



## **Center for Human Rights and Environment**

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### **Annual Report 2004**

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### **About this Report**

The following is a report accounting for CEDHA operations during calendar year 2004. Some prior and post 2004 activities may be included. The report details program purpose and objectives, local and international actions and initiatives, review of ongoing and new programs, human and financial resources, and expenditure information on CEDHA's budget information. Due to the thematic structure of the report, some analysis and listing of activities may be sited in various sections, causing some repetition of information. Each section is preceded by an analytical evaluation of the thematic focus issue covered, with highlights, overall assessment, and qualitative evaluation. The report may be read in summary form by reviewing the executive summary in addition to introductory analytical paragraphs of each section. Many activities may be listed only in the full description of programs or initiatives of each section, and hence, a comprehensive review of CEDHA's operations 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.

CEDHA also publishes a Sustainability Report, which examines the institution's economic, environmental and social impact on stakeholders. This report can be found on CEDHA's website.

## List of Acronyms

AIDA	Inter-American Association of Environmental Defense
BIC	Bank Information Center
CSO	Civil Society Organization
CSR	Corporate Social Responsibility
CSL	Corporate Social Liability
ECA	Export Credit Agency
FTAA	Free Trade Agreement of the Americas
GA	General Assembly Meeting of the Organization of American States (OAS)
GRI	Global Reporting Initiative
GMO	Genetically Modified Organisms
HR/ENV	Human Rights and Environment
IAHRS	Inter-American Human Rights System
IDB or IADB	Inter-American Development Bank
IFC	International Finance Corporation
INESCR	International Network on Economic Social and Cultural Rights
IUCN (or UICN)	The World Conservation Union
MERCOSUR	Southern Cone Common Market
OAS	Organization of American States
PRD	Demand Assessment Program ( <i>Programa de Relevamiento de Demanda</i> )
UNEP	United Nations Environmental Program
UNHCHR	United Nations High Commission on Human Rights
WB	World Bank
WTO	World Trade Organization

## I. Review Institutional Purpose, Objectives, and Context<sup>1</sup>

The Center for Human Rights and Environment (CEDHA) is a non-profit organization which aims to build a more harmonious relationship between the environment and people. Our work centers on promoting greater access to justice and guarantee human rights for victims of environmental degradation.

Our actions are oriented to achieve and foster:

### **Human Rights and Environmental Enforcement, and Public Policy Promotion** *in a human rights framework.*

Activities include:

- Litigation
- Advocacy
- Capacity Building
- Empowerment of Victims and Civil Society
- Research and Publications

We also have several initiatives, projects, and thematic focuses which we group into program areas:

- Access to Justice
- Participation and Access to Information
- Right to Water
- International Financial Institutions
- Corporate Social Liability
- Trade and Sustainable Development

Our Targets/beneficiaries include:

- Poor, marginal and/or informal communities
- Civil Society Organizations (CSOs)
- Students
- Young Leaders
- National and International Civil Servants and Policy Makers
- Academics and Academic Institutions
- Private Sector Agents (Business)

Since its launch in September of 1999, and convinced that the state and quality of the environment has enormous bearing on the full enjoyment of human rights, CEDHA is one of the very few international actors fostering greater awareness, harmony and collaboration between environmental and human rights advocates, as well as complementarity between human rights and environmental protection mechanisms and advocacy agendas.

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<sup>1</sup> During 2004, CEDHA reformed its programmatic structure, responding to the growth and development as well as atrophy over time of specific originally proposed programmatic structure. We have taken the multiple activities we have carried out over a 5-year period, reconsidering the originally proposed tri-program structure, and came up with what we believe is a better representation of the thematic and typological nature of work, expressed now in "types" of activities (such as litigation or capacity building) and certain thematic focuses which are recurring in the activities we embark on (such as right to water, or participation and access to information). This does not represent a shift in focus or work program, but merely a reformulation of the way in which we communicate our work. We have in no way changed our institutional mission or objective.

Despite achieving great technological and economic strides over the past century, our global society has not yet been able to revert historical tendencies separating the rich from the poor. While some are prized with continuous improvements in their access to quality public services, transport, roads, home technology, access to information, quality health and health services, and many other characteristics of modern life, others suffer systematic marginalization, informality, exclusion, poor public environmental services such as fresh water and sanitation infrastructure, and other services that are critical to attain minimal levels of human dignity.

Generally, it is the poorer social sectors, the marginal, and most vulnerable, which suffer exclusion and an inequitable burden of environmental degradation and contamination. These communities are victims of violations of basic human rights such as the right to health, food, physical integrity, property, work, and a healthy environment, among others, and yet, as a society, we fail to look for effective and immediate remedy for such circumstance, and instead, generate a profound exclusion and separation of the *haves* and *have nots*. This exclusion is generating serious problems for the social fabric, weakening the identification of many individuals to the benefits of the public life and good, which is the only legitimacy holding societies together. As a consequence, we see the escalation of violence, intolerance, and social, economic and political instability.

The irony of this phenomenon is that generally, society does not consider such problems as human rights problems, nor do they see the victims of contamination and degradation as victims of human rights violations. Society rarely brings environmental problems to the forefront of public policy debate. The environment doesn't make it the top of political priority lists; it rarely sells newspapers, or brings urgent attention, unless the degradation contamination is unusually large.

As society fails to recognize environmental problems as human rights problems, likewise, the solutions to environmental problems are also generally addressed through non-rights channels, depending on political favor or good press to take priority. *Rarely are environmental problems presented in terms of rights, obligations, responsibilities and liabilities of responsible parties. Taking a rights bases approach to environmental problems is useful in that it delineate clearly what the most effective points of leverage are for changing policy, forcing responsible parties to take action, addressing reparations, and protecting human rights affected by the quality of the environment. This is the innovative approach CEDHA takes in all of its advocacy activities.*

## **II. General Overview**

We are now moving into CEDHA's sixth calendar year in existence. The launch of CEDHA's Human Rights and Environmental Legal Clinic at the close of 2003, and its ongoing local advocacy work in Córdoba during 2004, as well as local cases we've taken on in Patagonia, have helped tremendously in establishing a very strong local presence and have helped put into practice much of the theoretical work and research we have done over the past several years. As we had hoped, local cases are having an enormous impact in local courts and in the local press. Not only have we been able to seek redress for victims, and leverage policy and governance action, but we've seen local press headlines such as "the first time justice gets involved in environmental services".

At the international level, we are also witnessing increasing maturity in the understanding of human rights and environmental linkages at international institutions, especially at human rights institutions, which are no longer doubting the relationship between environmental quality and the realization of human rights, but are actually assigning human and financial resources to begin to work on relating human rights issues with environmental problems. We also see international development organizations much more readily and systematically aware of their responsibility in protecting the environmental and basic human rights (even if most of the language of safeguard policies of international financial institutions, for example, is not framed necessarily in "rights" terms). At this level, we've advanced on many capacity building sessions for CSOs working on

environmental advocacy and on human rights advocacy to get them to approach international advocacy from this perspective, and we've been able to penetrate numerous IFIs and other international institutions with this underlying message.

