



October 15, 2019

Dear Policy Review Team,

In light of the present review of IDB Invest's Environmental and Social Sustainability Policy, let me take the opportunity to submit the attached report [*Uncalculated Risks: Threats and attacks against human rights defenders and the role of development financiers*](#) as an input to the revision process. The report provides a roadmap for how IDB Invest can address a critical challenge for the region: the growing threats faced by communities and individuals who may seek to access information on, participate in, raise concerns about, or otherwise defend their rights within development processes.

Attached you will find detailed [recommendations](#) for how IDB Invest can:

- Assess and avoid adverse impacts;
- Ensure reprisal-sensitive engagement with defenders and communities;
- Ensure effective grievance redress and monitoring of reprisal-related risks; and
- Respond effectively to threats and attacks against stakeholders and project-affected persons.

The report draws from 25 case studies of development projects spanning a diversity of countries, sectors, and development finance institutions, including three illustrative IDB Invest projects: [Mareña Renovables \(Mexico\)](#), [Hidroituango \(Colombia\)](#), and [Río Salá \(Guatemala\)](#). These cases reveal serious shortcomings in IDB Invest's due diligence and stakeholder engagement, in particular a failure to adequately identify, prevent, and respond to human rights related risks, social conflict, and incidents of retaliation.

The IDB Group has repeatedly acknowledged the importance of addressing these human rights and development challenges, for example through [a recent IDB study of 200 conflict-affected infrastructure projects](#), new [guidance on meaningful stakeholder consultation](#) and [Social Impact Assessment](#), and through the [investigations](#) and analysis of the Independent Consultation and Investigation Mechanism (MICI), including its recently released [Guide on addressing reprisals](#).

Given IDB Invest's stated commitment to human rights and sustainable development in the region, the Environmental and Social Sustainability Policy revision process should be grounded in a robust examination of existing policy and implementation gaps, especially relating to human

rights due diligence and stakeholder engagement and addressing social and environmental conflict and reprisals.

Moreover, the revision process should be informed by regional specificities and normative frameworks, including the Inter-American Human Rights System and Escazú Regional Agreement on Access to Information, Public Participation and Justice in Environmental Matters in Latin America and the Caribbean. The review should also incorporate learning and advances at other development finance institutions, including the International Finance Corporation and World Bank, which have adopted procedures and policies to address gaps in due diligence, retaliation, and stakeholder engagement, among other issues.

We hope that the second draft of the new sustainability policy will incorporate these recommendations and look forward to broad consultations thereon. We additionally hope that the review process will be restructured to include an evidence based analysis of IDB Invest's development impact and policy compliance and implementation, and to incorporate regional norms and international best practice.

I and my colleagues are as always available for more in-depth discussion and consultation on these matters.

Sincerely,

A handwritten signature in black ink, appearing to read "Gretchen Gordon". The signature is fluid and cursive, with the first name being more prominent.

Gretchen Gordon