

## Open letter

### The importance of environmental rights for the Sustainable Corporate Governance of the European Union

15 February 2022

Dear President of the European Commission Ursula von der Leyen,

dear Vice-President Věra Jourová,

dear Commissioner Didier Reynders,

dear Commissioner Thierry Breton,

the European Union is currently developing a Sustainable Corporate Governance on the duties of companies for responsible supply chains, which aims to require European companies to carry out due diligence in their supply chains and business relationships with the objective of analyzing risks and developing measures to prevent and remedy violations of human rights and environmental standards. **The undersigned 138 organizations from 33 countries believe that this measure is an important opportunity to contribute to prevent severe impacts that occur in the production of raw materials for the European market.** To achieve this, it is necessary that the regulation is fully applied to the whole supply chain, that it introduces civil liability and that it is in force for all companies operating in high risk sectors. **In terms of environmental rights, the Escazú Agreement provides a guideline for the application of regulations for the mining and agro-industrial sectors.** Therefore, we urge the European Union to include the principles of this important agreement into the regulation.

**The extraction of minerals such as lithium, copper, gold or nickel as well as large agro-industrial monocultures contribute greatly to the destruction of biodiversity in the countries of the Global South.** As a consequence, many rural and indigenous communities are losing their means of subsistence at a rapid rate. In addition, these megaprojects cause social conflicts and serious human rights violations. The organization Global Witness warns that every year numerous land defenders are killed as a result of conflicts in relation to these projects. In many cases, companies establish extractive and monoculture projects with the support of government corruption networks and without consulting the affected populations in a

free, prior and informed manner. When affected communities protest against these projects, they are often violently repressed by security forces and criminalized by the judicial systems in these countries. As organizations that work in the defense of human rights of these communities, we know very well the human pain that these conflicts generate.

**The European Union is one of the largest consumers of these raw materials. Therefore, as environmental and human rights organizations, it is clear to us that the European Union has a responsibility to prevent and mitigate these impacts by promoting responsible production and consumption patterns and by requiring companies to comply with environmental and human rights due diligence.**

It is particularly important that the regulation refers to and supports international conventions that seek to achieve these objectives. One of these most innovative instruments is the Escazú Agreement, which entered into force in Latin America and the Caribbean in April 2021 and has as its objectives to guarantee the right to a healthy environment and sustainable development, strengthening the rights of communities involved in environmental conflicts. Currently, the convention has already been ratified by 12 countries and it is based on four central pillars:

1. Access to environmental information
2. Public participation in environmental decision-making processes
3. Access to justice in environmental concerns
4. Protection of human rights defenders

We consider these key principles central to promoting environmental justice in supply chains and raw material production not only in Latin America and the Caribbean, but also in other countries where extractive companies are operating. **The Escazú Agreement and its principles must be integrated into the list of relevant international conventions that companies must comply with as part of the due diligence measures prescribed in the regulation.**

The fulfilment of these duties should be a minimum condition for European companies that seek to establish business relationships with local companies operating mines, monocultures, hydroelectric power stations and other projects. In this way, the European Union would support countries in the Global South in their attempts to build sustainable economic systems and democratic societies. Finally, a reference to the Escazú Agreement would be in tune with the UN Sustainable Development Goals and the Aarhus Convention.

Sincerely

Contact persons:

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On behalf of:

**Latin America**

1. ACOVICruz (Bolivia)
2. Alianza Centroamericana frente a la Minería (acafremin)
3. Almanaque del futuro (Bolivia, Ecuador, Peru)
4. Articulação Comboniana de Direitos Humanos (Brazil)
5. Asociación Colectiva MadreSelva (Guatemala)
6. Asociación para el desarrollo de el Salvador – CRIPDES
7. Asociación para el desarrollo de la Población afectada por el Nemagon (Costa Rica)
8. Asociación para el Desarrollo Económico y social de el Salvador - ADES
9. Asociación Civil Centro de Cultura Popular Labor (Peru)
10. Asociación Comunitaria para el Desarrollo serjus - aserjus (Guatemala)
11. Asociación Nayra Pacha (Bolivia)
12. Bolivia Libre de Transgénicos (Bolivia)
13. Carrera de Biología, Universidad Mayor de San Andrés (Bolivia)
14. Centro de Derechos de Mujeres, CDM (Honduras)
15. Centro de Desarrollo Humano CDH (Honduras)
16. Centro de Estudio para la Democracia (CESPAD) (Honduras)
17. Centro de Información y Documentación - CEDIB (Bolivia)
18. Centro de Investigación y Servicio Popular (Bolivia)
19. Centro de Políticas Públicas y Derechos Humanos (Peru)
20. Centro de Promoción y Educación Profesional Vasco de Quiroga (Mexico)
21. Ciudadanía, Comunidad de Estudios Sociales y Acción Pública (Bolivia)
22. Colectiva de Coordinación de Acciones Socio Ambientales – Colectivas CASA (Bolivia)
23. Colectiva Feminista para el Desarrollo Local (El Salvador)
24. Colectivo Madre Selva (Guatemala)
25. Colectivo Wasi Pacha (Bolivia)
26. Comité de Unidad Campesina de Guatemala
27. Comunidad Indígena el Porton Robore (Bolivia)
28. COMUNIDEC (Ecuador)
29. Consumidores Conscientes (Bolivia)
30. CONTIOCAP – Coordinadora Nacional en Defensa de Territorios Indígena Originarios (Bolivia)
31. CORDES (El Salvador)
32. Defensa y Conservación Ecológica de Intag, decoin (Ecuador)

33. Defensoras de la Vida y de la Pachamama (Peru)
34. Derecho Ambiente y Recursos Naturales (Peru)
35. Equipo de Reflexión, Investigación y Comunicación (ERIC-SJ) (Honduras)
36. Equipo impulsor Nacional del Acuerdo de Escazú (El Salvador)
37. Escritores contra el Cambio Climático (Honduras)
38. Foro Social de la DEUDA Externa y Desarrollo de Honduras (Honduras)
39. Fundación Ecuménica para el Desarrollo y la Paz - fedepaz (Peru)
40. Fundación Gaia Pacha (Bolivia)
41. Grupo de Trabajo Cambio Climático y Justicia (GTCCJ) (Bolivia)
42. Iglesias y Minería (Latin America)
43. Instituto Alameda - democracia y desarrollo (Peru)
44. Instituto de Capacitación para el Desarrollo (incade)(Colombia)
45. Instituto de Derecho Ambiental de Honduras (iDAMHO) (Honduras)
46. Instituto de Permacultura de El Salvador
47. Mancomunidad de Comunidades Indígenas de los Ríos Beni, Tuichi y Quiquibe (Bolivia)
48. Movimiento en Defensa del Valle de Tucabaca (Bolivia)
49. Movimento Saude Mental (Brazil)
50. Movimiento Nacional Ambientalista frente a la Minería Industrial (Nicaragua)
51. Nación Indígena Qhara Qhara (Bolivia)
52. Observatorio latinoamericano de Conflictos Ambientales Olca (Chile)
53. Organización Comunal de la Mujer Amazónica (Bolivia)
54. Otros Mundos Chiapas (Mexico)
55. Plataforma en Defensa de las Áreas Protegidas de Abel Iturralde (Bolivia)
56. Project on Organizing, Development, Education, and Research (poder)(Mexico/Latinamerica)
57. Reacción Climática (Bolivia)
58. Red Latinoamericana de Mujeres Defensoras de derechos sociales y ambientales (Latin America)
59. RED NACIONAL DE PARTICIPACION CIUDADANIA Y CONTROL SOCIAL (Bolivia)
60. RENACAMIH (Honduras)
61. RENICC (Nicaragua)
62. Resistencia Tucabaca Roboré (Bolivia)
63. Semillas de Esperanza (Honduras)
64. SERR (El Salvador)
65. SOMOS SUR (Bolivia)
66. Sub Central de Cabildos Indígenas del TIPNIS (Territorio Indígena Parque Nacional Isiboro Sécuré) (Bolivia)
67. Terrajusta (Bolivia)
68. Territorios en Resistencia (Bolivia)
69. UMSA (Bolivia)
70. Unidad Ecológica Salvadoreña UNES (El Salvador)
71. Unidad de Protección a Defensoras y Defensores de Derechos Humanos - udefegua (Guatemala)
72. Unión de Comunidades Rurales de El Salvador- UCRES
73. Universidad de la Amazonia (Colombia)
74. Vanguardia torrijista (Panama)