We are also pleased to sense that the human rights and environment discussion is progressing past the state of doubt and awakening to a more mature state where very important human rights issues, such as health, indigenous rights, water, housing, poverty, food sovereignty and many others are beginning to be addressed from a human rights perspective even though semantically, such developments may not be presented as "Human Rights and Environment issues". To the extent that such issues are addressed from a socio-environmental and *rights* perspective, we can say that the Human Rights and Environment field is advancing!

During this last calendar period we've focused principally on developing channels to bring our international advocacy agenda (which drove much of CEDHA's early growth) to local spheres, developing local test cases for much of our early-year theoretical human rights and environment research, particularly in Argentina, and in Latin America more generally, and also, promoting more local litigation of cases, largely focused on setting critical human rights and environmental jurisprudence.

We have at the same time, maintained and expanded many activities at the international level, and continue to play an important leadership role in the advancement of more complimentary advocacy in the human rights and environment fields, a collaborative effort begun by a handful of organizations in the mid 1990s, and which today is slowly taking firm hold on the development agenda. In this period, we have continued and furthered some of our most impacting global agenda initiatives, such as our advocacy work before governments and international institutions (the OAS particularly but also institutions such as the FTAA, World Bank, UN, and others), strengthening partnerships with other local and international advocates, and building greater global networks of human rights and environment advocacy, including through the International Network for Economic, Social and Cultural Rights<sup>2</sup>, which since its recent launch is becoming an important actor for harnessing global human rights and environmental advocacy. The growing and active human rights and environment dynamics of this network, for example, are largely a result of CEDHA's leadership and advocacy work with partner groups in the network.

### **III. Litigation/Access to Justice**

Our access to justice work focuses on providing victims of environmental degradation with legal assistance to guarantee their human rights. CEDHA provides free legal advisory services and representation to victims and to other CSOs, before local and international tribunals.

*Specific Activities Include:*

- *Litigation and advisory assistance to victims and litigating civil society organizations at the local and international levels*
- *Preparation of Amicus Curiae briefs and advisory assistance in the preparation of litigation strategies environmental cases before local and international tribunals*
- *Coordination of a Human Rights and Environment Legal Clinic*
- *Coordination and Capacity building of the Argentine Environmental Defense Network (RADA)*

#### **Overview of Related Activities**

##### Local Litigation and Legal Advocacy

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<sup>2</sup> CEDHA's Executive Director was recently appointed to the International ESCR Net Board of Directors, as the sole representative from the Latin America Region.

This past year witnessed important growth for CEDHA's local litigation and advocacy. One of the goals set at the close of 2003, considering that much of our earlier years work was focused on research, theoretical advancement on human rights and environment, education and capacity building, was to "*advance case litigation and achieve judicial human rights and environmental precedent*" in local courts. This objective is critical to our overall objectives, largely because it helps bring our exploratory theoretical research and educational advocacy on human rights and environmental linkages, to real life problems and cases. After several initial years of prioritizing theory and research over litigation, we needed to increase our exposure in local court room, increase case advocacy and more systematically and regularly bring theory to political policy making circles, to local courts, and to defend real victims. Our hope is that with a growing number of successful cases, we will increase the effectiveness of local access to justice mechanisms to address socio-environmental problems.

The launch of our Human Rights and Environment Legal Clinic in Córdoba in 2003, focusing largely on the inequity of environmental service delivery, coupled with a marked effort in Patagonia to take on local socio-environmental cases in the region, particularly focused on access to information and land-use, were both key to produce highly visible, measurable, and much desired results during 2004. We were particularly pleased to have been able to take many cases to action that we had identified nearly two years earlier in an assessment exercise (which appeared in CEDHA's *Human Rights and Environment in Urban Life: Cases in Córdoba and Bariloche*). Many of these cases appeared throughout 2004, on a regular basis, in local newspapers, in local courts, and on the agendas of local policy makers. Cases included issues such as freshwater contamination in poor neighborhoods, relocation, use of toxic agro-pesticides near urban settlements, illegal foresting, precedent-setting enforcement of the new National Access to Environmental Information Act, and other cases bringing public interest issues related to socio- environmental problems to the local courts.

We are please to see headlines in local press that read, for example "the first time that justice gets involved in the environment", and we saw provincial court orders mandating state agencies to provide daily potable water to some of Córdoba's poorest neighborhoods. We were also able to gain federal verdicts forcing national control over state complicity in the violations of human rights and environmental law. What is particularly impacting is to see is how local case sentences are beginning to incorporate concepts of international human rights and environmental law in decisions. Judicial sentencing is maturing in many ways, beginning to incorporate a much more informed and deeper understanding of the intricate relationship which exists between the environment and the realization of human rights such as the health, property, livelihoods, children rights, equity, and other social dimensions of environmental problems.

Through CEDHA legal advocacy we are also seeing the first examples of enforcement of the National Environmental Information Act, where the right to access information is clearly being defended by the local courts in nearly all of our local cases. Also, the courts are responding favorably in many instances to holding public authorities accountable for their obligations, actions and omissions with respect to the aftermath of environmental degradation, especially where it can be proven that public authorities had information about the human risks and impacts of the degradation. We can also mention a precedent-setting criminal case in which a non governmental organization (CEDHA), for the first time ever, brought a criminal lawsuit to the courts (in an environmental case). We are already seeing efforts at bringing similar litigation by other CSO actors for other cases.

In some cases, we've also even seen significant changes in public policy resulting from case advocacy and from judicial decisions, or the drafting and passage of new legislation, or, for example, the stalling of a multi-million dollar private investment project, due to inadequate socio-environmental impacts assessments, something that would not likely have occurred if left to the normal process of licensing and authorizations for construction projects. In Bariloche, scavenger workers in a local waste dump were recognized as "workers" in the renewal of concession contracts with the waste management company. These cases are serving as landmark cases and

precedent in local courts increasing the chances of future human rights and environmental protection actions.

In 2003, CEDHA created the RADA network (a network of environmental and human rights attorneys operating nationally in Argentina)<sup>3</sup>. This network has served, in its brief one year existence, to widely disseminate legal environmental advocacy experiences, case sentences, jurisprudence, doctrine, and pertinent legislation, to a large environmental legal and advocacy audience, which in turn are able to take case experience such as these and replicate them in their own localities.

Our local litigation and legal advocacy is generating important demands from local communities which become aware of the type of advisory assistance CEDHA is providing. On numerous occasions throughout 2004, local groups from around the country (e.g. communities affected by mining in the western provinces, indigenous groups affected by dam construction prospects in the south), as well as local environment agencies, civil society organizations working on socio-environmental issues, and generally victims of environmental degradation, are turning to CEDHA to help address and resolve their socio-environmental development problems through access to justice channels. This demand suggests to us that our litigation advocacy work is not only producing measurable judicial results, but it is also waking society to the usefulness of using the law, identifying rights and obligation, and using public interest litigation advocacy to resolve environmental and human rights disputes.

