environmental issues into their program agendas, we've generated interest and demand from national and international institutions and actors to deepen their understanding on human rights and environment issues, we've drawn international attention to victims of human rights violations resulting from environmental problems, we've improved regional protection mechanisms for these victims, we've generated demand from civil society organizations to receive training on human rights and environmental advocacy, and have directly influenced international agencies to adopt doctrines (declarations, action plans, and resolutions) making reference and committing governments to stronger human rights and environmental protection. We have also received numerous requests from the world's most important human rights tribunals to help guide and train their staff on the effects of environmental degradation on the enjoyment of human rights.

Recent Developments

We have also become an important link for trade-focused civil society actors to human rights and environment events unfolding in the FTAA and at the World Trade Organization. Most recently, CEDHA is helping lead an international drive to get international organizations focusing on *water as a rights issue*. We've launched the first ever Latin American forum on corporate social responsibility (CSR) in Spanish and have directly contributed to setting international standards on corporate human environmental, social and economic sustainability reporting; we have helped developed the world's first attempt to address international legal environmental and human rights liability of business. Recently, by OAS invitation, and with several governments' collaboration, CEDHA is leading a process through which we will submit to the hemisphere's governments, new hemispheric legislation on access to information and participation. Presently, CEDHA is working on an innovative *demand assessment exercise* to help identify priority environmental problems affecting individuals, which will be piloted during 2003 in two cities in Argentina and later extended more generally in the region for others to measure environmental degradation impact on human health and quality of life.

Finances

Despite the recent collapse of the US stock market, and Argentina's banking crisis (both of which greatly affected CEDHA) CEDHA's financial standing for the 2000-2002 period and it's outlook for 2003 are strong. Since the launch of

CEDHA, CEDHA's financial dependence on general support assistance from the Hewlett Foundation financing went from 80% to just over 60% (at present) in just 18 months, recently receiving a significant grant from the Goldman Foundation for our Capacity Building activities. Several dozen additional sources provide small funding (such as travel expenses or authorship of publications) contributing to CEDHA activities. Immediate financial concerns exist with respect to the medium term need to replace general support from the Hewlett Foundation as they have decided to withdraw from Argentina over next 2 years.

Institutional Development

This last year (2002) in particular has been an expansive year for CEDHA and very important to our local work. We've taken on new staff, created new initiatives, and deepened our ongoing program agenda, both at the local and international level. During this last year, we have better accommodated our office infrastructure in response to our institutional growth. We also held our first staff retreat, from which we were able to evaluate progress, review staff planning, identify barriers, plan activities and develop strategies for the upcoming year.

Conclusions and Outlook for 2003

As indicated, and as will be described below, CEDHA is carrying on with multiple activities that show progress towards meeting its program objectives. In large part due to CEDHA's advocacy work, today there is much greater global recognition of the links between human rights and environment than when we began our work in 1999. We can witness very specific important impacts in numerous international development fora on this linkage, and can also identify concrete advances in strengthening protection mechanisms (legislation and capacity building) as well as human rights and environment jurisprudence set as a result of our activities.

Locally we've set in motion a process of mobilization, education, and advocacy work that is bearing fruit, and we hope that the immediate months will continue to advance our cause.

The forecast for 2003 and beyond is highly positive, especially with respect to the potential impact of our ongoing work program and newly launched activities. This all occurs, unfortunately in the context of a continued world economic recession which impacts our funding sources, critical to CEDHA's financial continuity. In the medium term (next 2 years) CEDHA will have to identify new general support and long term funding sources.

III. Key CEDHA HR/ENV Impact Indicators for 2000-2002

Of particular importance during the period and as evidence that CEDHA is achieving its objective of strengthening the awareness of the linkages between the environment and human rights, and the capacity of state, civil society and privates sector actors to work towards more environmentally and socially sustainable development, we can highlight:

- the will, expressed interest, and action in collaboration with CEDHA activities of numerous hemispheric States to address human rights and environmental linkages following our ongoing advocacy for such consideration;
- the rapidly growing awareness, interest, and mobilization around the issue of right to water and access to freshwater, as a human right; CEDHA has been a leader on this front advocating in the lead up to the World Water Forum to be held in 2003, where CEDHA is holding a session on right to water;
- the success of our advocacy work at the World Conference on Sustainable Development (WSSD) to include reference to human rights and environment in the action plan coming from the conference;
- the invitation of the Political and Juridical Committee of the Organization of American States (OAS) (as a result of our advocacy) to speak to member governments on the linkages between environmental degradation and enjoyment of human rights; these interventions have been key to secure the passage of several hemispheric resolutions on human rights and environment, authored by CEDHA (Resolutions 1819 and 1896 mandating deepening of understanding of the HR/ENV relationship); these resolutions are also paving the way for the OAS's various agencies to work on human rights and environment overlaps;
- the invitation of the OAS to CEDHA to organize an Experts Meeting on HR/ENV in the Americas to discuss OAS role in promoting HR/ENV; this meeting resulted in a set of recommendations (prepared by CEDHA) to the OAS on how to strengthen their human rights and environmental protection mechanisms; the recommendations today serve as a reference for States to consider ways to strengthen human rights and environmental protection; www.cedha.org.ar/docs/doc80-eng.htm
- as follow-up to the CEDHA HR/ENV recommendations the Inter-American Commission on Human Rights agreed to hold a session to build capacity of their staff to study the human rights impact of environmental degradation; at this session, CEDHA was able to bring together, for the first time, hemispheric environmental experts with the human rights tribunal staff;
- the hemispheric Unit for the Protection of Human Rights Defenders, upon CEDHA's insistence, formally recognized the importance of institutionally protecting environmentalists in the Americas, and has asked CEDHA to coordinate a regional report on the violation of rights of environmentalists in the Americas;

- the favorable decision of the Inter-American Court on Human Rights in the HR/ENV focused case of the *Awas Tingni v. Nicaragua* following an *amicus brief* arguing this important linkage prepared by CEDHA's founder;
- the various actions taken by the Inter-American Commission on Human Rights pressing governments for greater human rights protection in cases of environmental degradation, in part due to CEDHA's advocacy;
- CEDHA's lobby for, and inclusion of, HR/ENV commitments by states in the Declaration of the World Conference Against Racism (both in the Regional Preparatory Conference and in the World Conference; this was the first time ever that UN international racism doctrines included an HR/ENV focus);
- CEDHA's active participation in the preparation of, and invitation by the UN to help defend its Draft UN Human Rights Guidelines for Corporations (before the UN Sub Commission on Human Rights); this document is intended to be first time ever binding international legislation for companies on HR/ENV;
- CEDHA's participation (one of 12 persons, worldwide) in the development of the Global Reporting Initiative's 2002 Sustainability Guidelines (internationally accepted social, environmental and economic corporate reporting indicators);
- CEDHA's invitation to join as one of 25 HR/ENV experts gathered in a joint UNEP/High Commission for Human Rights meeting to study ways to institutionalize HR/ENV in the UN system; and the subsequent favorable reaction of states to such proposals made by the experts group;

The report will now turn to CEDHA's specific programmatic activities and advancements for the period.

IV. Programs and Initiatives

a) *Access to Justice Program*

CEDHA's Access to Justice Program's (AJP) provides access to justice in cases of environmental degradation with related human rights abuses.

Specifically the AJP works at a hemispheric level on:

legislation building, working to introduce and improve international, regional and local legislation to protect against environmental degradation and related human rights abuses;

jurisprudence setting, promoting the links between human rights and the environment in international and local jurisprudence;

capacity building, training legal actors, including judges and attorneys, NGO leaders, and other civil society leaders on the use of local and international law in the defense of the environment and related human rights;

law enforcement, promoting local and international environmental and human rights law enforcement;

environment and human rights promotion, building government and civil society awareness on links between the environment and human rights; and,

environment and human rights protection, working to strengthen international and local legal framework on the overlaps between environment and human rights.

Overview of Activities

The AJP is the central focus and thrust of CEDHA's overall work program. During the period, and more generally, since the launching of CEDHA, CEDHA has not only met anticipated AJP objectives, but also just recently deepened local activities of the AJP in Argentina. The AJP is working globally and locally to foster human rights and environmental linkage strengthening; promoting human rights approaches to development processes; working to influence international organization and global governance structures, programming, lending and action so that human rights and environmental protection mechanisms are strengthened (at the UN, OAS, World Bank, IADB, WTO, etc.); conducting local training on human rights and environmental legal advocacy; empowering communities to address local environmental problems; designing new training/didactic materials for training judges and prosecutors on human rights and environmental protection; developing new environmental litigation strategies and training legal actors with innovative litigation approaches; participating in local environmental and human rights legal casework; documenting and creating assessment tools for measuring human rights impact of environmental degradation; serving the community as a human rights and environment information and directory source,

and launching new initiatives such as promotion of the Right to Water, Environmental Justice and Participation in the Americas.

