



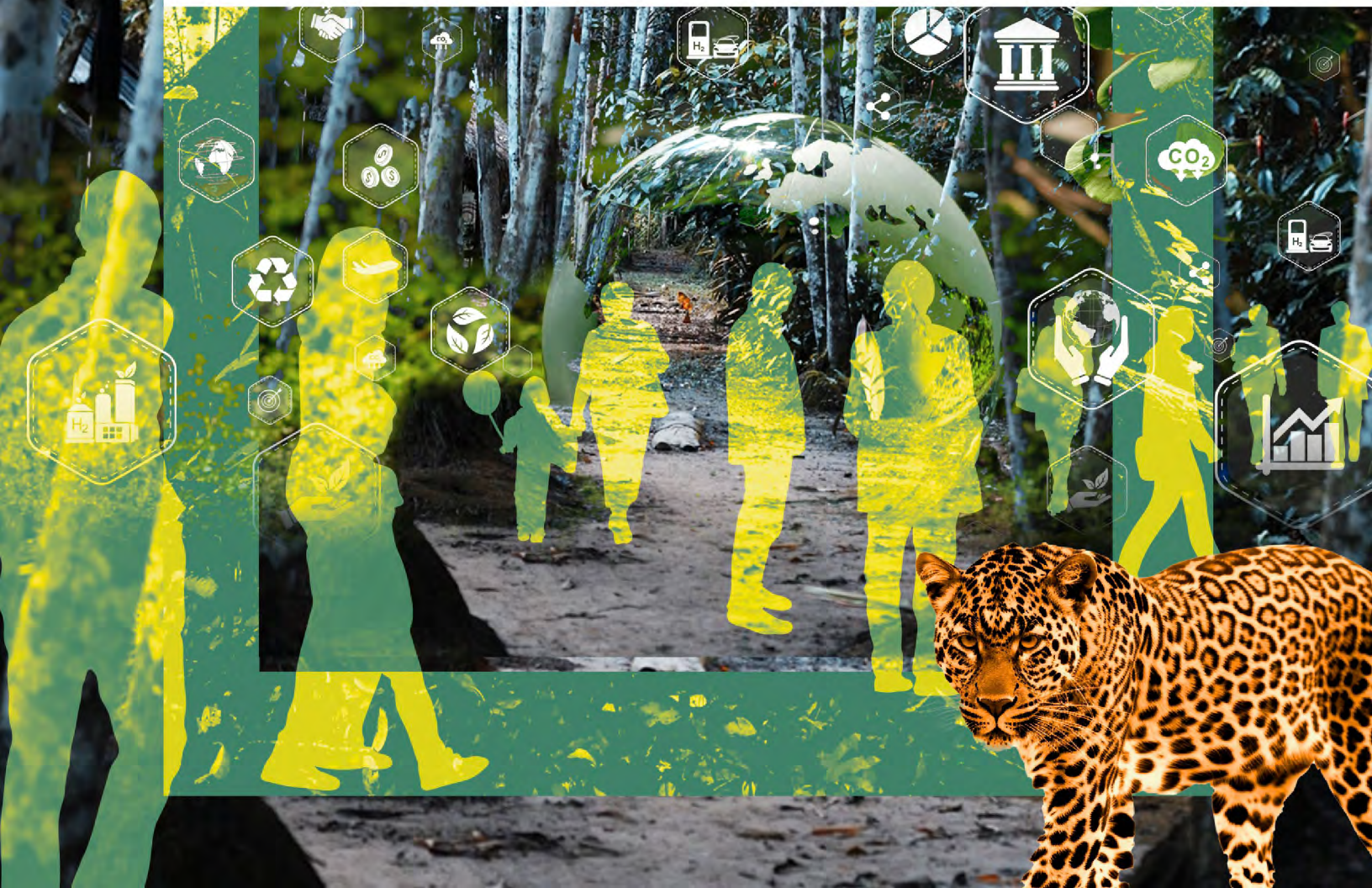
GLOBAL FINANCIAL INTEGRITY



# VOLUNTARY CARBON CREDIT MARKET IN COLOMBIA: AN ANALYSIS IN LIGHT OF TRANSPARENCY AND INTEGRITY

## An Approach to REDD+ Projects

February 2025



## ACKNOWLEDGMENTS

This report was researched, written and produced by Global Financial Integrity (GFI), Transparency for Colombia, and the Center for Development Alternatives – (CEALDES).