#### International Litigation and Legal Advocacy

CEDHA, from its inception, concentrated an important portion of its program agenda to international legal advocacy, particularly within the Inter-American Human Rights System (IAHRS), where CEDHA aimed to sensitize Inter-American Commission and Court members on the importance of understanding environmental problems in a human rights context, especially when environmental degradation is violating basic and universal human rights, such as the right to life, property, health, food, water, access information, etc. In addition to advocacy before the IAHRS, we have also explored opportunities to leverage change and introduce human rights and environmental protection mechanisms, legislation and policy at other international forums, such as at United Nations agencies, the Free Trade Agreement of the Americas (FTAA) negotiations process, the World Trade Organization (WTO) and International Financial Institutions (IFIs) such as the World Bank, the Inter-American Development Bank (IADB), or at Export Credit Agencies (ECAs). We are currently studying ways to hold IFIs, particularly ECAs, accountable for human rights compliance. In this effort CEDHA is collaborating in a global initiative to test access to information laws at a national level and IFI disclosure policy, in IFI projects.

In 2004, in addition to continuing advocacy work at these forums, CEDHA also focused on building other CSOs capacity across the hemisphere to approach international tribunals with human rights and environment cases (see section on capacity building on work with AIDA), as well as on providing advisory assistance to select CSO with case litigation strategies or amicus curiae briefs for cases already submitted to such forums (such as the IAHRS or the WTO).

#### **IV. Advocacy**

Our advocacy work centers on raising awareness at and pressuring local and international public institutions and policy makers to construct more efficient and effective environmental and human rights protection mechanisms. In this effort, we work to strengthen, change or create local and international law, normative and regulatory frameworks and public policy favorable to sustainable development, respectful of human rights and geared at environmental protection.

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<sup>3</sup> See [www.rada.org.ar](http://www.rada.org.ar)

In 2004, international advocacy activities centered on the Organization of American States (OAS), the Summit process, the FTAA, WTO, and at the International Finance Corporation (IFC), among others. Our activities included coordinating CSO advocacy in the Americas to push for formal participatory channels as well the establishment of rights to access information, largely done through OAS General Assembly meeting (GAs) (helping establish formal and regular channels of participation for civil society in subsequent GAs) and the Summit Office (at which we are helping design and coordinate civil society participation in the 2005 Summit); actively participating in the IFC safeguard and disclosure policy review (currently in progress), generating debate and publishing opinions on the utility of the UN Human Rights Norms for Transnational Corporations, and at the FTAA and WTO pushing for greater openness, access to information and consideration of human rights and environmental protection mechanisms. We also are helping introduce a human rights based approach at World Conservation Union (IUCN), which brings under a same umbrella, hundreds of environmental organizations, international agencies and governments.

Nationally CEDHA was involved in a great number of advocacy activities particularly in the provinces of Rio Negro and Córdoba, where we have our two main offices, but also at many other locations, through partner organizations and support to local communities. We are targeting state institutions, as well as local and national policy makers, helping draft local environmental codes, helping mold local environmental public policy and programs, and pressing government officials to address long standing environmental problems. In Córdoba, for example, we were largely successful in influencing policy makers (through a court order) to improve water provision to poor neighborhoods, as well as destine fixed percentages of yearly tax collections to improvements in wastewater treatment. In Patagonia, we helped create permanent dialogue mechanisms between local scavengers and municipal authorities, which ultimately helped formalize labor conditions of hitherto informal scavenger workers. These workers, through our assistance went on to form a national association of recyclers; similar advocacy activities during 2004 has led to similar results and networks on issues such as extractive industries, water, and food security.

## **V. Capacity Building**

Our Capacity Building focuses on building local know-how to utilize access to justice mechanisms, on how to seek legal and political redress for environmental degradation, how to leverage action collectively, and how to rethink development advocacy from a human rights perspective.

Capacity building is central to help CEDHA achieve replicability through other able actors, of our approach to human rights and environmental advocacy especially since the nature and types of actions we are carrying forth are fairly new and exploratory. We have centered much of our capacity building on other *legal* actors, environmental lawyers, human rights organizations (especially those that litigate), and other CSO actors that commonly approach political policy makers or state agencies with formal demands for action on environmental and human rights issues.

At an international level, we are utilizing several of the networks in which we participate, such as, The International Network on Economic, Social, and Cultural Rights (INESCR), the Inter-American Association for Environmental Defense (AIDA), the Participation in the Americas Working Group, Inter-American Democracy Network, Rios Vivos, and IUCN. We have held training workshops with each of these networks during the past year (in some cases on several occasions), in regional and international settings, bringing together CSO advocates, with thematic experts, and international agency staff (such as from the Inter-American Commission on Human Rights). These sessions help educate advocacy actors and sensitize international agency staff, on such issues as human rights based approached to environmental protection, the human

dimensions of environmental cases, the importance of accessing information and participating in international development forums, the right to water, and several other agenda-pertinent issues.

## VI. Empowerment of Victims and Civil Society<sup>4</sup>

CEDHA's Empowerment activities center on encouraging and accompanying victims and communities, as well as other advocacy actors, to take steps to utilize access to justice mechanisms. This area of work focuses on catalyzing existing human resources, building self-esteem, self-worth, and imbuing a sense an ownership of human rights and exposure to the process by which such rights are guaranteed.

CEDHA has made several measurable advances in 2004 on victim and civil society empowerment, including for example, our work with scavenger communities in Patagonia, where we helped an unorganized and informal sector of scavengers, convene regular meetings, learn about human rights and labor rights, and about state protection obligations, and subsequently establish a consultation roundtable before local authorities which led not only to the improvement of their working environment but also to the formalization of the incorporation of this informal workforce into the concession contracts of the local garbage management company.

We've also worked with many of the victims that have approached CEDHA's legal clinic, helping educate on rights awareness and access to justice channels. We have helped such victims step forward, build confidence and establish regular and more effective communication channels to inform and take demands to local authorities which are now beginning to address the resolution of problems such as local freshwater contamination, elimination of toxic industries etc..

During 2004 CEDHA has also actively promoted and helped create or strengthen several networks of victims many of which came together for the first time at CEDHA events, and which are now maintaining regular communication. These include for example, *networks of recyclers, indigenous women, mining affected communities, and communities affected by water contamination*. These convenings resulted in the publication of the first-ever volume focusing on national human rights and environmental issues.<sup>5</sup>

## VII. Research and Publications

CEDHA regularly conducts research and publishes essays, books case studies, training materials, theoretic research, and other materials which contribute to advancing the debate on human rights and environment linkages. Our publications are usually geared towards one or more of our actors and beneficiaries.

