



María Ortiz Aguilar
Councillor
133 Committee – Services. Export Credits
Spanish Permanent Representation to the European Union

Brussels, 8 June 2010
Our Ref: B971

Dear Ms. María Ortiz Aguilar,

The ECA-Watch network and Amnesty International would like to draw your attention to the conclusions of the former Swedish Presidency and the Spanish Presidency, following the Business and Human Rights Conference that took place in Stockholm in November 2009. At this venue it was decided that the EU and its Member States should emphasise the importance of implementing human rights within export credit guarantees.

As you probably know, the UN Special Representative on Business and Human Rights, John Ruggie, refers to these conclusions in his report¹ and writes that the EU Presidency *“encourages the Member States to consider the human rights impacts of projects supported by export credit guarantees”*. Furthermore, he states that the OECD Common Approaches on the Environment and Officially Supported Export Credits *“Common Approaches”*, and its upcoming review could provide helpful guidance on human rights due diligence requirements.

In this regard, the ECA-Watch network in cooperation with Amnesty International submitted to the Export Credit Group of the OECD the elements we would like to see addressed and revised. For instance, ECAs should include in their due diligence process a specific requirement, in line with international human rights standards, to prevent adverse human rights impacts and assess them while screening and reviewing applications and ongoing projects. Our submission is attached to this letter.

We would like to know how the Spanish Presidency intends to both raise human rights due diligence issues in the context of the Common Approaches review, and encourage active support by EU institutions and Member States. We would also appreciate the opportunity to discuss further with you how to improve the ECAs' human rights standards.

Yours sincerely,

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Cc: Carlos Jiménez Aguirre: Subdirector General de Fomento Financiero a la Internalización. Dirección General de Comercio e Inversiones. Ministerio de industria, Turismo y Comercio
Mercedes Rubio Domínguez: Consejera Jefe. Representación española ante la OCDE

¹ Report of the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises, John Ruggie, 9 April 2010