[Global Financial Integrity](#) (GFI) is a Washington, DC-based think-tank focused on illicit financial flows, illicit trade, money laundering and other financial and environmental crimes. GFI publishes research in these areas, conducts journalist trainings, provides consulting services to governments in Africa, Latin America, and the Caribbean, on effective solutions, and promotes pragmatic transparency actions in the international financial system to foster development and security.

[Transparency for Colombia](#), the Colombian chapter of Transparency International, is an organization operating in over 100 countries that was established in 1998 as a response by Colombian civil society to a complex political panorama brought about by corruption in public institutions and the undermining of democracy. Since then, Transparency for Colombia has led civil society's fight against corruption and for transparency, in both public and private spheres, looking to foster active citizenship, strengthen institutions, and consolidate democracy.

[Centre for Alternatives to Development \(CEALDES\)](#), is a Colombian non-profit association focused on the participatory development of alternatives to socio-environmental conflicts stemming from the current development model. Its work emphasizes transforming conflict situations through the analysis of socio-ecological dynamics, strengthening community processes and networks, promoting alternative productive initiatives at the local level, and influencing decision-making spaces to define, implement, and evaluate environmental policies. These policies aim to protect territories and biodiversity across Colombia. CEALDES operates through regional nodes, including North Amazon, South Amazon, and Sumapaz.

## THE SCOPE OF THIS RESEARCH WORK

The conclusions and analysis in this report do not necessarily reflect the opinions of any of the authors or participating organizations. The purpose of this study is to identify potential risks and vulnerabilities of the voluntary carbon credit market while proposing well-grounded recommendations to strengthen the transparency and integrity of this mechanism at the national level.

The voluntary carbon credit market is a relatively new framework, and there is still a lack of consolidated information and experience to fully evaluate its functionality. This absence of data can limit the ability to identify patterns and trends with the same accuracy as in more established markets.

Despite these limitations, the research aims to provide robust recommendations based on the available information, acknowledging the dynamic nature and ongoing evolution of this emerging market.

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## LIST OF ACRONYMS AND TERMS

<b>ACRONYMS</b>	<b>DESCRIPTION</b>
<b>CCAP</b>	Center for Clean Air Policy
<b>CDM</b>	Clean Development Mechanisms
<b>CRE</b>	Carbon Credits
<b>FPIC</b>	Free, prior, and informed consent
<b>GHG</b>	Greenhouse Gases
<b>IDEAM</b>	Instituto de Hidrología, Meteorología y Estudios Ambientales Colombian Institute of Hydrology, Meteorology, and Environmental Studies
<b>IPCC</b>	Inter-governmental Panel on Climate Change
<b>JI</b>	Joint Implementation
<b>MADS</b>	Ministerio de Ambiente y Desarrollo Sostenible Ministry of Environment and Sustainable Develo
<b>NDC</b>	National Determined Contributions
<b>REDD+</b>	Reducing Emissions from Deforestation and Forest Degradation
<b>RENARE</b>	Registro Nacional de Reducción de las Emisiones de GEI Colombian Greenhouse Gas Emission Reduction Registry
<b>SIAC</b>	Sistema de Información Ambiental de Colombia Colombian Environmental Information System
<b>SINCHI</b>	Instituto Amazónico de Investigaciones Científicas Amazonian Institute of Scientific Research
<b>SNS</b>	Sistema Nacional de Salvaguardas National Safeguard System
<b>UNFCCC</b>	United Nations Framework Convention on Climate Change

# Introduction

Climate change is arguably one of the most significant challenges facing global governance, endangering the rights of people today and future generations (Boyd, 2024). Reports from the Intergovernmental Panel on Climate Change (IPCC) emphasize the need for drastic reductions in greenhouse gas (GHG) emissions to limit global warming to 1.5°C. Achieving this goal requires coordinated and intensified global action to mitigate the catastrophic effects of climate change and foster adaptation and resilience, particularly in vulnerable communities (IPCC, 2023).