International Activities

Especially important for the AJP's international focus, has been the advocacy work before the Inter-American System. CEDHA submitted two precedent-setting amicus briefs that helped sway, in two separate instances, the Commission and the Court on Human Rights to take decisions in favor of the protection of the environment and related human rights. A third brief to defend environmental advocates in Mexico was also recently presented to the Inter-American Commission on Human Rights. These briefs have not only been critical to gain redress for victims of human rights violations resulting from environmental degradation, but have also made enormous impact on the human rights bodies of the American hemisphere to expand their understanding of the relationship between the environment and the enjoyment of human rights. This effort has resulting in requests to CEDHA by the Inter-American Human Rights bodies as well as environmental experts of the OAS, for capacity building and further study on human rights and environment linkages.

Beyond AJP impact in the Inter-American Human Rights System CEDHA has been especially successful in penetrating both the United Nations Human Rights (OHCHR) and United Nations System (UNEP), which are as a result expanding the reach of the protection mechanisms to address overlap areas. CEDHA collaborated with a special UNEP/OHCHR experts meeting producing a programmatic agenda for global human rights and environmental collaboration. This agenda is now published and regularly referred to by UN agencies seeking to foster this joint approach to human rights and environmental protection.

Understanding that water, and more specifically access to fresh water as well as the sustainable use and management of water resources are and will be for many years to come, at the center of development problems and debate, CEDHA has launched a *Right to Water Initiative* (see section below), furthering our understanding of the links between water access and the enjoyment of human rights. CEDHA has been one of the few civil society organization participating in the process leading up to the World Water Forum to be held in Japan in March of 2003 and will host a seminar at the WWF on the right to water. This seminar has attracted numerous interested parties (NGOs, IOS, and others) from around the world, and will make an important contribution to the issue of access to water as a human right, just at the time when the UN issued a General Comment on the Right to Water (to which CEDHA also contributed with comments).

On strengthening participation in the hemisphere, our own home grown initiative which followed a special invitation of a government-led working group in the OAS to coordinate civil society input on strengthening participation, CEDHA is leading a civil society effort to feed recommendations to the OAS member states on how

to strengthen civil society participation in hemispheric affairs taking place at the regional bodies. This initiative will produce draft international legislation on access to information and participation for governments to consider.

Finally, CEDHA's AJP can highlight the significance and importance of its growing free legal advisory services offered to victims of environmental degradation and to NGOs of different parts of the hemisphere on how to build their HR/ENV cases before national and international courts as well as how to advocate for greater human rights and environment protection mechanisms before international tribunals. This assistance has also been extended to indigenous communities throughout the hemisphere. With a view to projecting its legal advocacy work throughout the hemisphere, CEDHA has recently become a member of AIDA, the only environmental litigation coalition of the Americas and will be working with AIDA organizations throughout the hemisphere to develop litigation strategies on how to use human rights protection instruments and legislation to defend against environmental degradation. Finally, our new membership with the international Economic, Social and Cultural Rights Network and assistance to the network with a human rights and environment thematic focus, will help disseminate our advocacy strategies and approach worldwide.

Local Activities

The local AJP program, expanding significantly over the past year, provides free legal representation, free legal advisory services, and access to information on human rights issues related to environmental conditions for interested parties. The local advocacy work of the AJP focuses on illustrative cases which can help promote change in case practice and legislation, while expanding the scope of environmental and human rights protection. In the brief time since the opening of CEDHA's downtown Cordoba office (August 2001), where much of CEDHA's local work is based, the AJP program has begun to receive daily local and international complaints on environmental and human rights cases (an average of 8-10 calls daily), to which responses are made either through written or oral format. Some cases are farmed out to appropriate governmental institutions, or non-governmental groups, while others are addressed directly by CEDHA staff. CEDHA is also now launching an innovative *demand assessment exercise* to help identify priority environmental problems affecting individuals, which will be piloted during 2003 in two cities in Argentina and later extended more generally in the region. The recent opening of our CEDHA Patagonia office (see section below) has also added numerous local activities to our overall work program.

Some of the recent highlights of local AJP advocacy include the active participation in a national campaign to stall advancement in the national congress of a private sector contract to bring nuclear waste to Argentina from Australia. We've also been lending legal assistance to local communities near the Paraguayan border to halt the construction of a new mega dam whose construction is imminent despite a near universal rejection of the project in a local referendum. CEDHA serves as local council to affected parties and NGOs

advocating for proper impact assessment of the project. CEDHA is lending legal and advocacy assistance to a local community affected by electric transformers contaminating the soil and already having caused numerous deaths due to PCB contents.

We are also designing human rights and environmental law training courses for local magistrates in Cordoba with a projection to train in other local provinces. CEDHA recently helped local authorities draft and pass legislation banning transport of pesticides through populated urban areas, and we have launched a process to establish an environment and human rights law clinic in Cordoba. Most recently, we are assisting a local municipality with problems caused by an open air garbage site, which regularly receives some 300 persons, including children, who live in or live from the garbage at the site. We are exploring ways to assist these children and affected families with alternative sources of income, as well as assisting the municipality to address the environmental and human impact of the open-air garbage site. Finally, in a project carried out with several other local players, CEDHA is contributing to what we call *Comedor Verde* (Green Lunchroom), providing alimentary assistance to children and families accompanied by training and education on environmental issues.

AJP activities include:

International

- the largely CEDHA-led advancement of HR/ENV as a development focus at a hemispheric level (Organization of American States (OAS)) resulting in passage of Resolution 1819 and 1896 mandating a study of the HR/ENV relationship and government commitment to this exploration;
- the invitation of the OAS to CEDHA to organize an experts meeting on HR/ENV to discuss OAS role in promoting HR/ENV; this meeting resulted in a set of recommendations (prepared by CEDHA) to the OAS on how to strengthen their human rights and environmental protection mechanisms;
- as follow-up to the CEDHA HR/ENV recommendations the OAS agreed to hold a seminar at the Inter-American Commission on Human Rights to deepen human rights staff understanding on the effects of environmental degradation on human rights;
- the Unit for the Protection of Human Rights Defenders, upon CEDHA's insistence, recognized the importance of institutionally protecting environmentalists in the Americas, and has asked CEDHA to coordinate a regional report on the violation of rights of environmentalists in the Americas;
- the favorable decision of the Inter-American Court on Human Rights in the HR/ENV focused case of the *Awas Tingni v. Nicaragua* following an *amicus brief* arguing this important linkage prepared by CEDHA's founder;
- Presentation of an amicus brief submitted to the Inter-American Human Rights Commission for a case involving public works intrusion in to the Wichi Indigenous community lands; the amicus brief in collaboration with the case

defense by CELS of Argentina, resulted in effective Commission pressure on the Argentine government to negotiate with the Wichi Community;

- Production of Draft HR/ENV legislation for the Inter-American Hemisphere now used as reference document for UN and OAS experts meetings on HR/ENV promotion;
- Preparation of study on the status of HR/ENV in the Americas used at HR/ENV experts meeting at American University and OAS;
- CEDHA participated as panelist/trainer in an ANPED (Northern Alliance for Sustainability) civil society training session on global HR/ENV advocacy. This workshop, held in Europe was primarily focused on training Eastern and Western European civil society groups on HR/ENV issues. A civil society declaration on HR/ENV drafted at this meeting was subsequently presented to the UNEP/High Commission on Human Rights, HR/ENV experts meeting;
- CEDHA translated *The Right's Way to Development* into Spanish, a two-volume book published by the Human Rights Council of Australia, focusing on the use of a human rights framework for designing development assistance.
- Compilation of jurisprudence in Latin American courts where international environmental law and human rights law has been used; this compilation was used by the UNEP/High Commission on Human Rights, HR/ENV experts meeting as background materials.
- CEDHA designed a Masters Course on Linking Human Rights and Environment. In collaboration with the Center for International Environmental Law (CIEL) and the American University, CEDHA's Access to Justice Program Director, Romina Picolotti, designed and co-taught the course for three consecutive years, since 2000 with CIEL's President Durwood Zaelke. Materials available: <http://www.cedha.org.ar/course.htm>
- Environmental Advocacy in the Inter-American Human Rights System (Manual). Completed in 2000, CEDHA is preparing an updated and a Spanish version of this manual for environmentalists to advocate in the Inter-American Human Rights System. Available at: www.cedha.org.ar
- Linking Human Rights and Environment (Arizona Press 2003). CEDHA is editor of a forthcoming publication bringing together works of worldwide experts on the areas of overlap between human rights and environment.
- We've contributed a Chapter on HR/ENV in new addition of *International Environmental Law and Policy* (Foundation Press 2002).
- CEDHA was a key actor in mobilizing civil society advocacy and pressuring state governments in to process leading up to and during the World Conference on Sustainable Development (WSSD). CEDHA's activities at the WSSD included:
 - Promoting of inclusion of HR/ENV as a formal issue on the WSSD Agenda, as well as the inclusion and treatment of Environmental Justice language and action plan coming out of the Johannesburg Action Plan of the WSSD process.
 - CEDHA collaborated in organizing the Latin American Caucus, which produced a civil society declaration positing civil society positions on various sustainable development agenda issues.