We can highlight publications such as

- A volume aimed at setting a national human rights and environment agenda for Argentina; (see footnote below for title)
- A volume covering the trends, development and current state of access to information and public participation opportunities in the Americas;
- A publication focused on recent massive flooding in Santa Fe, in which there are clear human rights violations implications;

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<sup>4</sup> Many of the activities pertinent to this section may already be cited in the Advocacy and Capacity Building Sections, due to which the **may not** be cited here.

<sup>5</sup> Derechos Humanos y Ambiente en la República Argentina: Una Agenda Nacional. CEDHA. Editorial Advocatus. 2005

These and several publications are presently in final editing and going to press in the first quarter of 2005, a list of which can be found in the annex.

### **VIII. Participation and Access to Information**

The objective of the Participation and Access to Information Initiative is to secure greater and more effective civil society input into local and international development processes, including hemispheric governance institutions, as well as local decision-making forums. The initiative advocates for the establishment of individual and collective rights to information and participation as well as obligations of local and international public governance institutions to ensure participatory channels and access to information on public policy formulation.

This area of work for CEDHA has become central to our operations. We are conducting very targeted advocacy at the international, regional and local levels, including at such forums as the OAS, the Americas' Summit, the World Bank, the IFC, the FTAA, MERCOSUR, and the WTO, among others.

In mid-2003, CEDHA received a generous grant from the Ford Foundation to further this initiative and expand advocacy efforts before numerous intergovernmental organizations, particularly the OAS, the FTAA, and the Summit process.

The forums at which we were most active in promoting participatory rights during 2004 were the FTAA, the OAS, and the Summit of the Americas (Extraordinary Summit Mexico, January 2004).

One of the objectives of this initiative is to ensure CSO presence at regional events that are important for the promotion of participatory rights. We are using project funds to ensure that essential advocates from various regions of the Americas are present at such events and ensuring the push for this advocacy agenda. Through the use of grant funds we have facilitated participation of CSOs from many localities to the following forums:

- FTAA meetings;
- Summit meetings;
- The ECLAC hemispheric training on participation
- Official state meetings including at the Juridical and Political Committee of the OAS

The initiative has made significant measurable advances on many of its objectives, including its overall objective of securing greater civil society input into hemispheric governance institutions, as well as its more inspirational objective of establishing hemispheric rights of participation. It has been particularly effective in placing in motion a series of activities that, taken in whole, are helping change the way in which many CSOs and other civil society actors are approaching the "process of participation" at the international level.

We are seeing measurable progress especially at OAS agencies, the General Assembly, the Summit Process, and more generally, before government representatives of the region. Formal declarations and State commitments are helping guarantee rights to information and participation. An example is the recent language we helped promote in the *Nueva Leon Declaration* at the last Summit, committing states to establish normative/legal framework to guarantee these rights. We have also helped establish mechanisms and process of participation (such as the newly instated official consultation process at OAS General Assembly Meetings).

In the context of MERCOSUR, the southern cone region's trade agreement, CEDHA has successfully placed in motion a discussion amongst official state representatives on the usefulness of introducing an Additional Protocol on transparency and access to information.

## **IX. Right to Water Initiative**

Launched in mid 2002, the objective of this initiative is to achieve greater equity in the realization of human rights affected by the use of water resources. One of the principal activities of this initiative is the defense of victims of non-sustainable use of water by public and private entities. We work at the local and international level towards the recognition that access to fresh water is a human right. We promote stronger water-focused legislation which incorporates a social perspective; we offer capacity-building on water and human rights issues; and in the legal realm, we aim to set judicial precedent establishing the links between human rights and water, ultimately improving access to justice for victims of the degradation of water resources.

In 2004 many of the cases taken on by CEDHA, both in the legal and political advocacy realm, were focused on water issues, particularly those in the cities of Córdoba and Bariloche cities. These included primarily cases focusing on poor neighborhood water quality and access, inequity of public environmental services, or defense of communities seeking access to water bodies in green areas, threatened by new private investment.

One of the decisions made in early 2004, was that future CEDHA cases would focus on CEDHA's thematic initiatives, of which water is one. In this aspect, many of CEDHA's present cases, and advocacy strategies center of water access and quality as a main advocacy focus.

We should mention the convening of the first national workshop of victims of water misuse which led to the creation of the first network of such victims, as well as our report (in conjunction with Proteger) on the victims of flooding in Santa Fe province.

CEDHA is currently finishing the documentation and editing of a forthcoming publication on the case of Chacras de la Merced in Cordoba, which involves three poor neighborhoods in Cordoba city for which CEDHA helped obtain public attention to and eventually secured potable water access for the community. This report will offer advocacy methodology, analysis of strategy options, and detailed case results to interested advocacy actors.

The World Water Forum to be held in Mexico in 2006 is a future advocacy platform to advance continue to water rights advocacy at a global level, and we expect to be participating in regional and advocacy initiative on this front over the next two years.

## **X. International Financial Institutions Initiative**

CEDHA works to increase the transparency of IFIs<sup>6</sup>, foster greater access to information and increase public participation in IFI policy development and decision-making. Our work on IFIs is geared to assuring human rights and environmental law compliance of IFI projects and policy, as well as pushing for more effective access to justice mechanisms for victims or potential victims of IFI activity. Activities in this initiative include: the active engagement in policy review processes of the IFIs; research and publications on human rights and environmental dimensions and implications of IFI projects and activities; building the capacity of other civil society organizations to work on IFI advocacy; the use of access to justice mechanisms in cases where IFI activities has negative impacts on people, communities and the environment.

During the year 2004 CEDHA consolidated many of its IFI-related advocacy efforts to formalize this initiative into a focus area for CEDHA. Early in the year, CEDHA participated in the Second Regional Conference on Civil Society Advocacy before IFIs, held in Brazil. CEDHA is hoping to give new energy and direction to regional advocacy on IFI issues, traditionally geared towards

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<sup>6</sup> IFIs are Internacional Finance Institutions, which include primarily, but not limited to, agencies of the World Bank Group (IBRD, IFC, MIGA, IDA), the Inter-American Development Bank, the International Monetary Fund and Export Credit Agencies (ECAs).

resistance and/or opposition to IFI projects. CEDHA's approach on IFIs is more proactively aimed at engaging IFIs to reconsider social and environmental policy and project design, transparency, and public participation, to more effectively ensure human rights and environmental protection at all levels of IFI operations. An example is our active and engaged participation in the revision of the IFC's disclosure and safeguard policies. Also this year, we are contributing as co-organizers of the first International Conference on Export Credit Agencies and Human Rights.

A strong focus and objective of our IFI initiative is to push IFIs to streamline their policy and operations with human rights. To this aim, and through publications and advocacy, we are helping advance the discussion on human rights dimensions of IFI operations.

Recently CEDHA has embarked, in collaboration with a Bank Information Center's, Global Transparency Initiative, on testing IFIs on access to information for which Argentina will serve as a test country in the first phase of testing.

