



Committee on International Justice and Peace

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June 23, 2010

The Honorable Ron Kirk
United States Trade Representative
600 17th Street, NW
Washington, DC 20508

Fax: 202-395-4549

Dear Ambassador Kirk:

As Chairman of the Committee on International Justice and Peace of the United States Conference of Catholic Bishops (USCCB), I would like to offer some reflections as the Administration prepares to make recommendations to Congress on the operation of the Andean Trade Promotion and Drug Eradication Act (ATPDEA). USCCB is very concerned by proposals that would punish the very people trade preferences are intended to help when people try to defend the environment and their human rights. Such misuse will put fragile environments at further risk by permitting governments to maintain weak regulation and tepid legal enforcement of environmental protections rather than assertively working to protect our natural world for the benefit of all, including future generations.

Last summer, Pope Benedict XVI wrote in his encyclical *Caritas in Veritate*: “[T]he protection of the environment, of resources and of the climate obliges all international leaders to act jointly and to show a readiness to work in good faith, respecting the law and promoting solidarity with the weakest regions of the planet.”

Trade preferences are meant to facilitate trade and benefit people by promoting human development. We ask that you not explicitly or implicitly support these benefits being used as rewards and punishments for countries as they strengthen the protection of human rights and natural resources, or as they become more conscious of the need to do so.

Specifically, we ask that you base your upcoming recommendations to Congress regarding renewal of Ecuador’s trade preferences on whether the country continues to make improvements to its labor and environmental laws and on Ecuador’s commitment to eradicate drugs, the stated goal of the ATPDEA. We urge the Administration to resist direct or indirect interference in any legal processes Ecuador or its citizens may have initiated to assert their right to defend their environment and the health of their people, or suggesting or implying that Congress do so. Ecuador’s citizens have the right to use legitimate legal means to protect their rights and their environment. In turn, Ecuador’s government has a right and a duty to review its international agreements to better protect its natural resources and its people.

Laws regarding natural resources may have regional and even global importance affecting not only the planet but also human rights and health. In his World Day of Peace Address of 2010, Pope Benedict XVI reminded us that “It is not hard to see that environmental

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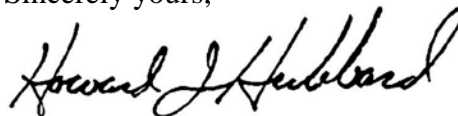
degradation is often due to the lack of far-sighted official policies or to the pursuit of myopic economic interests, which then, tragically become a serious threat to creation.”

In an effort to respond to future and harmful exploitation of its natural resources, the Peruvian Assembly recently approved a law requiring prior local consent for new mining projects. This action is an effort by Peru to help protect fragile environments and the most vulnerable people against the irresponsible extraction of resources. It was enacted after years of seeing the negative impacts when human health and the environment are not taken into account adequately. Peru, like Ecuador, may reassess its trade relations and international agreements to better protect the environment. This should not be seen as disregarding the rule of law, but rather as strengthening it.

The U.S. Conference of Catholic Bishops urges you to elevate the best interests of vulnerable populations and the environment in ways that sustains them over narrow political or economic concerns. Every country has the right to shape its trade strategy in order to protect human health and the environment at the same time that it respects and strengthens the rule of law and international agreements.

Thank you noting our concerns and for keeping in mind moral imperatives to protect God’s creation and defend vulnerable people as USTR continues its important work.

Sincerely yours,

A handwritten signature in black ink, reading "Howard J. Hubbard". The signature is written in a cursive, flowing style with a large initial "H".

Most Reverend Howard J. Hubbard
Bishop of Albany

Chairman, Committee on International Justice and Peace