- CEDHA organized the Human Rights, Environment, and Sustainable Development Caucus which held various workshops during the process, including the high profile session held in Johannesburg session on Human Rights.
- CEDHA provided advisory assistance and helped define the position of the Ibero-American Federation of Ombudsmen (FIO) on the human rights and environment agenda in the WSSD process.
- CEDHA successfully advocated before States to include commitments to linkages between human rights and environment in Implementation Plan coming out of the WSSD, including paragraph 152.
- CEDHA AJP participated in the preparatory work to review the Argentine government's report to the WSSD.
- CEDHA provided information and training to various NGOs throughout the Americas as well as to Argentine NGOs during the lead-up to the WSSD, on developments at the various preparatory committee meetings, as well as on advocacy strategies to promote respective agendas at the WSSD.
- CEDHA is founding member of the Latin American Center for Environmental Law and Human Rights established in June 2001 in San Jose, Costa Rica, to advance knowledge and promote action to more effectively address issues and problems relating to the human rights effects of environmental and natural resource destruction and degradation in Latin America. The Center promotes research, academic and professional exchange, provides a forum for discussion and advancement of topics and issues, and by advancing awareness and the state of knowledge on the interrelation between environmental and human rights issues.
- Networking: CEDHA is a new member of the E-Law network, through one of our staff members; we are participating in INECE, an environmental law enforcement network, and in the recently created ESCR-Net;
- CEDHA has contributed to international advocacy and promotion of legal clinics through participation in a recent international gathering on law clinic development held in Chile in December November of 2002.

Local

- CEDHA has been an active participant as legal expert for a local coalition of NGOs working to block Argentina's ratification of a treaty with Australia that would bring nuclear waste to Argentina for treatment and disposal, a task it does not have proper facilities to handle appropriately. CEDHA's efforts have been critical to halt imminent treaty ratification, and to mobilize public support in opposition to the treaty. CEDHA launched an internal formal debate, in the provincial legislature (in the Commission on Ecological Affairs), bringing together NGOs, legislators, and scientific experts to discuss the issues. CEDHA has been a local referent for press on the matter.
- CEDHA provided advisory assistance to a local municipality (*Capilla de los Remedios*) on the effects and conditions of agro-chemicals, leading to the

passage of a local decree (Resolution 15/02) banning the transport of toxic chemicals through populated urban areas. This resolution has become model legislation for local municipalities in the area.

- CEDHA is working to establish an environmental law clinic in Cordoba, likely to be housed at a local university; this work is underway in partnership with INECIP (the *Instituto de Estudios Comparados en Ciencias Penales y Sociales*);
- CEDHA's AJP is designing and will act as instructor for training of local magistrates and public servants working in the judicial sector of Cordoba. The course will be a 3-month seminar targeted to local judges and prosecutors; we aim to project this program to other magistrate schools in other provinces, for which we have already made favorable preliminary contacts;
- CEDHA organized a training seminar in Tucumán Province, for local legal actors, including attorneys, prosecutors, judges, and academics on human rights and environmental advocacy, particularly focusing on local and international advocacy strategies for environmental litigation;
- Our AJP staff has been invited to participate as lecturer on human rights and environment at the Cordoba University College of Law;
- CEDHA is presently launching an innovative *demand assessment exercise* to help identify priority environmental problems affecting individuals, which will be piloted during 2003 in two cities in Argentina and later extended more generally in the region;
- With a view to hone in on key environmental problems, CEDHA has already begun to investigate and document local cases of great environmental degradation impact on the enjoyment of human rights, some of which include, mining, waste treatment, use of agrochemicals, among others;
- The AJP is also focusing much of its local research on existing barriers to access to justice, especially as concerns vulnerable groups (especially indigenous communities and the poor), disproportionately affected by discriminatory public and private policy and infrastructure investments;
- *Workshop on Access to Justice on cases of Environmental Degradation and Human Rights Abuses*. CEDHA co-hosted, with the collaboration of FARN and Poder Ciudadano, a local workshop (May 2001) for legal and non-legal civil society groups on local and international legal tools available to defend against human rights in local cases involving environmental degradation;
- *Hearing Wichis vs. Argentina*. Following the presentation of the Amicus Brief in the Wichi vs. Argentina case arguing links between environmental degradation caused by a transnational road project, and subsequent human rights violations of the Wichi and other indigenous communities, CEDHA presented its findings at a hearing of the Inter-American Commission on Human Rights. The Commission, in an unusual move, pressed the Argentine government to halt works and move towards a resolution with the Wichi community;
- CEDHA encouraged the creation of, and provided guidance on, program objective and design for a new local Human Rights organization based in northern Argentina (in Tucumán Province) called ANDHES.

b) CEDHA Patagonia

The CEDHA Patagonia Office, located in Bariloche Argentina, one of the planets most natural resource-rich regions, opened doors in mid 2002, with a view to promoting a greater understanding of environmental identity, understood as the link between culture and environment. CEDHA Patagonia is forging links between the scientific community, grass roots movements, indigenous populations and policy makers.

In only six months of operations, CEDHA Patagonia has become a judicial referent in the region, evident by the ongoing and evermore increasing consultations we receive regarding environmental and human rights problems in Patagonia. Additionally, CEDHA Patagonia is also periodically advising and building local NGO capacity on litigation and advocacy strategies.

CEDHA Patagonia is working on legal cases involving linkages between environmental degradation and human rights issues. CEDHA Patagonia is identifying intervention strategies in complex local dynamics (related to extreme poverty, displaced persons, and environmental discrimination all in view of related to environmental problems). In this process, CEDHA Patagonia is working to empower communities and victims of human rights violations, aiming at strengthening participation in problem-solving and collaboration with diverse social actors, while seeking close collaboration with the academics scientific sectors.

We have seen an excellent response from the local community to CEDHA Patagonia's initiatives. We are working with the *Universidad Nacional del Comahue*, the Provincial Forestry Department, with Environmental NGOs, and with grassroots groups including neighborhood organizations, and indigenous associations.

A most recent initiative of the Patagonia office, CEDHA is assisting a local municipality with problems caused by an open air garbage site, which regularly receives some 300 persons, including children, who live in or live from the garbage at the site. We are exploring ways to assist these children and affected families with alternative sources of activity and income, as well as assisting the municipality to address the environmental and human impact of the open-air garbage site.

CEDHA Patagonia Activities Include:

- CEDHA has provided free legal advisory services to local indigenous communities, and we have received requests for further capacity building in the region. We are working with the scientific community on the design and development of programs geared to assess problem, deepen local knowledge

on environmental resources, and to uncover instances of environmental discrimination;

- CEDHA Patagonia has also taken first steps in advising local corporate actors in the tourism sector (hotel industry) on sustainable eco-tourism;
- Furthering CEDHA's Environmental Justice Agenda, CEDHA Patagonia held a session on discrimination, which included a focus on environmental discrimination, with over 50 participants representing diverse actors, including NGOs, teachers, union representatives, judicial and executive governmental sector representatives, and other professionals;
- CEDHA Patagonia held capacity building exercises on human rights issues during the local Environment Week in Bariloche;
- We assisted and advised environmental ngos with legal advisory services;
- CEDHA Patagonia is working to establish Genetically Modified Organisms regulations with the local government
- CEDHA is exploring and researching local deforestation dynamics to study means of reversing this trend and ensuring forestry sustainability (in the Cerro Otto Area);
- Collection of evidence and other information on regional environmental degradation on human rights impacts;
- Empowerment activities of local groups.
- Advisory services to government, local attorneys and at representatives of the Universidad Nacional del Comahue;
- In collaboration with local NGO partners, CEDHA is co-sponsoring an Environmental Lunchroom, currently attending 35 children in a poor neighborhood of Bariloche, feeding and educating these children and their families on sustainable gardening, use and protection of local environmental resources;
- At the hemispheric level, CEDHA Patagonia is working with the Sustainable Development Unit of the Organization of American States to develop and define concepts of environmental identity;

c) Right to Water Initiative

CEDHA's Right to Water Initiative's principal objective is to improve sustainable access to water through the use of law. The Right to Water Initiative, a new initiative launched in 2002, and which appears just as the United Nations has issued a General Comment on the Right to Water (laying the groundwork for eventual international legislation on water rights) is working to promote access to justice of victims of human rights violations resulting from non-sustainable use of water resources, incorporate a human rights perspective in water resource regulation and legislation, promote legal precedent recognizing the right to access drinking water as a human right and increase awareness of the links existing between human rights and access to drinking water.

Since its' launching in mid 2002, CEDHA has been advocating for the recognition of water rights. We are publishing a section on Right to Water in our upcoming publication, *Linking Human Rights and Environment* (Arizona Press). CEDHA has also secured the inclusion of water rights issues in global gatherings such as the World Summit on Sustainable Development, the 2002 World Social Forum and the World Water Forum to be held in Japan in 2003. CEDHA is organizing/hosting sessions at these meetings specifically on the right to water. These have already generated large demand of assistance from multiple organizations and actors around the world willing to contribute to this initiative. We presently have our Right to Water Coordinator in Washington DC on a three month fellowship (courtesy of IIE) studying how global development agencies and Human Rights tribunals have addressed water issues.