In this context, various mechanisms have been promoted globally to reduce greenhouse gas (GHG) emissions, particularly by countries that are part of the United Nations Framework Convention on Climate Change (UNFCCC)<sup>1</sup>. Notably, the carbon credit market traces its origins to the Kyoto Protocol, adopted in 1997<sup>2</sup>, which introduced market-based mechanisms for managing climate change, such as the Clean Development Mechanisms (CDM)<sup>3</sup> and Joint Implementation (JI)<sup>4</sup>.

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<sup>1</sup> The UNFCCC was established in 1992 and implemented in 1994. Colombia ratified this agreement through Law 164 of 1995, and its constitutionality was reviewed through Ruling C-351 of 1995.

<sup>2</sup> Colombia ratified the Kyoto Protocol through Law 629 of 2000, and its constitutionality was reviewed through Ruling C-567 of 2000.

<sup>3</sup> In accordance with Article 12 of the Kyoto Protocol, Clean Development Mechanism (CDM) projects allow developed countries (as defined in Annex 1 of the Protocol) to finance emission reduction projects that involve the transfer of clean technologies in developing countries. In return, developed countries receive Certified Emission Reductions (CERs) which they can use to meet their international commitments.

<sup>4</sup> According to Article 6 of the Kyoto Protocol, the Joint Implementation (JI) mechanisms allow developed countries (as listed in Annex 1 of the international instrument) to co-finance emission reduction or carbon sequestration initiatives. In exchange, they are permitted to deduct Emission Reduction Units (ERUs) from their total emissions to meet their international commitments.

In 2015, with the introduction of Nationally Determined Contributions (NDCs)<sup>5</sup> under the Paris Agreement<sup>6</sup> the carbon credit market shifted toward the consolidation of an international marketplace where the results of GHG mitigation activities can be traded, sold, and purchased. Article 6 of the agreement underscores the importance of implementing these mechanisms in a way that promotes sustainable development while ensuring environmental integrity, transparency, good governance, and proper accounting practices.

As a biologically megadiverse country with one of the largest carbon forest reserves in Latin America, Colombia plays a pivotal role in mitigating climate change. Leveraging its strategic position and honoring its international commitments, Colombia has integrated the financial instrument of the carbon credit market into its legal and public policy framework. This mechanism is designed to facilitate the purchase and sale of certificates that represent the reduction of GHG emissions, fostering the comprehensive development of communities engaged in ecosystem conservation efforts that enable carbon capture. There is a regulated market aimed at achieving mandatory emission reduction targets at the national and regional levels, as well as a voluntary market that allows public and private entities to offset or neutralize their emissions voluntarily (Reverdece, 2020).

The latter opens the door for private companies and institutions to purchase Emission Reduction Certificates (ERCs), enabling them to meet corporate social responsibility commitments and benefit from the carbon tax exemption mechanism<sup>7</sup>. Within this voluntary carbon credit market, we see projects focused on Reducing Emissions from Deforestation and Forest Degradation (REDD+), which are focused on funding conservation and restoration processes that capture and prevent GHG emissions. Meanwhile, projects also provide some Payment for Environmental Services (PSA)<sup>8</sup> to forest-dwelling communities (MADS, Resolution 1447 of 2018).

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<sup>5</sup> Climate change plans presented by countries under the Paris Agreement, where they outline their commitments to reduce GHG emissions and adapting to climate change, are in line with the global effort to halt global warming.

<sup>6</sup> Colombia ratified the Paris Agreement through Law 1844 of 2017, and its constitutionality was reviewed through Ruling C-035 of 2018.