We are also working with other civil society actors to increase their capacity and experience in participating in leveraging change at IFIs. CEDHA's Executive Director serves as IFI Advisory Board member of the Global Green Grants Fund, helping channel funding to CSOs worldwide working on IFI advocacy.

## **XI. Corporate Social Liability**

CEDHA's work on Corporate Social Liability fosters the strengthening, compliance, and awareness of business environmental and human rights normative frameworks and standards at the local and international level.

This initiative previously a program at CEDHA, has focused in 2004 mostly on international advocacy, particularly in fostering greater awareness of the publication of the recent UN Norms on Human Rights and Transnational Corporations, the development of international measurement indicators for corporate social liability, and on bringing international CSR standards to local arenas. Our work on CSR includes advocacy, research, and publications.

We can mention some of our recent advocacy work with the INESCR, focused on disseminating information and critiques on the UN Norms as well as a recent publication addressing the usefulness of sustainability reporting for Civil Society Organizations (based on Global Reporting Initiative (GRI) indicators).

We have also helped a local CSO launch a National Observatory on Human Rights (particularly labor rights) and transnational corporations. CEDHA plans to use this opportunity to advance with experiences of the implementation of the UN Norms at the local level.

## **XII. Internships/Fellows**

CEDHA continues to receive a steady flow of interns/fellows, which make a substantial and important contribution to our advocacy work and activities. This past year we can stress the inclusion of 8 interns coming from international locations, and an important number for local activities, particularly those relevant to the Human Rights and Environment Legal Clinic, which had up to 18 interns at one time, working on the various clinic cases. We have also strengthened links to local universities, which throughout 2004 have also been an important source for research project focused internships.

### **XIII. Operating Budget and Financial Overview**

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% from the first year to the second year of operations, and 26% in the third year with respect to year 2. In year four of operations, expenses grew 10%, while in the last calendar year, we witnessed a 23% growth in expenditures.

See Table 1 and Table 2 below.

**Table 1. Expense and Income Growth  
2000-2004**

#### **Expense Growth**

2000-2001	82%
2001-2002	26%
2002-2003	10%
2003-2004	23%

#### **Income Growth**

2000-2001	-12%
2001-2002	49%
2002-2003	42%
2003-2004	11%

Initially, and for three full years, the Hewlett Foundation provided CEDHA with its principle source of income, accounting for 69%, 78%, and 52% in the 2000-2002 period, respectively. In 2003 the Ford Foundation became CEDHA's biggest financial supporter with 39% (against Hewlett's 37%), and 67% in 2004 (Hewlett no longer supported CEDHA in 2004). We should consider that 50% of Ford's support during 2004 is for calendar 2006, so that if we leveled our analysis for funds to be spent in 2004 and 2005 alone, Ford represents a much lower percentage amount (50%).

The Ford Foundation two-year grant in the amount of US\$200,000 supports efforts at promoting participatory and access to information rights in the hemisphere. An important grant from the UK (US\$56,000) injected new funding in calendar year 2004, for local activities in the promotion of Human Rights and Environment in Argentina. Additional funding came locally from the IDB financed Science and Technology Agency (US\$11,864), for CEDHA's Demand Assessment Project (PRD) focused on human rights dimensions of poverty, and public service delivery inequity. The PRD project will receive three additional installments of equal amounts during 2005-06.

We categorize expenditures into office, utilities, staff costs, travel, and other expenses. (see Table 3). We note a substantial reduction in the percentage of funds going to staff costs (51% in 2003 and 39% in 2004). Approximately 19% go to office maintenance/overhead. Travel represents 25% of expenditures while a new item, workshops organized and paid for by CEDHA is included in the "other" category, representing approximately 16% of expenditures.

**Table 2. Summary Expenditure/Income 2000-2004 (US\$)**

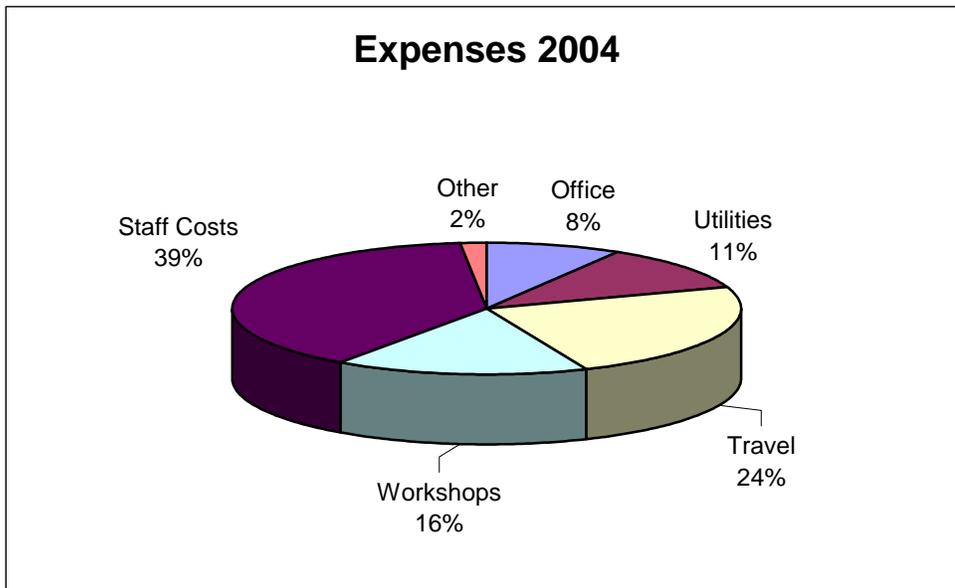
	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>	<u>TOTAL</u>
<b>Expenses</b>	73,129	133,200	167,949	184,338	226,329	<b>784,983</b>
<b>Income</b>	145,936	128,800	191,539	273,658	300,120	<b>1,038,007</b>

**Table 3. Breakdown of Expenditures**

**CEDHA Organizational Expenses 2000-2004 (US\$)**

	<b>2000</b>	<b>%</b>	<b>2001</b>	<b>%</b>	<b>2002</b>	<b>%</b>	<b>2003</b>	<b>%</b>	<b>2004</b>	<b>%</b>	<b>Overall</b>	<b>%</b>
<b>Office</b>	5,014	7%	8,525	6%	16,569	10%	15,454	8%	18,866	8%	64,428	8%
<b>Utilities</b>	3,790	5%	9,894	7%	11,094	7%	17,528	10%	25,269	11%	67,575	9%
<b>Travel</b>	18,688	26%	25,579	19%	47,805	28%	46,071	25%	56,614	25%	194,757	25%
<b>Staff</b>	44,450	61%	87,115	65%	88,343	53%	93,948	51%	86,137	38%	399,993	51%
<b>Other</b>	1,187	2%	2,125	2%	4,138	2%	11,337	6%	39,443	17%	58,230	7%
<b>Total Expenses</b>	<b>73,129</b>		<b>133,238</b>		<b>167,949</b>		<b>184,338</b>		<b>226,329</b>		<b>784,983</b>	

\*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, decreased to 52% of total income. Income went from US\$146,000 to US\$192,000 during the same period. The year 2003 continued this trend, reducing Hewlett's share of funding support to approximately 37%, while maintaining monetary value at a continuum. In 2003 two foundations almost evenly split CEDHA's funding base, Hewlett and Ford, representing 37% and 39% respectively.