With respect to victims of water misuses, CEDHA has been providing free legal advisory services to civil society organizations and to victims locally and in the region. CEDHA's legal team is undertaking legal action in the defense of such victims, at the local, regional and international level, largely expanding on our ongoing work with victims of the large mega-dam projects on the Argentine/Paraguayan border. Water issues are generally not looked at as human rights issues, and subsequently, water management problems are not addressed with the most effective protection mechanisms and/or legislation to gain proper access to justice. In this respect, we are actively building *knowhow* and working on capacity development of local NGOs on right to water and particularly on access to drinking water. We are also advising public decision makers on public policy affecting access to water issues, locally and internationally.

Finally, the Right to Water Initiative is advocating before international financial institutions and other international organizations, including the World Bank the Inter-American Development Bank, the OAS, etc. to begin to address water issues as a rights based issue, with the objective of influencing IFIs/IOs to approach to water management with a view to guaranteeing access rights to freshwater.

Right to Water Initiative activities include:

- CEDHA is working with a coalition of NGOs on the violations of environment and human rights related to the construction of the Yacyretá mega-dam along the Paraguayan and Argentine border. Activities of this initiative include the joint preparation of a report called " No more damage in Yacyretá" as well the filing of a complaint before the national ombudsman to stop the rising of the water level of the dam. CEDHA was invited to participate as expert by the World Bank VP to inform the Bank of the current status of social and environmental impacts of the mega dam;
- CEDHA is legal representative of a coalition of Argentine NGOs that oppose the construction of a new mega dam called Corpus Christi, which would threaten the upper Paraná River, causing grave environmental, social and economic impacts, with subsequent violations of human rights. Among affected persons are the indigenous community of the Mbyá-Guaraní. The right to life, among others would be at risk by the propagation of sicknesses caused by the alteration of the river, including, *esquistosomiasis* and malaria (Case filings available at: www.cedha.org.ar);
- Legal advisory services and legal representation in cases of mega dams in Latin America (Yacyretá and Corpus Christi);
- Legal advisory assistance to *Ríos Vivos* (of which we are a member), a South American coalition striving to impede further damage to water resources in the region and other social and cultural externalities caused by the misuse of water resources;
- Publication and legal research on the links between human rights and access to water;
- Preparation and presentation of a workshop at a symposium on 'Improving Public Participation and Governance in International Watershed Management';
- Participation and organization of a workshop on right to water at the upcoming World Water Forum Japan - March 2003;
- Participation and organization of a Poster Session in the Americas Day in the upcoming World Water Forum Japan - March 2003;
- Organization and presentation of a workshop in a symposium on "right to water" at the World Social Forum, Porto Alegre;
- Participation and organization of a workshop on Water and Human Rights in Washington D.C. – February 2003;
- Preparation and presentation of a workshop on 'Fresh water issues" (Costa Rica – February 2003);
- CEDHA contributed comments to the Draft General Comments on the Right to Water of the Economic and Social Council (United Nations). 2002.

d) Environmental Justice Initiative

Much of CEDHA's legal advocacy centers on Environmental Justice, especially that of the Access to Justice Program. Litigation on environmental matters, providing access channels to the court system, locally or internationally, strengthening legislation on environmental protection, bringing environmental problems such as land or water contamination of poor or marginalized communities to the attention of local authorities, and subsequently helping empower local communities to take action to resolve their problems are examples of many of our activities.

An important part of CEDHA's Environmental Justice work (especially at the global level) began at the World Conference Against Racism preparatory committee meeting in Santiago Chile in 2001. To that date, *no* United Nations documents related to racism made mention of environmental discrimination or racism, or even to the "environment" more generally. At that time, CEDHA joined a network of mostly US-based NGOs focused on promoting Environmental Justice. Our participation at the Chile prepcom meeting was instrumental in ensuring that environmental justice language appeared on the conference declarations, more specifically, state commitments to addressing the issue. It was also an opportunity to begin to introduce Environmental Justice advocacy in the hemisphere, since very few civil society organizations recognized this movement or worked in its benefit.

As we develop our advocacy platform, protection and litigation strategies for environmental degradation affecting human rights, it becomes ever-clearer that many of global society's present environmental problems affect certain sector of the population, especially vulnerable groups in a disproportionate manner.

Experience shows that vulnerable groups such as poor or excluded sectors, minorities, ethnic enclaves, indigenous communities, immigrants, and other marginalized sectors, are more likely to be affected by environmental contamination, since they are usually the least likely, least driven, or least able to mobilize against such abuse. This is what is known as Environmental Discrimination, or Environmental Racism. CEDHA is mobilizing its resources to examine how public and private policy and investment decisions affect certain sectors of the population and lead to environmental discrimination. We are working with vulnerable groups and victims of environmental contamination, caused by such policy and decisions to seek out better protection, retribution for caused harm and to revert discriminatory policies and practices.

Locally, CEDHA is working on an innovative *demand assessment exercise* to help identify priority environmental problems affecting individuals in urban areas, which will be piloted during 2003 in two cities in Argentina and later extended more generally in the region to measure environmental degradation impact on vulnerable groups.

Environmental Justice Activities

- CEDHA's new *demand assessment exercise* (mentioned above), to be carried out in two Argentine urban centers (Cordoba and Bariloche) is a new tool to help identify priority environmental problems which many times result from discriminatory government policy and investment decisions, as well as from private practice.
- CEDHA is assisting a local municipality and victims in Patagonia with problems caused by an open-air garbage site, which regularly receives some 300 persons, including children, who live in or live from the garbage at the site. We are exploring ways to assist these children and affected families with alternative sources of activity and income, as well as assisting the municipality to address the environmental and human impact of the open-air garbage site;
- CEDHA led a successful effort to draft and insert wording on Environmental Discrimination at the Latin American Regional preparatory conference Against Racism, Xenophobia, Intolerance and Discrimination (WCAR). This inclusion was the first time reference to environmental discrimination appeared on UN documents leading up to the WCAR, and was taken up by the UN as a model for the Global WCAR held in Durban, South Africa in 2001. Paper and declaration available: <http://www.cedha.org.ar>
- CEDHA was instrumental in the advocacy for inclusion of Environmental Justice language of the government and civil society declaration of the World Conference Against Racism, Xenophobia, Intolerance and Discrimination (WCAR) in Durban, South Africa.

e) Participation Strengthening in the Americas Initiative

In 2002, the OAS launched several initiatives to help strengthen public participation in the hemisphere, both at local and national levels. The locally focused Inter-American Participation Strategy (ISP) is a largely unimplemented guideline to foster participation at a national/local level and has been left to governments to implement as they see fit. However, regional participatory mechanisms remain limited, *ad hoc* in structure, unsystematic, and weak where they exist.

CEDHA tabled the idea at the OAS's first consultative meeting for civil society in early 2002, suggesting the need for a hemispheric legal framework to guarantee rights of individuals and communities to participate in local and international decision-making, and duties of states to ensure these rights, proposing an instrument along the lines of the *European Aarhus Convention on Access to Information, Public Participation in Decision Making and Access to Justice in Environmental Matters*. The OAS General Secretariat, as well as several government representatives subsequently approached CEDHA to encourage that we measure civil society interest in this matter and attempt to channel a formal request to member states of the hemisphere to create an instrument of this nature. The governments would hence take the request and attempt to bring the draft law to the table before the greater plenary. We have already mobilized a hemispheric network of civil society organizations working on participatory strengthening to draft the submission and will present it to the states in March of 2003.

Additionally, CEDHA is actively seeking inroads to improve participatory mechanisms in many of the hemisphere's global governance bodies, including World Bank, IDB, Mercosur and the FTAA trade regimes. These activities can be reviewed in the Global Governance and Sustainable Trade sections of this report.

Participation Activities

- CEDHA initiated and is now leading a participatory mechanisms strengthening process at the hemispheric level, aimed at opening channels of participation and guaranteeing participatory rights at the hemisphere's principle international bodies, particularly the Organization of American States. By invitation of the OAS, CEDHA will present civil society recommendations to the OAS at a pertinent forum in March of 2003.
- CEDHA has created and is now hosting a participation discussion forum for the Americas with now over 60 organizations across the hemisphere, to feed into the above-mentioned participation strengthening initiative.

f) Environment and Human Rights Legal Clinic Development

As an extension of CEDHA's free legal advisory services on environmental degradation and impact on human rights, and with a view to establishing such long term institutional support locally and in the region, CEHDA is working to create a permanent environment and human rights law clinic in Cordoba, which eventually we hope to extend to other parts of the region (Latin America more generally).

At this stage we are finalizing design concepts of the clinic, and forging relationships with our local partners (INECIP and *Universidad Nacional de Córdoba*) who will in the long term, house the clinic. CEDHA is concurrently establishing contact with existing outside legal clinics (principally in the northern hemisphere) to obtain guidance, human resource assistance in the form of internships/fellowships from existing clinics, while identifying training opportunities. We hope to launch the clinic later this year with students and recent graduates of the National University of Cordoba, Faculty of Law.

g) Global Governance Policy Advocacy Initiative

As part of CEDHA's ongoing advocacy promotion and attempt to bring human rights and environmental protection issues to the forefront of the development agenda, CEDHA is working to influence the policy making, lending practices and program design, as well as create and strengthen opportunities of public participation at the principal international global governance institutions.