<sup>7</sup> "This tax and its non-imposition mechanism were created by Law 1819 of 2016 to discourage the use of fossil fuels and thus reduce GHG emissions derived from their combustion through a fee on the carbon content of fossil fuels. The non-imposition mechanism allows for exemption from the carbon tax if sufficient greenhouse gas emission reduction certificates are purchased to offset the emissions generated by fossil fuels, in accordance with the regulations set out in Decrees 926 of 2017 and 446 of 2020" (Ministry of Environment, 2022).

<sup>8</sup> A legal and public policy mechanism aiming to generate economic incentives to those conserving and improving ecosystems, whether landowners, ethnic local communities, and other users engaging in activities that render environmental services, such as climate regulation, water provision, biodiversity conservation, or soil protection.

However, as REDD+ projects have evolved and been implemented within the voluntary carbon credit market, multiple challenges have emerged, both technical and socio-environmental. Reports from national and international media, civil society organizations, and various judicial rulings have highlighted issues such as the unfair treatment of communities involved in the negotiation and execution of these projects. Additionally, potential risks of corruption have been noted, stemming from unclear processes, the involvement of illegitimate actors, lack of transparency in information, and other related factors.

This document analyzes the voluntary carbon credit market through the lens of transparency and integrity, focusing specifically on REDD+ projects developed in the Colombian Amazon in order to contribute to identifying potential corruption risks and to provide recommendations to improve the current framework of the scheme and mitigate the consequences of potential irregular practices.

The document is divided into three essential components: firstly, the methodology implemented for the analysis and formulation of recommendations is presented. This includes a review of regulations, literature, and an evaluation of representative cases to gain a deep understanding of the dynamics of this market, as well as identify potential corruption risks.

Secondly, we provide a section focused on addressing potential corruption risks in the carbon credit market as identified in the cases highlighted, in national and international literature, and semi-structured interviews with strategic actors in this program.

Thirdly, this document presents recommendations aiming to improve the current conditions of the program and mitigate the consequences of potential irregular practices, particularly in REDD+ projects.



# Definitions



## ABOUT THE VOLUNTARY CARBON CREDIT MARKET:

**Additionality:** This concept allows companies to demonstrate that GHG mitigation efforts, such as REDD+ projects, effectively bring about a net benefit on the atmosphere in terms of reducing or depleting GHG emissions, and that this mitigation outcome would not have been possible in the absence of such an effort (Article 43, Resolution 1447 of 2018)

**Carbon Dioxide Equivalent (CO<sub>2</sub>e):** is the measurement unit that compares the global warming potential of each GHG with respect to CO<sub>2</sub>. It is used as a measurement in certified emission reductions (Article 3, Resolution 1447 of 2018).

**Double Counting:** refers to the prohibition against recognizing GHG mitigation results, measured in tons of CO<sub>2</sub>, in the following scenarios: (i) when one ton of CO<sub>2</sub>e is counted more than once to demonstrate compliance with the same GHG mitigation goal; (ii) when one ton of CO<sub>2</sub>e is counted to show compliance with more than one GHG mitigation goal; (iii) when one ton of CO<sub>2</sub>e is used more than once to get remuneration, benefits, or incentives; or (iv) when one ton of CO<sub>2</sub>e is verified, certified, or accredited assigning more than one serial to a single GHG mitigation result (Article 9, Resolution 1447 of 2018).

**Greenhouse Gases (GHG):** are those atmospheric gaseous constituents both natural and anthropogenic, that absorb and emit infrared radiation, as was defined by the UNFCCC (Article 3, Resolution 1447 of 2018).

**Climate Governance:** are negotiation and dialogue processes and mechanisms between multilevel international, national, corporate, and local-scale actors meant to lead social systems towards climate change risk prevention, mitigation or adaptation. Furthermore, it implies that social actors are able to participate in the various decision-making processes and the implementation of climate actions (Jagers & Stripple, 2003; Transparency International, 2011).

