



June 22, 2020

Honourable Mary Ng, MP
Minister of Small Business, Export Promotion and International Trade
Global Affairs Canada
House of Commons
Ottawa, ON K1A 1A0

Dear Minister Ng,

We are writing this open letter to you as the minister responsible for Export Development Canada (EDC) with regards to a [May letter](#) from EDC's President and CEO Mairead Lavery. The letter is a response to the more than [8,700 emails](#) she received from Amnesty Canada supporters and others. The emails denounce the 2016 loan from EDC to Empresas Públicas de Medellín (EPM) for the construction of the Hidroitungo dam on the Cauca River in Colombia.

The emails ask why EDC approved the loan despite longstanding opposition from local communities, credible warnings of corruption and social and environmental harm, and ample evidence that the project would exacerbate human rights violations and armed conflict in the region. Ms. Lavery's response fails to adequately answer this question. She merely states that EDC was "satisfied with the results" of its due diligence screenings.

We forwarded Ms. Lavery's letter to the Ríos Vivos Movement, an association of communities affected by the dam. Their spokesperson, Isabel Zuleta, met with EDC in 2019 to raise concerns about Canada's unmet obligations and responsibilities arising from its financing of Hidroitungo. Rios Vivos told us that they remain deeply concerned that EDC's screenings did not heed the reports of independent experts or the serious issues raised by communities in the region. **"The question remains," Rios Vivos asks, "what good is a study of potential risks if it does not identify the vulnerability of the communities and the territory?"**

We share Rios Vivos's concern. And we are troubled that this is not an isolated case. Some twenty years ago, EDC financed the construction of another dam project in Colombia. The Urrá I dam, on the Sinú River, also caused devastating and long-lasting harm, including the violation of Indigenous people's rights. The Embera Katío people, whose territory the dam flooded, were

not consulted, nor did they give their free, prior and informed consent for the project. But they were forced to suffer the project's impacts on their right to life and health, and the violence that came with the dam.

After Canadian parliamentarians heard compelling eyewitness testimony from Embera Katío leader Kimy Pernía Domicó in 1999, EDC promised changes¹ that would ensure that such damaging projects would no longer receive its support. Kimy was forcibly disappeared in 2001 and is presumed to have been killed.

Once again, in 2016, EDC provided financing for another devastating hydro dam in Colombia.

For decades, EDC's response to scrutiny has been the promise of reform. Ms. Lavery makes this same promise. She claims EDC has undergone "significant change" regarding its due diligence screening, including a new human rights policy and "much more local community engagement." Yet EDC has not provided details about how these reforms will be implemented or what weight EDC will ultimately give human rights in its decision-making. Furthermore, Ms. Lavery's letter makes no reference to the Amnesty request that EDC adopt a standard practice of undertaking independent human rights impact assessments using UN benchmarks, and commit to international standards of meaningful consultation and the free, prior and informed consent of affected Indigenous peoples. Silence on this vital point is extremely worrying.

EDC's letter also fails to address the call for remediation. The Hidroituango dam has impacted tens of thousands of people who depend on the Cauca River to earn their living. Hundreds of families were forcibly evicted to make way for the project. Thousands of people were forced to flee their homes in 2018, after one of the dam's tunnels collapsed. Moreover, in recent years at least six members of Ríos Vivos have been killed, amidst scores of threats and attacks. While EDC acknowledges the need for ongoing due diligence after a transaction is signed, the agency has not assumed its responsibility to remedy the adverse impacts that its financing produced.

We reiterate the call that EDC advocate publicly for the rights and safety of the people adversely affected by Hidroituango, in communication with them and in accordance with their wishes. EDC should leverage its relationship with EPM and governments in Colombia to reinforce the demands of community leaders who are at risk for speaking out about ongoing impacts and human rights violations.

EDC is an agent of the Government of Canada and acts on its behalf. The government must step in to ensure that EDC makes the appropriate reparations to people harmed by Hidroituango. The government must also urgently reform EDC's governing legislation so that

¹ Personal communication between Kathy Price (Inter-Church Committee on Human Rights in Latin America - ICCHRLA) and EDC personnel, 1999.

~~that~~ the agency no longer supports such damaging projects and ~~to~~ put in place meaningful accountability mechanisms, as per [our submission](#) to the 2018 review of the *Export Development Act*.

We wholeheartedly agree with Ms. Lavery that the work of human rights defenders and community activists is essential. To prevent the kind of human rights harms associated with projects like Urrá I and Hidroituango, these people's input must inform EDC decision-making.

Together with Ríos Vivos, we await your response.

Sincerely,



Alex Neve, Secretary General
Amnesty International Canada



Karen Hamilton, Program Officer
Above Ground

cc:

Mairead Lavery, President and CEO of EDC
Martine Irman, Chairperson of EDC's Board of Directors
Simon-Pierre Savard-Tremblay, MP Saint-Hyacinthe-Bagot, Bloc Québécois
Randy Hoback, MP Prince Albert, Conservative Party
Elizabeth May, MP Saanich-Gulf Islands, Green Party
Judy Sgro, MP Humber River-Black Creek, Liberal Party
Daniel Blaikie, MP Elmwood-Transcona, New Democratic Party
Marcel Lebleu, Ambassador of Canada in Colombia