These include international organizations (IOs) focused on Human Rights Protection, Development Policy, Finance and Trade. Through the contacts and relationship we have established at these organizations, and through our ongoing advocacy work at this level, we are helping raise awareness both of organizational staff on the impacts of their work on human rights and on the environment, as well as of civil society on the practices of the IOs. We have been able to enter into very constructive dialogue at many of these fora.

CEDHA works principally with the International Financial Institutions (IFIs: World Bank, Inter-American Development Bank, International Monetary Fund); the UN Agencies (principally, the High Commission for Human Rights and the United Nations Environmental Program); the regional governance and human rights institutions (Organization of American States and its various agencies, human rights tribunals, etc.); and Trade Organizations (WTO, Mercosur, FTAA).

In this report, much of the Global Governance work is captured in the Access to Justice section and the Sustainable Trade section, especially as pertains to work with UNEP, UNHCRH, OAS agencies, WTO, and FTAA. There we highlight our work in fostering UNHCHR and UNEP collaboration; the opening of WTO and FTAA to civil society participation, and in the case of the WTO, recent victories to get human right issues treated by the last Ministerial Meeting; and with the OAS to deepen human rights tribunals staff understanding of the impacts of environmental degradation on human rights. This section will focus instead on the work CEDHA is carrying forward with the International Financial Institutions (IFIs).

CEDHA staff regularly approaches IFIs such as the International Monetary Fund, the World Bank, and the Inter-American Development Bank with a view to influencing these institutions with respect to how they formulate environmental and social policy, how they design lending programs, how they implement projects on the ground, how they incorporate civil society in consultation processes, as well as provide access to remediation mechanisms when their projects create unwanted impacts on local communities. We have also begun to focus on developing ideas for the IFIs to streamline lending into a human rights framework. In this capacity, we are networking and exchanging information and views with other civil society organizations that have similar objectives with respect to IFI institutions.

More recently CEDHA has been named co-coordinator of IFI projects/activities of the Rios Vivos Coalition, which we have just recently joined. Additionally, we have joined a coordinating/preparations body of the next Civil Society meeting on IFIs, to be held for the second consecutive year in August of 2003, in Colombia or in Brazil (TBA).

Advocacy work relevant to International Finance Institution practices:

- We've been named co-coordinator of the Rios Vivos Coalition on advocacy before IFIs;
- We've been named co-organizers of the next Civil Society meeting on IFIs;
- We've approached the World Bank Inspection Panel with complaints and/or concerns over bank project impact, especially in the Paraná River Delta Area on the Argentine/Paraguayan border;
- Informed IFI institutions (WB/IDB) on public opinion with respect to proposed IFI projects such as the Corpus Christie Dam;
- We've contact IFI staff and consultative organs with regards to environmental and human rights impacts of ongoing bank projects, such as the ongoing impacts of the Yacyretá Megadam;
- We've published commentaries, papers, studies on human rights issues relevant to IFI lending practices and programs such as a recent publication on human rights streamlining of IFI lending;
- We are educating local communities on IFI project activity and consultation and redress mechanisms;
- We are participating in civil society consultations to develop IFI strategies, such as recent development (in progress) of IDB's environmental strategy in Latin America and the World Bank's CAS preparation in Argentina;
- We've worked with the IDB to develop its Corporate Social Responsibility agenda; this intervention includes CEDHA's establishment of a coalition of 60 civil society organizations in the Americas working on CSR and contributing to IDB's policy formulation on CSR;
- We translated into Spanish, the Rights Way to Development, a publication by the Human Rights Council of Australia, on rights based approach intended to influence IFI policy and program development.
- We are now exploring deepening our collaboration with select regional and global civil society organizations, particularly our partners that have experience working with IFIs with a view to leveraging our impact and reach at IFI.

h) Sustainable Trade Program

CEDHA's Sustainable Trade Program (STP) strives to make trade regimes more environmentally and socially sustainable.

The STP is one of CEDHA's new programmatic foci. Specifically, in the STP:

1. CEDHA strives to deepen the understanding of the effects of trade on the environment and on human rights, with a particular focus on Mercosur, FTAA, and the WTO.
2. CEDHA aims to strengthen local civil society capacity and knowledge with respect to trade, environment and human rights, fostering increased civil society inter-communication and collaboration, strategy building on sustainable trade advocacy, and on participation and access to regional trade negotiations.
3. CEDHA works to improve and facilitate access to justice in cases involving environmental degradation and/or human rights abuses caused by international trade.

Overview of Activities

This new CEDHA program, although not specifically financed, was largely assisted by volunteer contributions from various temporary and permanent staff, locally and from abroad. The STP has received periodic external financial support to attend a variety of advocacy activities. Three individuals joined CEDHA as volunteer staff of the STP. With their help we've launched local advocacy initiatives and a study on the social and environmental impacts of Genetically Modified Organisms technology-led trade.

STP Activities included:

- CEDHA was invited to participate in a Civil Society Forum held in Quito Ecuador held during the last Free Trade Agreement of the Americas (FTAA) Ministerial Meeting. We helped actively lead this group to produce recommendations for increased civil society participation in the final negotiation phase of the FTAA process;
- CEDHA's STP Director was invited as Honorary Fellow to the Center for International Sustainable Development Law center in Canada to help guide the CISDL and contribute to sustainable trade and development debate;
- CEDHA is collaborating as co-author of the International Institute for Sustainable Development's forthcoming publication: Social Rules: Trade and Sustainability in the Americas, contributing a chapter on Social Regimes and Trade Frameworks;

- CEDHA became a member of the Zapallar Group, a Latin American forum advocating for the inclusion of environmental concerns in regional trade agreements;
- CEDHA's also worked closely with WWF in mutually beneficial process of researching and learning on the development of environmental and social impact assessments methods in trade;
- Initiated a study of the impacts of genetically modified soybean in Argentina, done in parallel to a similar WWF study in Brazil on GM Soybean;
- Attended several meetings and maintains permanent communication with Argentine government and civil society on Mercosur and FTAA;
- Participation in the World Trade Organization (WTO) Ministerial Meeting in Doha Qatar, at which CEDHA advocated alongside a small group of civil society groups (of which CEDHA was the *only* locally Latin-American NGO) allowed access to the Ministerial meeting, for the inclusion of human rights and environmental content in what has been historically a nearly impenetrable trade forum for civil society concerns. CEDHA was particularly focused on the incorporation and treatment of human rights (especially as pertinent to worker rights); the treatment of health rights in patenting procedures, and the insistence on stricter environmental and social assessment procedures in trade. Given the limitations and strong government resistance to concede terrain in these areas, the Ministerial *did* result in a greatly improved framework for human health rights;

i) Responsible Business Program

CEDHA conducts activities focused on fostering socially and environmentally responsible business behavior (Corporate Social Responsibility, or CSR). Initial CEDHA activities on corporate social responsibility focused on the legal responsibilities of business to comply with human rights and environment protection. Subsequently, CEDHA has expanded activities on CSR to more general CSR promotion in Latin America, and specifically in Argentina. In the short time since its launch the Responsible Business Program (RBP) CEDHA has gathered and mobilized local civil society *groups* and created several local and regional discussion platforms and collaborative opportunities to promote CSR locally and in the region. We have also received much international demand by very high level institutions (such as the UN and GRI) to assist develop international guidelines and legislation for CSR promotion and human rights and environmental protection in corporate realms.

The Responsible Business Program (RBP) aims to catalyze and enable the adoption of socially and environmentally responsible business practices, locally and internationally.

The RBP focuses on leveraging the local and international impact of corporate social responsibility (CSR) initiatives through international networking and collaboration with CSR leaders. The program is developing local business tools through local and international participatory processes, engaging business and civil society in a process of learning about sustainability and CSR and about managing institutional change.

The RBP program was especially assisted by a numerous interested volunteers and largely through partnership with a local University. Nearly 10 local and foreign-based individuals volunteered their time to the RBP in the first 12 months since its founding.

From the RBP we are publishing numerous documents providing research and guidelines on human rights, environment and corporate behavior. Our Executive Director and interim director of the RBP was recently named advisor to the new Amnesty International Human Rights and Business Resource Center.