**National Carbon Tax:** is a tax levied on companies based on the carbon-equivalent content (CO<sub>2</sub>eq) of all fossil fuels used for combustion, including all petroleum derivatives, fossil gas, and solid fuels (Article 221, Law 1819 of 2016<sup>9</sup>).

**Mitigation initiatives:** are programs, projects, actions, or activities developed at national, regional, local, and/or sectoral levels aimed at reducing emissions, avoiding emissions, or removing and capturing GHGs (Article 3, Resolution 1447 of 2018). The REDD+ project is one of those initiatives.

**Baseline:** is the scenario representing GHG emissions that would be produced in the absence of a GHG mitigation initiative (Article 3, Resolution 1447 of 2018).

**Carbon market:** are commercial systems that create financial incentives for activities that reduce or eliminate GHG emissions. In these systems, emissions are quantified into “carbon credits,” which can be bought and sold. One tradable carbon credit is equivalent to one ton of CO<sub>2</sub> or the equivalent amount of a different greenhouse gas that is reduced, sequestered, or avoided (PNUD, 2023).

**Mechanism for Carbon Tax Exemption:** The national carbon tax is not applied to taxpayers who certify themselves as carbon neutral, whether the certification is obtained directly by the taxpayer or through the consumer or end user, in accordance with regulations issued by MADS. However, the exemption from the national carbon tax cannot exceed 50% of the total tax liability (Paragraph 1, Article 221, Law 1819 of 2016).

**Level of Assurance:** The degree of detail that the Validation and Verification Body (VVB) uses to determine whether there are errors, omissions, underestimations, overestimations, or misinterpretations in the validation or verification process of mitigation initiatives (Article 3, Resolution 1447 of 2018).

**Results-Based Payments or Similar Compensations:** These are remunerations or incentives obtained for the verified reduction or removal of greenhouse gas (GHG) emissions within the framework of a GHG mitigation initiative, such as REDD+ projects (Article 3, Resolution 1447 of 2018).

**GHG Certification Programs or Carbon Standards:** These are voluntary or mandatory systems or frameworks, either international or national, that establish a set of principles and requirements for the formulation, development, validation, and verification of results concerning the design and implementation of GHG mitigation initiatives, such as REDD+ projects. These systems use or create methodologies for quantifying GHG emission reductions or removals, ensure verification, maintain a public registry, and facilitate the certification and assignment of a unique serial number for verified GHG reductions or removals (Article 3, Resolution 1447 of 2018).

<sup>9</sup> A structural tax reform was adopted through Law 1819 of 2016, to strengthen mechanisms to fight tax evasion and avoidance.

**REDD+ Project:** A GHG mitigation project involving REDD+ activities, managed by private or public entities, whose results can be traded in the carbon market and contribute to national climate change targets established under the UNFCCC (Article 3, Resolution 1447 of 2018). These projects operate within a specifically defined subnational geographical area.

**REDD+:** An international GHG mitigation mechanism established by UNFCCC decisions, aimed at reducing emissions and removing GHGs through activities like reducing emissions from deforestation, forest degradation, and other forest-based actions (Article 3, Resolution 1447 of 2018).

**GHG Emission Reduction:** Quantifiable reductions and removals of GHG emissions achieved through the implementation of a GHG mitigation initiative, such as REDD+ projects (Article 3, Resolution 1447 of 2018).

**GHG Mitigation Results:** Quantifiable reductions and removals of GHG emissions achieved through the implementation of a GHG mitigation initiative, such as REDD+ projects (Article 3, Resolution 1447 of 2018).

**Implementing Partner:** is a REDD+ Project holder that meets the criteria to qualify for results-based payments or similar compensations through a REDD+ program (Article 3, Resolution 1447 of 2018).

**Social and Environmental Safeguards for REDD+:** A set of instruments, agreements, processes, and tools designed to optimize the implementation of REDD+ actions while ensuring the respect and protection of community rights and the integrity of forests and ecosystems where these actions take place.<sup>10</sup> (MADS & WWF, 2018).

