



Brussels, 27. 11. 2020
(2019) 8020082

Dear Honourable Members,

I would like to thank you for your letter dated 11 November 2019 addressed to Commissioner Malmström, in which you share your concerns regarding the environmental and humanitarian situation in Colombia in general, and in the Chocó Department in particular.

The European Commission is aware of the issues you raise. Under the Trade and Sustainable Development (TSD) Chapter of the Trade Agreement, the EU and Colombia discuss compliance with labour and environmental legislation and how to ensure high levels of environmental and labour protection. The TSD Sub-committee, which is established by the Trade Agreement and tasked with the follow-up of the implementation of the TSD Chapter, provides an important platform for dialogue on existing challenges and on how to best address them.

At the last meeting of the TSD Sub-committee that took place in Bogota on 21-23 October 2019, Colombia reiterated its full commitment to the implementation of its obligations under the TSD Chapter.

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Among other issues, the EU and Colombia discussed the efforts put in place to promote circular economy and green growth, supported by EU technical assistance, and Colombia's progress in the implementation of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). The two Parties also underlined the importance of the Paris Agreement in addressing climate change and agreed to continue working together in the framework of the implementation of the Convention on Biological Diversity (CBD) and of the Minamata Convention to reduce the use of mercury. In that respect, the ratification by Colombia of the Minamata Convention in August 2019 is a significant development.

In addition, Colombia presented its strategy to fight deforestation and protect biodiversity, notably through the actions foreseen in the Sustainability Pact ("Pacto por la Sostenibilidad"), which is part of its new National Development Plan 2018-2022. Colombia also highlighted the importance of the signing of the Leticia Pact ("Pacto de Leticia") with Bolivia, Brazil, Ecuador, Guyana, Peru and Suriname to promote coordinated action to protect the Amazon region.

The EU is ready to continue to assist Colombia in its efforts in the area of sustainable development, building on the existing significant environment and sustainable development-related cooperation, which currently amounts to over 55 million euros. An important part of this cooperation focuses on rural areas, which have been the most affected by the internal armed conflict and the weak presence of the State.

With regard to the Chocó department, this mostly rural region currently benefits from 15 projects funded by multiple EU cooperation instruments. Not only do these instruments aim at improving environmental protection, but also at enhancing the promotion of sustainable production, the support to institutional building and social peace and the alleviation of poverty.

In addition, the cooperation with Colombia under the TSD chapter of the Trade Agreement is supportive towards the implementation of Colombia's commitments on a number of environmental aspects. In this context, the Commission is funding since January 2020 a new project for the Chocó Department. This has been requested by the Colombian authorities and the United Nations Industrial Development Organization (UNIDO) in order to contribute to improving the living conditions of vulnerable communities in the Chocó department, while promoting the protection of the region's diverse ecosystems, which are currently endangered by mining activities.

The project aims at improving the livelihood of a number of selected local communities by enabling the adoption of good environmental and social practices in the artisanal and small-scale gold mining activities, including alternatives to the use of mercury. It also aims at reducing the current over-dependency on mining by promoting sustainable alternative sources of income. Finally, the project will also promote local community empowerment by equipping community councils to better safeguard the territory's sustainability and improve their effective participation in the territorial development decision-making process.

For the implementation of this project, UNIDO will count on a partnership with the Office of the United Nations High Commissioner for Human Rights (OHCHR) in Colombia, which has a strong presence in the area and will provide expertise with regard to community empowerment. Through the implementation of this project in the Chocó department, the Commission will have the opportunity to engage with the government regarding the implementation of Colombia's Constitutional Court ruling T-622 of 2016 regarding the Atrato River.

Finally, I would like to emphasize that the situation of human rights defenders in Colombia and, in particular of land and environmental rights defenders, is regularly raised in the context of the annual EU-Colombia Human Rights Dialogue as well as with high-level authorities of Colombia. This was notably the case when HR/VP Mogherini recently met with President Duque in Bogota. In addition, a representative of the indigenous peoples of Chocó was invited by the Commission to the 21st EU NGO Human Rights Forum¹, which took place in Brussels on 3-4 December 2019 and which focused on building a fair environmental future.

Please rest assured that the Commission will continue to take up environment and sustainable development issues with Colombia, including the situation in Chocó, and that this will remain high on the agenda of our political dialogue as well as in the context of the implementation of the Trade Agreement.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'Phil Hogan', with a horizontal line extending to the right.

Phil HOGAN

¹ <http://www.21eungoforum.eu/>