RBP Activities Include:

- The RBP is designing a tool for business to measure and prioritize human rights impacts of its operations; the tool contains a tool to assess supply chain impact and guidance for the development of corporate strategies to address supply chain impact;

- CEDHA has participated in civil society training and has developed materials for civil society organizations on advocacy to address corporate behavior and its impact on human rights;
- CEDHA was invited to represent civil society at the Inter-American Development Bank's latest Regional Conference on Corporate Social Responsibility (CSR). CEDHA led an effort at the conference to create a coalition of regional representatives with CSR interests and coordinated the presentations from the coalition to the IDB on how to strengthen CSR issues in the hemisphere and through IDB programs;
- CEDHA's RBP Director was named Advisory Board Member to Amnesty International's new Human Rights and Business Resource Center;
- CEDHA's Executive Director was chosen as one of 12 person's worldwide to help draft the Global Reporting Initiative's (GRI) 2002 Sustainability Reporting Guidelines, a process that culminated over two years of work to revise previous guidelines and develop new reporting indicators;
- CEDHA participated in the Global Reporting Initiative (GRI) development of human rights indicators for business. This process involved the contribution of nearly 150 CSR experts worldwide to revise GRI's 2000 Guideline Indicators;
- CEDHA's active participation in the preparation of, and invitation by the United Nations to CEDHA to help defend its Draft UN Human Rights Guidelines for Corporations (before the UN Sub Commission on Human Rights);
- Attended several local seminars to learn more about the current state of the infant stage of Corporate Social Responsibility in Argentina and to spread awareness of the RBP; in such events, the RBP was able to network with other interested civil society and business groups, establish valuable local contacts, and share ideas with other civil society actors and businesses for future work on CSR in Argentina;
- Among the first activities of the local RBP program, CEDHA, in partnership with GEOS, a local CSR-focused NGO (in Córdoba), called a meeting in Rosario Argentina, inviting the few civil society groups projecting CSR work, to set the stage for the first ever Argentine Civil Society Coalition on CSR. The coalition officially launched in January of 2002;
- CEDHA launched a unique CSR discussion forum vía internet (CSR e-Group) open to Spanish-speaking individuals and organizations interested in CSR;
- Participant in the first Argentine meeting of the NGO Task Group on ISO 14000. IRAM, Argentina's standardization institute. The NGO Task Group is ISO's effort to address the need for civil society participation in the environmental management standardization process, and will contribute to the standards and their significance to communities;
- Collaboration in a study by the International Council on Human Rights Policy on Human Rights Accountability of Private Business; available: www.cedha.org.ar/docs/doc22.htm;
- Presented and produced two research papers for World Social Forum 2002 on Corporate Liability for Human Rights Violations;

V. Capacity Building and Advocacy Strategies

CEDHA's work program is strongly geared towards building local and international capacity of other actors to understand, promote, and advocate in a way that strengthens environmental and human rights protection and fosters the relationship between the environmental sustainability and the enjoyment of human rights. Much of the work that we do at CEDHA centers on sharing our experiences in human rights and environmental advocacy with other organizations; and offering advice on how to channel ongoing efforts in ways that might leverage change in areas of overlap that may have hitherto gone unnoticed or unutilized.

The grant received by the Goldman Foundation in 2002 was especially helpful to CEDHA to develop or capacity building program, and we have used these funds to prepare materials, offer training, participate in international and local capacity building exercised, greatly advancing civil society participation and leverage in human rights and environmental protection.

We have brought together (from the other sections of this report), all of our capacity building exercises, presented in this section in chronological order.

Training Materials Produced by CEDHA

- Masters Course on Human Rights and Environment at American University
- Manual on Environmental Advocacy in the Inter-American System
- Guidelines for Civil Society on Human Rights and Corporate Behavior
- Human Rights Guidelines for Business (in progress)
- Magistrate Training Curriculum and Course Development
- Forthcoming book: *Linking Human Rights and Environment* (Arizona Press)
- HR/ENV Training Materials for Workshop in Tucumán Province

Capacity Building and Advocacy Strategy Activities:

- January 2002. N.Y. USA. Organization of Latin American Caucus at the Second WSSD Preparatory Committee Meeting. We helped Latin American Organizations develop advocacy strategies and produced a Civil Society Declaration on sustainable development;
- February 2002. Porto Alegre. CEDHA participated as panelist for the Human Dignity Conference at the World Social Forum, before civil society and international organization representatives discussing ways to approach and incorporate a human rights approached to development;
- February 2002. Dominica. CEDHA acted as trainer on advocacy strategies at the WSSD and precoms before several dozen Latin American and Caribbean civil society organizations;

- March 2002. Washington, DC. CEDHA gave a presentation before the Judicial and Political Committee of the Organization of American States, on ways strengthen overlapping human rights and environmental protection activities of the various human rights and environmental bodies of the OAS.
- March 2002. N.Y. USA. Continued advocacy strategy work before the Latin American Caucus of the WSSD at the third WSSD Prepcom as well as seminar on human rights and environment, held before 45 NGOs;
- March 2002. Argentina. Served as trainer for the National Network of Environmental Organizations on Environmental Injunctions and other collective legal measures;
- April 2002. Miami Florida. CEDHA gave a training session to members of the Inter-American Association of Environmental Law (AIDA) on how to take environmental cases before the Inter-American Human Rights System; analyzing specifically how current AIDA cases might fare at the IAHRs;
- May/June/ 2002. Bali, Indonesia. Continued advocacy strategy work before the Latin American Caucus of the WSSD at the forth WSSD Prepcom. Participated as panelist on promoting Human Right Education at the People's Decade on Human Rights Education Seminar; also participated as panelist in Seminar on Environmental Justice at this event organized by Possibilities Unlimited;
- June 2002. Masters Legal Course (LLM Seminar) on Human Rights and Environment at the American University;
- June 2002. Training session before the OAS Unit for Sustainable Development on the Human Rights Impact of Environmental Degradation in the Americas;
- June 2002. Montreal Canada. CEDHA participated gave a panel presentation on approaches to incorporating human rights protection mechanisms into International Finance Institutions (World Bank and IMF) work programs.
- July 2002. Córdoba Argentina. Seminar on building civil society advocacy to the WSSD held at FEU;
- July 2002. Trainer at International Seminar on Dams: Judicial Environmental Tools and Human Rights to protect victims;
- July 2002. Buenos Aires, Argentina. Foreign Ministry. Seminar on WSSD, educating on WSSD development, the role of NGOs and position of Argentine Government; attended by government officials and civil society groups;
- July 2002. Geneva Switzerland. CEDHA gave a panel presentation to civil society organizations at the World Civil Society Forum, on Civil Society Advocacy with respect to Human Rights and Corporate Behavior.
- August/September, 2002. Johannesburg, South Africa. WSSD seminar on Human Rights and Environment with co-panelists Mary Robinson, Miloon Kothari y Fatma Vessely. Participated in training on Environmental Justice;
- September, 2002. Radio Transmission to Latin American Region (broadcast from Peru). Noticias Aliadas: Viva la Voz. Gave Radio Program on how to address environmental problems in local communities.
- September 2002. Johannesburg, South Africa. Panelist on Right to Water and Launched Right to Water Initiative;

- September 2002. Córdoba, Argentina. Prison Guard Training on human rights, environment and impacts on prison conditions;
- September 2002. Miami, Florida USA. CEDHA organized a coalition of civil society representatives at the Inter-American Development Bank's Conference on Corporate Social Responsibility, offering recommendations to the IDB on ways to strengthen communications and collaboration on CSR issues between the IDB, civil society and business;
- October 2002. Panelist at International Seminar on Continental Fishing and Fishing Legislation in the Region;
- October 2002. Córdoba, Argentina. Course given to College of Law of Cordoba University on Human Rights and Environment;
- October 2002. Training seminar before the Inter-American Commission on Human Rights Staff on effects of environmental degradation on human rights;
- October 2002. Quito, Ecuador. CEDHA assisted civil society coalition attending the Ministerial Meeting of the FTAA to harmonize and submit civil society recommendations to government ministers on ways to strengthen civil society participation in trade affairs.
- October 2002. Furthering CEDHA's Environmental Justice Agenda, CEDHA Patagonia held a session on discrimination, which included a focus on environmental discrimination, with over 50 participants representing diverse actors, including NGOs, teachers, union representatives, judicial and executive governmental sector representatives, and other professionals;
- November 2002. Tucumán, Argentina. CEDHA organized a training seminar for local legal actors, including attorneys, prosecutors, judges, and academics on human rights and environmental advocacy, particularly focusing on local and international advocacy strategies for environmental litigation;
- November 2002. CEDHA Patagonia held capacity building exercises on human rights issues during the local Environment Week in Bariloche;

To be held in early 2003

- January 2003. Porto Alegre, Brazil. CEDHA will be panelist on Right to Water and impacts of water misuse on human rights in the Latin American region;
- February 2003. Washington, DC. CEDHA will hold a seminar on recent developments on the right to water at international organizations and fora;
- February 2003. Costa Rica. Presentation on Freshwater issues.
- March 2003. Kyoto, Japan. Design, Preparation, Host and Presenter at Seminar on Right to Water for seminar at the World Water Forum; additionally, CEDHA will be presenting information on Yacyretá dam impact on right to water in poster session for the WWF;
- April 2003. North Carolina, USA. Panelist on Improving Public Participation and Governance in International Watershed Management' – North Carolina. - April 2003.

VI. International Internship Program

CEDHA continues to receive important contributions in the form of volunteers from abroad and from local institutions offering their time to advance CEDHA's work agenda.

These volunteers work on a variety of topics including research, conference and workshop preparation, litigation research and support for litigation in local courts and on international cases. Our fellows have been instrumental in advancing our work program, and many have played a critical, hands on and leadership role in carrying out our activities.