**Initiative Holder:** A natural or legal person, public or private, responsible for the formulation, implementation, monitoring, and registration of a GHG mitigation initiative (Article 3, Resolution 1447 of 2018).

**Validation:** A systematic, independent, and documented process for evaluating the baseline scenario against defined criteria (Article 3, Resolution 1447 of 2018).

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<sup>10</sup> National Interpretation of Social and Environmental Safeguards for REDD+ in Colombia, MADS & WWF (2018), <https://www.undp.org/es/latin-america/publicaciones/interpretacion-nacional-de-las-salvaguardas-sociales-y-ambientales-para-redd-en-colombia>



## ON CORRUPTION, TRANSPARENCY, AND INTEGRITY:

**Conflict of interest:** A situation in which an individual or entity—whether a government, corporation, media outlet or civil society organization—must choose between the responsibilities and demands of their role and their private interests (Transparency Internacional, n. d.).

**Corruption:** The abuse of entrusted power to the detriment of the collective interest. It manifests across various areas of public life, directly impacting citizens (Transparency for Colombia, 2019).

**Extortion:** The act of coercing another person to do, tolerate, or refrain from doing something to gain illicit benefit for oneself or a third party (Colombia Criminal Code, Art. 244).

**Integrity:** Consistency in behaviors and actions with moral and ethical standards, adopted by both individuals and institutions. Integrity serves as a barrier against corruption<sup>11</sup>.

**Corruption Risk Factor:** A vulnerability or set of vulnerabilities that enables the abuse of power or trust.<sup>12</sup> These vulnerabilities (structural, institutional/organizational, or regulatory) create opportunities for corruption or hinder its detection, arising from legal design, implementation practices, or contextual factors (Transparency for Colombia, 2023).

**Terrorism Financing:** The provision, support, or conspiracy—directly or indirectly—to collect funds with the intent of committing terrorist acts, whether by individuals or terrorist organizations. These resources can be legal or illegal (Financial Action Task Force of Latin America, GAFILAT, n. d.).

**Money Laundering:** The process of concealing the origin of funds generated through illegal or criminal activities, such as drug trafficking, kidnapping, or extortion (Financial Action Task Force of Latin America, GAFILAT, n. d.).

**Corruption Risk:** The likelihood of corrupt practices occurring due to institutional conditions, government actor behaviors, or procedural weaknesses. (Transparency for Colombia, 2019).

**Bribery:** Offering gifts, loans, fees, or other benefits to any person as an incentive to perform a dishonest and illegal act that breaches trust in the course of conducting business (Externado University of Colombia and Transparency for Colombia, 2008).

<sup>11</sup> Retrieved from <https://www.transparency.org/en/corruptionary/integrity>

<sup>12</sup> Transparency for Colombia, 2017

**Influence Peddling:** A public official improperly using their influence, derived from their role or position, for personal gain or the benefit of a third party, to obtain any advantage from another public official concerning a matter under their purview (Colombia Criminal Code, Art. 411).

**Transparency:** The quality of a government, company, organization, or individual of being open in disclosing information, standards, plans, processes, and actions (Transparency International, 2023).

# Key Concepts



## ON THE VOLUNTARY CARBON CREDIT MARKET AND REDD+ PROJECTS IN COLOMBIA

Colombia has an active voluntary carbon market where companies and individuals can purchase carbon credits (CREs) to voluntarily offset their greenhouse gas (GHG) emissions. These actions help meet corporate social responsibility commitments or advance carbon neutrality goals. CREs represent a specific quantity of CO<sub>2</sub> removed from the atmosphere or avoided through GHG mitigation initiatives, including REDD+ projects (Corficolombiana, 2023). This said, currently the voluntary carbon market lacks formal legal regulation from an institutional perspective or compliance framework (SINCHI, 2023). This regulatory gap has raised concerns regarding human rights violations, double counting of CREs, and other issues.