75. Action Solidarité Tiers Monde (astm) (Luxembourg)
76. Aktionsgemeinschaft Solidarische Welt e.V. ASW (Action for World Solidarity) (Germany)
77. Armenian Environmental Front Civic Initiative (Armenia)
78. Asociación de investigación y Especialización sobre Temas Iberoamericanos - AIETI (Spain)
79. Asociación de Solidaridad con Colombia KATÍO (Spain)
80. Association of Ethical Shareholders (Germany)
81. Cafe Cortado (Germany)
82. Campaña Minería Perú – "la riqueza se va, la pobreza se queda" (Germany)
83. Catapa vzw (Belgium)
84. Chico Mendes Alemania (Germany)
85. Christliche Initiative Romero (CIR) (Germany)
86. Circolo Culturali „Primogio“ (Italia)
87. Confederacion Sindical de Comisiones Obreras (España)
88. Cora Network for Corporate Cccountability (Germany)
89. Deutscher Caritasverband e.V. (Germany)
90. Earth Thrive (United Kingdom and Serbia)
91. Eine Welt Netz NRW (Germany)
92. European Environmental Bureau (Belgium)
93. Fair Trade Town Hamburg (Germany)
94. FIAN (Germany)
95. Focus Association for Sustainable Development (Slovenija)
96. Forschungs- und Dokumentationszentrum Chile-Lateinamerika FDCL (Germany)
97. Forum Fairer Handel (Germany)
98. Fos - Socialistische Solidariteit vzw (Belgium)
99. Gegenstroemung – Infoe e. v. (Germany)
100. Germanwatch e. V. (Germany)
101. Goliathwatch (Germany)
102. Guatebelga VZW (Belgium)
103. Guatemalagruppe Nürnberg e.V. (Germany)
104. Guatemala Solidarität Österreich (Austria)
105. Igapo Project (France)
106. IM Swedish Development Partner (Sweden)
107. Informationsstelle Peru (Germany)
108. Inkota-Netzwerk e.v. (Germany)
109. Institute for Global Peace Work (Tamera) (Portugal)
110. International Movement of Catholic Agricultural and Rural Youth- MIJARC (Belgium)
111. Leapfrog2sd (Belgium)
112. London Mining Network (United Kingdom)
113. Misereor (Germany)
114. NOAH Friends of the Earth Denmark (Denmark)
115. Our Food Our Future (Europe)
116. Oekumenisches Netz Rhein-Mosel-Saar/ Ecumenical Network Rhine-Moselle-Saar (Germany)
117. Plataforma Internacional contra la Impunidad (Suiza)
118. PowerShift e.v. (Germany)
119. Protection International (PI) (Global)
120. Protect Jadar and Radjevina (Serbia)
121. Red Europea de Comités Oscar Romero (sicsal-Europa)

122. RED INTERNACIONAL DE DERECHOS HUMANOS RIDH (Suiza)
123. Reds – Red de Solidaridad para la Transformacion Social (Spain)
124. Rettet den Regenwald (Germany)
125. Salva la Selva (Spain)
126. SOLdePAZ Pachakuti (Asturia)
127. The andrew lees trust (United Kingdom)
128. Trocaire (Ireland)
129. Weed - World economy, ecology & development (Germany)
130. Zentrum für Mission und Ökumene - Nordkirche weltweit (Germany)
131. Ökumenische Initiative Mittelamerika e.v. (Germany)

### **North America**

132. Earthworks (United States)
133. Salvaide (Canada)
134. Serr (United States)

### **Asia**

135. Mines mineral and people (India)

### **Australia**

136. Aid/Watch (Australien)
137. Deakin university (Australia)
138. Philippines Australia Solidarity Association (Australia)