In this period, and due to a growing demand for CEDHA fellowships, we have redesigned our Internship Program, laying out clearly guidelines and procedures as well as improved our staff-intern matching procedure and developing an internship policy. We have developed systems to measure intern insertion, quality of internships, and created channels and mechanisms to improve our internships as interns go through the system using their feedback and evaluation.

Through the collaboration with our interns and fellows, we have also improved institutional communications with intern host universities, establishing more solid and permanent communications.

CEDHA has also created an International Research Program, which is a means by which interested students can collaborate on research projects or other CEDHA activities at a distance, utilizing for example, their university time in preparation of papers or reports for meaningful contributions to real civil society activities. This program allows

VII. Operating Budget and Financial Overview 2000-2002

Since CEDHA founding in 1999, we have seen important and steady growth in our financing base, as well as a constant increase in program expenses as a result of our rapidly growing activities. We are still on a steep curve with respect to income and expense growth. Expenses grew 82% in from the first year to the second year of operations, and 26% in the third year with respect to year 2. See Table 1 and Table 2 below.

Table 1. Expense and Income Growth 2000-2002

Expense Growth

2000-2001	82%
2001-2002	26%

Income Growth

2000-2001	-12%
2001-2002	49%

Our initial two year general support grant from the Hewlett Foundation, renewed for two additional years this year, was used principally for overhead expenses, including staff salaries, utilities, and rent. Goldman Foundation support, arriving in 2002 and reflecting the large percentage increase in income for the 2001-2002 period, has helped CEDHA finance our training, travel related to training, training material development and other capacity building activities, locally, regionally, and internationally.

We categorize expenditures into office, utilities, salaries, travel, and other. Fifty nine percent of expenditures for the 2000-2002 period correspond to staff salaries, while approximately 15% go to office maintenance/overhead. Most of our travel budget, which over the grant period accounted for 24% of our expenses was almost entirely financed by invitation of other organizations and foundations. This is an important indicator for us because it shows that our work is in high demand, and that we are sought out by organizations from around the globe to share our experiences opinions, advocacy work and strategies.

Table 2. Summary Expenditure/Income

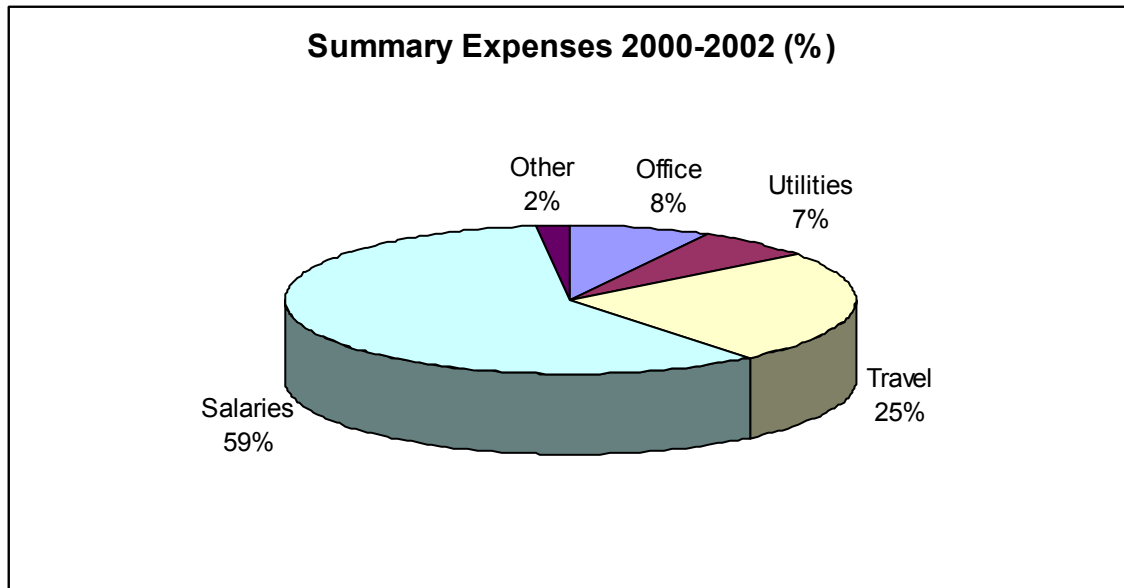
2000 Expenses*:	US\$ 73,129
2000 Income:	US\$145,936
2001 Expenses:	US\$133,200
2001 Income:	US\$128,800
2002 Expenses:	US\$167,949
2002 Income:	US\$191,539
Total Expenditure (2000-2002):	US\$374,316
Total Income (2000-2002):	US\$466,322

Table 3. Breakdown of Expenditures

CEDHA Expenses by Category 2000-2002 (US\$)

	<u>2000*</u>		<u>2001</u>		<u>2002</u>		<u>Overall</u>	<u>%</u>
<i>Office</i>	5,014	7%	8,525	6%	16,569	10%	30,108	8%
<i>Utilities</i>	3,790	5%	9,894	7%	11,094	7%	24,778	7%
<i>Travel</i>	18,688	26%	25,579	19%	47,805	28%	92,072	24%
<i>Salaries</i>	44,450	61%	87,115	65%	88,343	53%	219,908	59%
<i>Other</i>	1,187	2%	2,125	2%	4,138	2%	7,450	2%
Total	73,129		133,238		167,949		374,316	

*includes four months of 1999 expenses



Sources and Breakdown of Income

Since CEDHA's founding, we have been able to considerably diversify our funding base. While in the 2000 calendar year, 69% of our funding came from a single donor, the Hewlett Foundation, by 2002, Hewlett financing, while maintaining its monetary value, our dependence on Hewlett decreased to 52%, while revenues went from US\$146,000 to US\$192,000 during the same period. See Table 4 below.

The Hewlett Foundation and the Goldman Foundation are CEDHA's two largest supporting foundations, representing, 52%, and 31% of our funding base in 2002, respectively. Our secondary funders base is nevertheless very significant to CEDHA's operating budget, accounting for 16% of revenues in the last fiscal exercise. Of these we can site:

Secondary Funders (totaling less than 16%):

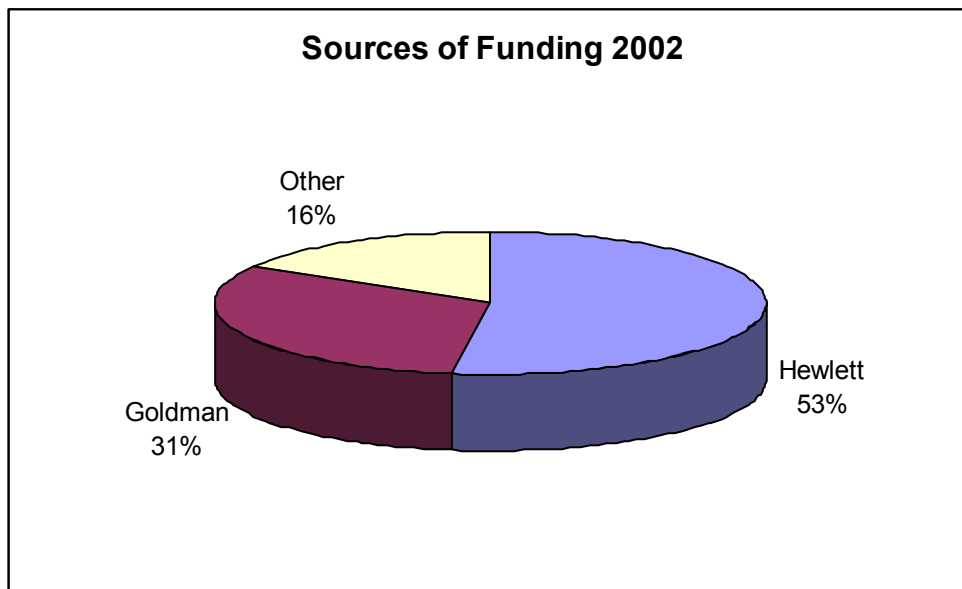
(Most of CEDHA's secondary funding comes in the form of travel assistance to participate in workshops, conferences, seminars etc. In some cases funding may also be for authorship of publications, translations, or teaching)

AIDA (travel/workshop)
American University (seminar)
Center for International Sustainable Development Law (CISDL) (travel/panel)
Center for Social Markets (translation)
DFID (UK) (travel)
EBY (Argentine/Paraguay Dam Administration Facility) (travel/panel)
Eco America (translation)
Ford Foundation (travel)
Global Green Grants (seminar)
Human Rights Council of Australia (translations)
Inter-American Development Bank (travel)
Institute for Agriculture and Trade Policy (IATP) (travel)
International Council on Human Rights Policy (publications/seminar/travel)
IIED-MMSD Program (travel/panel)
North South Center (European Council) (travel/workshop)
Northern Alliance for Sustainable Development (ANPED) (travel/panel)
The Ford Foundation (travel)
The Global Reporting Initiative (GRI) (travel/working group)
United Nations (WCAR, WSSD) (travel)
United Nations Environmental Program (UNEP) (travel/workshop)
United Nations Non-Governmental Liaison Service (UN-NGLS) (travel)
Wilton Park Conferences (travel)
World Water Forum (travel/workshop)
World Wildlife Foundation (WWF) (travel)

Table 4. Total Income

Total Income 2000-2002 (US\$)

	2000	%	2001	%	2002	%	TOTAL	%
Hewlett	100,000	69%	100,000	78%	100,000	52%	300,000	64%
CIEL	25,239	17%	9,271	7%	0		34,510	7%
Goldman	0		0		60,000	31%	60,000	13%
Other	20,697	14%	19,576	15%	31,539	16%	71,812	15%
TOTAL	145,936		128,847		191,539		466,322	



Income Generation Activities

The “other” category is especially significant for CEDHA, as it mostly comprises travel funds for CEDHA to participate in global workshops, panels, seminars, conferences, training sessions, etc. This sum to participate in outside (local and international) events demonstrates that CEDHA’s advisory services and input is in high demand. We generally do not need to use foundation monies to cover travel expenses

VIII. Institutional Development

The year 2002 has been critical to the institutional development of CEDHA as an organization. During this period, the downtown (local) central office was established in the heart of Córdoba, Argentina. The presence of a formal office for CEDHA has been of great influence in attracting local demand for CEDHA's services as well as homogenizing and harmonizing the work between staff of the organization, creating a sense of pertinence, and camaraderie between staff.