At close of 2004 the Ford Foundation is CEDHA's single largest supporting foundation, representing, 50% (US\$125,000) of income earmarked for 2004-2005 period (the remaining Funds, US\$75,000, are earmarked for 2006). Goldman Foundation, CEDHA's second largest donor accounted for 19% of funds for 2004 (US\$56,400). Our secondary funding base is also very significant to CEDHA's operating budget, accounting for 14% of remaining revenues in the last fiscal exercise.

### **Secondary Funders** (totaling less than 10%):

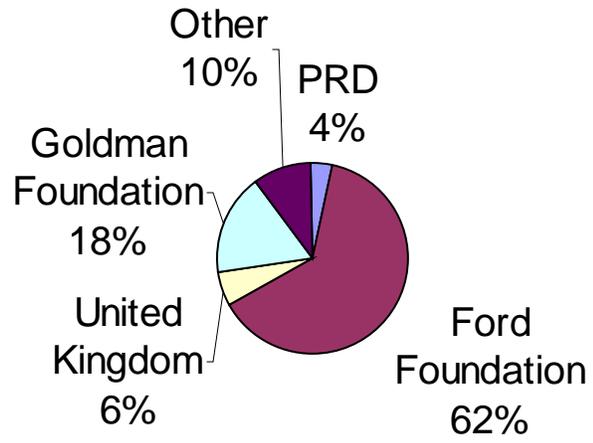
*(Most of CEDHA's secondary funding comes in the form of travel assistance to participate in workshops, conferences, seminars etc. In some cases funding may also be for authorship of publications, translations, or teaching)*

Agency for Science and Technology, Argentina (research grant)  
 Bank Information Center (translations)  
 Global Green Grants Fund (travel grant)  
 Hispanic Development Council (Internship Program)  
 Hobson Family Fund (travel grant)  
 Inter-American Association for Environmental Defense (travel grant)  
 International Institute for Sustainable Development (publication)  
 RIDES (travel grant)  
 United Kingdom, Buenos Aires Embassy (workshops)  
 World Conservation Union (IUCN) (travel grant)

### **Total Income 2000-2004 (US\$)**

	<b>2000</b>	<b>%</b>	<b>2001</b>	<b>%</b>	<b>2002</b>	<b>%</b>	<b>2003</b>	<b>%</b>	<b>2004</b>	<b>%</b>	<b>TOTAL</b>	<b>%</b>
Hewlett	100,000	69%	100,000	78%	100,000	52%	100,000	37%	0	0%	400,000	39%
CIEL	25,239	17%	9,271	7%	0		0		0	0%	34,510	3%
Goldman	0		0		60,000	31%	0		56,400	19%	116,400	11%
Ford	0		0		0		106,000	39%	200,000	67%	306,000	29%
UK	0		0		0		37,474	14%	18,377	6%	55,851	5%
Other	20,697	14%	19,576	15%	31,539	16%	28,091	10%	25,343	8%	125,246	12%
<b>TOTAL</b>	<b>145,936</b>		<b>128,847</b>		<b>191,539</b>		<b>271,565</b>		<b>300,120</b>		<b>1,038,007</b>	

# Income



#### **XIV. Sustainability at CEDHA**

Sustainability has always been central to the decisions made at CEDHA. It is inherent in the nature and at the very core of the work that we do. However, we consciously began looking at our own sustainability in 2002 with the preparation of our 2003 Sustainability Report. In 2004 CEDHA published its second consecutive Sustainability Report, 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 is available on CEDHA's website. The process involved evaluating and monitoring the social, economic and environmental impacts of our activities. It was extensive and consisted of interviewing employees, examining their daily activities and the activities performed at CEDHA's offices. We reviewed office expenditure characteristics, trips and travel, staff and human resources profiles.

The GRI guidelines were created with the needs of business organizations in mind. Operating in the non-governmental sector, our activities are considerably different than those of businesses and as a consequence, producing this report in strict coherence with the guidelines is a challenge. With this in mind, CEDHA in conjunction with the International Institute for Sustainable Development, to reflect on the usefulness of Sustainability reporting for CSOs which is also available shortly on CEDHA's website. As a by-product of this effort, CEDHA has created a resource guide for other CSOs wishing to conduct sustainability assessments at their own organizations.<sup>7</sup>

As the result of our first sustainability report, we have created a Sustainability Policy which aims at reducing the negative social, environmental and economic impacts of our activities. Some of the targets and actions of this policy are:

- Reducing the use of key materials by 10% per capita per annum including:
- Avoid unnecessary material use including:
  - food packaging
  - Styrofoam cup use
- Utilize waste material whenever viable.
- Reuse 100% of used paper in office.
- Monitor energy consumption and reduce excessive use of running water.
- Monitor and reduce, where possible, indirect energy use related to travel.
- Buy recycled products whenever viable.
- Conduct an annual evaluation of our social, economic and environmental impact in accordance with the Global Reporting Initiative (GRI) guidelines.
- Publish a report on CEDHA's Sustainability either simultaneously or in conjunction with our annual report.
- Plan a Sustainability vision and strategy for CEDHA.
- Develop procedures for engaging key actors.
- Assign personnel to monitor CEDHA's Sustainability.
- Ensure the fulfillment of this policy by personnel.
- Donate staff time to community projects (on a voluntary basis).

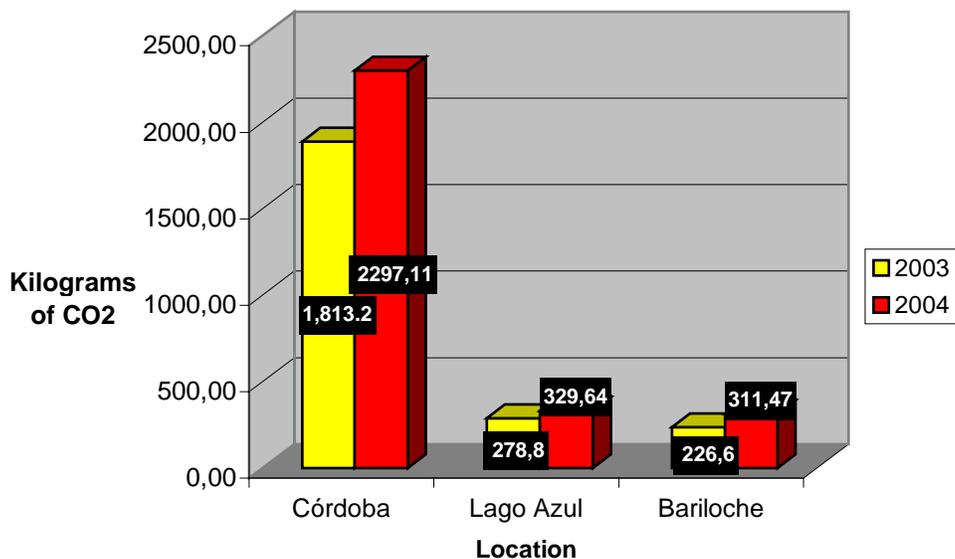
Below we have taken a few excerpts from our upcoming sustainability report.

