



**20 FEBRUARY 2023**

Mairead Lavery  
President and Chief Executive Officer  
Export Development Canada  
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**RE: Export Development Canada's Involvement in Colombia**

Dear Ms. Lavery,

We are writing to you as human rights activists with [Amnesty International Canada](#) and concerned citizens. Amnesty International is a global movement of over 7 million people in more than 150 countries working together to protect and promote human rights in a time when they are being threatened worldwide. As highlighted by Amnesty International Canada's 2022 Human Rights Agenda, it is imperative that we recentre human rights in Canada and ensure we take seriously the pursuit of [climate justice and corporate accountability](#). Export Development Canada (EDC) claims to share these goals as stated in its [human rights policy](#). Given our shared interest in human rights, we write to express concern and ask questions about EDC's support for high-carbon extractive industries in Colombia. Considering the persistent harm and devastation inflicted on Colombian environmental human rights defenders, their communities, and the environment by these extractive industries, it is deeply troubling that the EDC continues to finance and legitimize these industries with Canadian support.

This is truly a matter of life and death. Land, water and environment defenders in Colombia have sent out an SOS to the world with the hashtag #NosEstanMatando – #TheyAreKillingUs. When people speak out against industry projects and their social and environmental impacts, including projects supported by EDC, they expose themselves to serious risks of violence simply for defending the land and livelihood of their communities, and sustaining the livability of our shared earth. Testimony from organizations like the Catatumbo Social Integration Committee (CISCA), Movimiento Rios Vivos, the Black Communities Process (PCN), AGUAWIL, FEDEPESAN, CREDHOS, and CCALCP, among others, has underscored this terrifying reality. Danelly Estupiñán from the PCN leaves no doubt about the urgency of the danger: "I have been threatened because of the work I do... I live in a situation where I am completely conscious that it could end in... a killing because the order to kill me has already been given" (statement published in a [2020 report by Amnesty International](#)).



In 2018, Michel Forst, the United Nations' former Special Rapporteur on the situation of human rights defenders, expressed alarming concern during their visit to Colombia over an increase in the killings of human rights defenders, noting figures from the Ombudsman's Office of Colombia that underscored how [three days do not go by without the murder of a human rights defender](#) in Colombia. Indigenous people, women, subsistence farmers, and Afro-Colombians face particularly alarming rates and types of violence. There is no question that this level of violence violates several international human rights laws, most notably the right to life and the right to equal protection of the law without discrimination under the International Covenant on Civil and Political Rights. The link between environmental rights and human rights is indisputable: where one suffers so does the other, and where one is protected so is the other. It is crucial for you to know that former Special Rapporteur Michel Forst heard many credible allegations of international companies being responsible for, or complicit in, attacks against human rights defenders and their families. Indeed, Colombia is the [most dangerous place](#) on earth for people who defend the environment.

These human rights defenders and front-line activists nevertheless continue to raise their voices for us all and do their utmost to defend vast tracts of irreplaceable Amazon rainforests and other unique, extraordinarily biodiverse ecosystems that are also a source of food security for historically marginalized communities. Their struggle has led to some progress, such as Colombia's signing and ratification of the [Escazú Agreement](#) in 2022. In the words of Alicia Bárcena, Executive Secretary of the Economic Commission for Latin America and the Caribbean, this agreement protects environmental defenders, "[who have given 'life for life.'](#)" In other words, these people have made immense sacrifices to protect all life on this earth and it deeply concerns us that EDC undermines this work at every step. Indeed, this is not the first time we have reached out to you with our concerns about EDC's interventions in Colombia. Amnesty International Canada and Above Ground [wrote to you on July 29, 2022](#) to ask about the specific actions taken by the EDC to apply its Principles on Leverage and Remedy to respond to harms resulting from the Hidroituango hydroelectric project in Colombia. While we welcome your [commitment to human rights at the policy level](#), there are no concrete steps or measurable actions to provide remedies to affected communities in Colombia who continue to suffer violations of their human rights. Commitment does not mean minor changes in policy making, rather, commitments must be implemented through concrete actions on the ground.

Despite abundant, credible evidence of human rights abuses in Colombia, EDC continues to support and finance high-carbon extractive industry projects in that country that have devastating impacts to the safety and wellbeing of local communities and deleterious consequences to the environment. Given all of the above, we propose to you the following questions:



1. Your website states that “[People and the planet are at the heart of our business approach](#)” and “[EDC takes the following into account when determining the position in a given market: \[...\] Political, human rights and corruption risks.](#)” Could you please explain why you designate Colombia’s status as “open,” despite the many credible human rights abuses outlined in this letter?
2. How much support is EDC currently providing to fossil fuel and extractive industries and projects in Colombia? If support is given, may you please explain how this aligns with Canada’s decision to “[end new direct public support for the international unabated fossil fuel sector by the end of 2022](#)”?
3. How does your Social and Environmental Review Directive allow for support to this sector in Colombia? Do you conduct independent human rights impact assessments, following UN benchmarks, before approving support?
  - a. How do you engage with communities who will be affected by a project and what measures do you take to ensure their safety?
  - b. Does the EDC take measures to protect the rights of Indigenous peoples as enshrined in the [UN Declaration on the Rights of Indigenous Peoples](#), and the principle of free, prior and informed consent? If so, how is this operationalized by EDC?
4. How does EDC respect the principles of the Escazú Agreement into its policies and practices, particularly the section on Human Rights Defenders and Environmental Matters under Article 9?
5. How do you respond to the following recommendations of Amnesty International’s 2021 [policy brief](#) *Stop Burning our Rights: What Governments and Corporations Must Do To Protect Humanity from the Climate Crisis*?
  - Amnesty International calls on corporations to carry out their responsibility to respect human rights in the context of climate change and align their operations and business models to the objectives of the Paris Agreement, specifically to the imperative of limiting the increase in global average temperatures to 1.5 degrees Celsius above pre-industrial levels.
  - To comply with their responsibilities, financial institutions such as banks, asset managers and insurance companies should stop financing and investing in new projects, activities and industries that drive fossil fuel expansion and deforestation. They should phase out existing funding and investments on a



timeline aligned with the 1.5 degrees Celsius imperative, ensuring that funding and investments for the most polluting fossil fuels and forms of production, such as coal, peat, fracking and tar sands, are phased out as soon as responsibly possible or by 2030 at the latest.

- Businesses should be accountable for their climate impacts and human rights harms and ensure affected people have access to remedies.

Thank you very much for your time and attention. We look forward to your response.

Yours sincerely and respectfully,

Anneka Spice, on behalf of Amnesty members on the National Environmental Human Rights Defenders Team

Brandon Boyd, on behalf of Amnesty community group activists from [Ottawa and Gatineau](#)

CC:

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