Institutionally we have dedicated this year to study the development, refinement and in many cases the introduction of communications and management systems, including:

- filing,
- bibliographic,
- database,
- internal mailing system,
- telephone systems.

We have also installed high-speed modem lines for easier and more efficient internet navigation, as well as an internal network to facilitate inter-staff communications.

During this period, we have created a staff manual and operations procedures that undergoes periodic revisions as we are developing our management and communications systems.

The downtown office has also undergone substantial refurbishing with a view to creating a comfortable and inspirational office environment focusing on productivity, efficiency, and sustainability.

CEDHA has also initiated a total revamping of its website, which since the inauguration of CEDHA three years ago, has seen a phenomenally rapid growth in size, content and user activity. The new CEDHA website should be up and running in early 2003.

CEDHA has also taken stock of staff capacity and skills, a product of our 2002 Annual Retreat (our first CEDHA retreat), and has subsequently projected a staff training program, focused on such areas as computer use, legal training, knowledge building/exchange between staff on respective areas of expertise, and other necessary skills to conduct our ongoing work.

IX. Sustainability at CEDHA

A reflection and self assessment of the of the socially responsible practices promoted by our Responsible Business Program, CEDHA initiated in late 2002, along the lines of the Global Reporting Initiative Sustainability Assessment Guidelines, a self-evaluation of social, economic and environmental impact caused by CEDHA in its work operations. This report will be available at our website shortly. In this process, we reviewed CEDHA's expenses, office policy, travel and staff commute characteristics, human resources profile, interviewed staff as well as examined day to day activities at CEDHA's various offices.

This exercise revealed valuable sustainability information such as missing human resource policy, important to human rights compliance, lacking systems to monitor contamination, emissions totals due to travel, and a series of other impacts of which we are now aware and wish to address in the coming years, with a view to developing comprehensive sustainability policy, and reducing, offsetting, or eliminating the social, environmental and economic impact of our activities. We will also be reaching to community activities donating a part of our professional and personal time to local social development projects.

We hope that through this effort we will be in a better position to understand the difficulties faced by our own clients, and be able to influence other NGOs to conduct similar measurements and take similar action to improve their sustainability.

Some of the targets and actions we will take in 2003 to carry forth our Sustainability efforts at CEDHA will be:

- Reduce per capita use of key materials by 10% per annum
- Eliminate 90% of unnecessary material use (for example, food packaging and styrofoam cup use);
- Utilize waste material whenever viable;
- Reuse 100 % of paper in office;
- Reuse 100% of ink cartridges;
- Monitor energy consumption and attempt to reduce excess use;
- Monitor and reduce, where possible, indirect energy use related to travel;
- Buy recycled products whenever viable;
- To conduct an annual evaluation of our social, economic, and environmental impact along GRI reporting criteria;
- Publish a CEDHA Sustainability Report in parallel to or in conjunction with our annual report;
- Draft a Sustainability Vision and Strategy for CEDHA;
- Develop procedures for engaging stakeholders;
- Assign CEDHA personal to monitor CEDHA sustainability;
- Develop sustainability policy wherever currently not present;
- Ensure to have CEDHA policy on human rights for staff;

X. Conclusion and Future Strategies

CEDHA is pleased to conclude at the end of its third+ year in existence, that it is meeting and exceeding its intended goals. The areas of overlap between environmental and human rights issues is becoming more clear on the local and global development agenda and CEDHA's role to promote this overlap and recognition is bearing fruit. The large local and international demand for CEDHA's advisory services and assistance over the past two years in particular, have led to CEDHA's institutional expansion, taking on new programmatic and administrative staff, expanding local and international activities, and defining new challenging work areas for CEDHA. CEDHA's two new regional offices (Cordoba and Patagonia) have helped solidify a local presence that is generating demand and establishing CEDHA as a referent and local actor in environmental and human rights issues. New activities and new staff to assist CEDHA, centering on issues such as the Right to Water, Participation Strengthening in the Americas, Environmental Justice, and Global Governance Policy Advocacy, add new and creative program activities to our ongoing work on Access to Justice, Sustainable Trade and Responsible Business.

One of the more significant highlights of this last calendar year for CEDHA was the recent passage of the CEDHA-led Resolution 1819 and 1896 on Human Rights and Environment at the OAS General Assembly and all of the activity that resulted from these resolutions, such as the recent invitation of the OAS to train and help guide its human rights staff on the impacts of environmental degradation on human rights. The resolutions have helped CEDHA launch a hemispheric initiative on this overlap, an excellent opportunity to build capacity of state actors on the linkages between human rights and environment. The parallel efforts to promote HR/ENV in the United Nations system, has also been an important working towards similar objectives. The UN invitation to CEDHA, to join as expert-advisor in this process has also opened numerous advocacy reach possibilities for CEDHA, including for example, a leading role played by CEDHA at the World Summit on Sustainable Development at which we were successful in our advocacy to have human rights and environment issues addressed in the summit Action Plan.

CEDHA has also launched significant local activities following a cautious and reflective period to determine local needs. The workshop held in May 2001 on Citizen Instruments to Defend the Environment (in collaboration with FARN and Poder Ciudadano) was very well received with strong demand for follow-up training as has been the inclusion into AIDA, through which CEDHA will help other locally focused NGOs throughout the Americas address the human impact of environmental degradation. CEDHA has responded by increasing its assistance to local NGO groups and victims of HR/ENV violations. CEDHA now regularly receives up to a dozen daily consultations on human rights and environmental concerns. We have been a catalyst in the creation of new civil society groups, focusing on human rights and environmental protection and

promotion, especially in Argentina's northern provinces, which are the traditionally marginalized, and more needy of assistance on such issues. Local RBP activities have mobilized local civil society, and created unique spaces for exchange and collaboration between what were once alienated groups on an issue (Corporate Social Responsibility) that is still in infant stages in Argentina and in Latin America more generally. Finally the STP is addressing hitherto ignored environmental and human rights concerns resulting from trade and has provided particular key input on processes taking place in the WTO, that have great implications for the future of regional trade agreements and the future FTAA.

The results of CEDHA's activities and initiatives that we see today indicate that we are progressing along a line of continual growth, reach, and impact towards promoting the links between human rights and the environment.

Priorities for 2003:

- Further develop new initiative (Right to Water, Participation, Global Governance (IFIs), and Environmental Justice
 - Right to Water (deepen awareness on right to water)
 - Participation (submit Draft Hemispheric Legislation on Participation)
 - Global Governance (establish CEDHA as actor/advisor on Human Rights at IFIs and promote IFI policy development on human rights and environment)
 - Environmental Justice (target local communities with concrete and attainable advocacy strategies)
- Increase Fund Raising Activities (seeking long term general support)
- Identify Funding for Initiatives and un-funded programs (Trade, Business, Global Governance, Participation, etc.)
- Design and Implementation of new institutional management systems
- Produce new publications on human rights and environment
- Increase in-house training as per needs identified at retreat

ANNEXES

1. CEDHA Staff
2. Board of Advisors
3. CEDHA Publications

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Jose Miguel Vivanco

Executive Director Americas Division

Human Rights Watch

Rick Wilson

Director Human Rights Law Clinic

American University

Durwood Zaelke

Founder and President

Center for International Environmental Law

CEDHA Publications

- A Rights Based Approach to Development. By Jorge Daniel Taillant; *Presentation to the World Social Forum Seminar on Globalization and Human Dignity March 2, 2002 Porto Alegre.* www.cedha.org.ar/docs/doc78.htm
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- La Justiciabilidad del Derecho Ambiental desde una Perspectiva de Derechos Humanos. By Romina Picolotti and Sofía Bordenave CEDHA 2002. www.cedha.org.ar/docs/doc91-spa.doc
- Linking Human Rights and Environment (forthcoming). Arizona Press, 2003. By Romina Picolotti and Jorge Daniel Taillant (Eds).
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