Despite our efforts to pursue sustainability, the use of all resources at CEDHA has increased over the past year. This is due to a few reasons, the first of which were the opening of a new office in Bariloche and the increase in the number of staff in both Bariloche and Cordoba. Due to the use of new emissions factors, some of the data in this section varies from that reported in 2003.

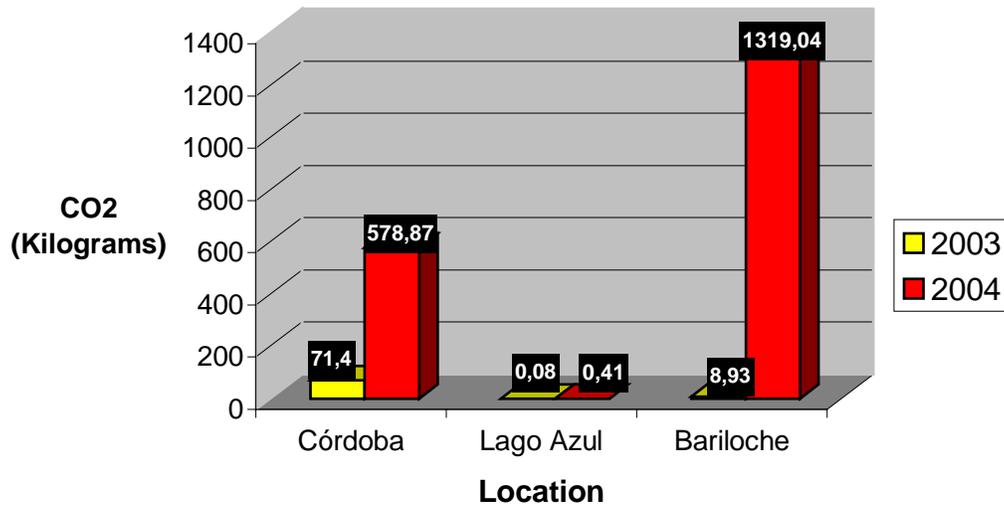
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<sup>7</sup> [http://www.cedha.org.ar/en/initiatives/corporate\\_social\\_liability/gri\\_resources.php](http://www.cedha.org.ar/en/initiatives/corporate_social_liability/gri_resources.php)

**EN8: Greenhouse Gas Emissions (electricity)**



**EN8: Greenhouse Gas Emissions (gas)**

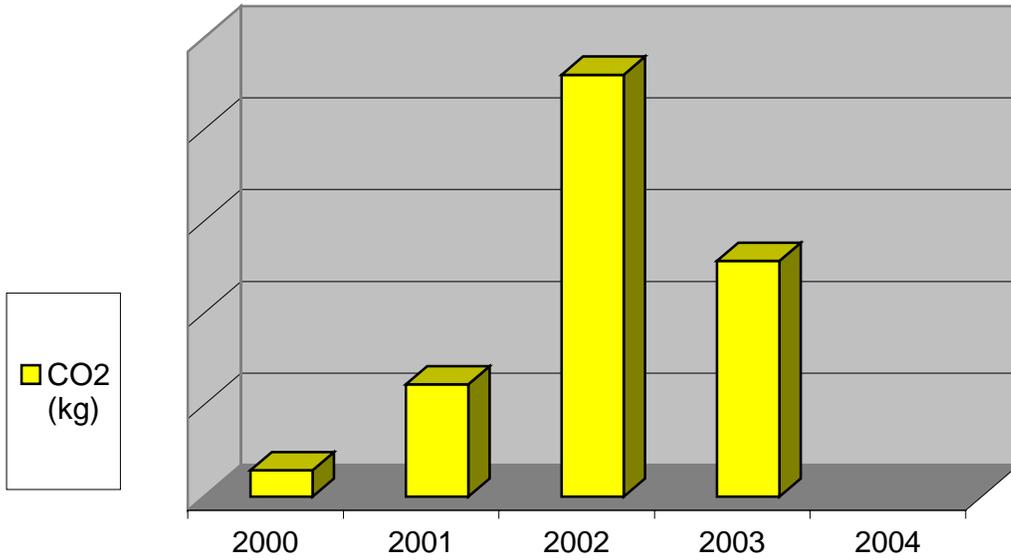


In order to estimate the number of trees required to offset our greenhouse gas emissions, the following analysis derives the number of trees required to absorb the greenhouse gas we have emitted.

	Total Used				CO2 Emissions		Trees needed	
					KG	LB		
Total 2004	<b>Electricity</b>	<b>9508,8</b>	<b>Kwh</b>	<b>34,23</b>	<b>GJ</b>	<b>2938,22</b>	<b>6464,08</b>	<b>9,6</b>
	Cordoba	7434	Kwh	26,76	GJ	2297,11	5053,63	7,5
	Lago Azul	1066,8	Kwh	3,84	GJ	329,64	725,21	1,1
	Bariloche	1008	Kwh	3,63	GJ	311,47	685,24	1,0
	<b>Natural Gas</b>			<b>72,32</b>	<b>GJ</b>	<b>1898,32</b>	<b>4176,31</b>	<b>6,2</b>
	Cordoba			22,05	GJ	578,87	1273,50	1,9
	Lago Azul			0,02	GJ	0,41	0,90	0,0
	Bariloche			50,25	GJ	1319,04	2901,90	4,33
Total 2003	<b>Electricity</b>	<b>7803,90</b>	<b>Kwh</b>	<b>28,094</b>	<b>GJ</b>	<b>2411,40</b>	<b>5305,09</b>	<b>7,9</b>
	Cordoba	6111,12	Kwh	22	GJ	1888,33	4154,34	6,2
	Lago Azul	928,89	Kwh	3,344	GJ	287,03	631,46	0,9
	Bariloche	763,89	Kwh	2,75	GJ	236,04	519,29	0,8
	<b>Natural Gas</b>			<b>3,061</b>	<b>GJ</b>	<b>80,35</b>	<b>176,77</b>	<b>0,3</b>
	Cordoba			3	GJ	71,40	157,08	0,2
	Lago Azul			0,000944	GJ	0,02	0,05	0,0
	Bariloche			0,34	GJ	8,93	19,64	0,0
<b>Trees Needed</b>							<b>24,1</b>	

CEDHA's sustainability objective is to have a positive cumulative impact on the environment. To have a positive net impact on the environment, we have to perform activities which offset our negative impacts. Trees act as carbon sinks absorbing carbon from the atmosphere. In 2004, CEDHA staff volunteered one weekend to plant trees in the Parque Nacional Quebrada del Condorito. Through planting trees, CEDHA offsets its greenhouse gas emissions resulting from work related activities including the use of airplanes, automobiles, buses, and electricity. Through our physical contribution of manpower and a financial donation of 1000 pesos, CEDHA contributed to Ecosistemas Argentinos planting 800 trees.

**EN34: Emissions Associated With Flights**



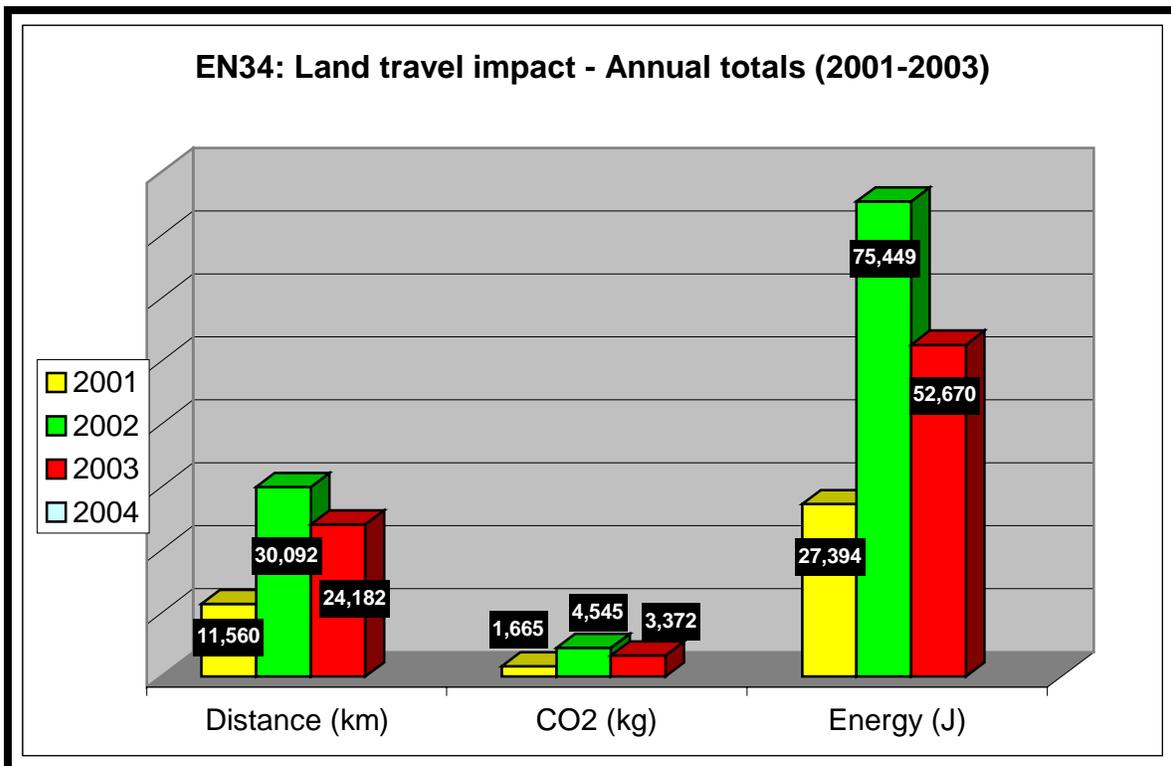
Since its founding, CEDHA's members have traveled a total of 65,834 km by land. This distance is equivalent to more than one and a half trips around the earth (the circumference of the Earth is approximately 40,000 km, according to [www.prh.noaa.gov](http://www.prh.noaa.gov)).

**Distance traveled by CEDHA's members, equivalent to trips around the World.**

		2000	2001	2002	2003	2004	TOTAL
By land	Km	---	11,650	30,092	24,182		<b>65,834</b>
	Times around the world		0.3	0.8	0.6		<b>1.7</b>
By plane	Km	37,277	164,165	614,771	330,654		<b>1,146,867</b>
	Times around the world	0.9	4.1	15.4	8.3		<b>28.7</b>

**Land travel impact – Annual totals (2001 - 2004)**

	2001	2002	2003	2004	TOTAL
Distance (km)	11,560	30,092	24,182		<b>65,834</b>
CO <sub>2</sub> (kg)	1,665	4,545	3,372		<b>9,582</b>
Energy (J)	27,394	75,449	52,670		<b>155,513</b>



## **XV. Conclusion and Future Strategies**

CEDHA is pleased to conclude at the end of its fifth 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 four 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 main 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. Local work is also serving as a test channel for international advocacy activities on HR/ENV. New activities and new staff to assist CEDHA, centering on issues such as the Right to Water, Participation Strengthening in the Americas, and Global Governance Policy Advocacy, add new and creative dynamics to our ongoing work on ongoing activities.

All of our global initiatives and advocacy impacts as well as new local activity indicate to us that we are seeing much advancement in the recognition of human rights and environmental issues, but more importantly, we see that actors that are involved in human rights or environmental advocacy are beginning to understand the value and importance of looking beyond their immediate program agendas, and experiment with a more integral approach to environmental and human rights protection. The type of work we are promoting, for example, on greater participatory rights is critical to the accessibility of protection mechanisms for all victims of environmental degradation, and the strong momentum we have generated from many dozens of advocacy groups across the hemisphere, as well as collaborative energies we've been able to bring together in the International Network on Economic, Social and Cultural Rights, stands to help advance this efforts over the next few years.

In this last period CEDHA has been especially focused on launching local activities. The establishment of the very first Latin American Human Rights and Environment Legal Clinic, the creation of the Argentine Environmental Defenders Network, and several of the local environmental degradation cases filed by CEDHA, in addition to our work with affected local communities and other local advocacy activity are setting important stones in our path towards local awareness building on environment and human rights linkages. These activities are also assisting us in bringing our international advocacy work to local spheres, testing theoretical framework, and our own ongoing research on ways to strengthen environmental protection.

On Corporate Social Liability, and particularly in the area of social impact and human rights, our advocacy has helped 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. New activities focused on International Financial Institutions are helping penetrate once airtight institutions with policy recommendations, and suggestions for improving public participation in international development agenda setting and finance.

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 2005:**

- Continue to develop local assessment tools and case studies for model advocacy strategies for human rights and environmental protection advocacy;
- Advance case litigation and achieve judicial HR/ENV precedent;
- Continue to promote participation and access to information rights in the hemisphere;
- Influence and assist/advise further HR/ENV case submission to international human rights tribunals;
- Advance and begin to use the recently created International Network on Economic, Social and Cultural Rights, to bring international advocacy resources to local needs;
- Increase Fund Raising Activities (seeking long term general support);
- Identify Funding for Initiatives and un-funded activities (CSL, RADA, Clinic, etc.);
- Produce new publications on human rights and environment;