Voluntary carbon credit markets gained prominence in Colombia after the introduction of the national carbon tax through Article 221 of Law 1819 of 2016. This law aimed to discourage fossil fuel use by taxing the carbon content of petroleum derivatives, fossil gas, and combustion solids. It also introduced a tax exemption mechanism through Decree 926 of 2017. This mechanism allows stakeholders, including end consumers, to request partial or total exemption from the tax by demonstrating carbon neutrality in their activities.

Eligible CREs for tax exemptions must originate from a GHG mitigation initiative, be developed within national boundaries, ensure transparency in its implementation, demonstrate reliable methodological development, publicly register mitigation results, as well as emissions, reductions, or removals, and, finally, be verified by an accredited third-party verification and validation organization (Article 2-2.11.2.1., Decree 926 of 2017).

The national carbon tax rate is adjusted annually according to the National Tax and Customs Directorate of Colombia (DIAN) Resolution No. 7 of 2024. For 2024, the national carbon tax rate is COP \$25,799.56 (USD \$6.64) per ton of CO<sub>2</sub> equivalent. For CREs to be

attractive in the voluntary carbon market, they need to be rated under the tax. In other jurisdictions, carbon taxes are significantly higher; for example, in Canada, the tax for each ton of CO<sub>2</sub> emitted is set at USD \$59 in 2024 (AFP, March 30, 2024). These differences make mitigation initiatives in Colombia more attractive if their CREs meet international standards for inter-jurisdictional trading.

The REDD+ mechanism was first discussed at the UNFCCC COP11 and COP13, in 2005 and 2007 respectively, and was formalized as an instrument to fulfill Nationally Determined Contributions (NDCs) under the Paris Agreement in 2015. This kind of initiative is conceived as a result-based payment mechanism. That is, following market rationale, economic value is assigned to standing forests and avoided deforestation or degradation is compensated. By purchasing REDD+ CREs, large GHG emitters compensate local communities for: their environmental service avoiding the deforestation or degradation of the forests they dwell in, and for restricting and changing their traditional uses and practices (Trujillo, 2023).

## KEY ACTORS INVOLVED IN REDD+ PROJECTS IN COLOMBIA



**Local communities:** Those who live in and care for the forest, having a daily relationship with it. Projects typically involve agreements where communities undertake conservation activities (UNEP & UN-REDD, 2013), and in exchange receive a share of the economic benefits derived from the generation and sale of carbon credits.



**Project investors:** Financing comes through loans from credit institutions or equity investors, who may be the developers themselves, companies, or NGOs. These investors provide direct funding, assume risks, and expect returns from CRE sales. REDD+ projects, whether small, medium, or large, typically recover fixed and variable costs quickly, often with the first CRE sale two years after initiation (World Wildlife Fund, 2022).



**Developers:** Natural or legal persons, often external to the local communities, aiming to generate high profits by managing, operating, and selling CREs. They act as intermediaries and are responsible for preparing technical documents, registering projects with certification standards, hiring validation and verification bodies (VVBs), selling CREs, and distributing profits among financiers, themselves, and local communities.



**Certification programs or carbon standards:** They provide documentation for CREs generated by projects, assign unique serial numbers, and maintain public records to ensure traceability from generation to sale. There are both national and international standards, with the latter applicable depending on the jurisdiction for CRE commercialization.



**Validation and Verification Bodies (VVBs):** VVBs validate and verify emissions reductions or absorption by GHG mitigation projects. They must be independent of the project and accredited by the National Accreditation Body (ONAC). VVBs issue a Verification Statement certifying the reductions or removals of GHG achieved, following ISO 14064-2:2006 or its updated equivalent. This document is essential for accessing the carbon tax exemption mechanism.



**Carbon taxpayers and/or CRE buyers:** In Colombia, these are primarily companies obligated to pay the carbon tax. Buyers—often airlines, fossil fuel producers and distributors, logistics companies, and transport businesses—invest in CREs, relying on their legitimacy to offset emissions. These credits are included in their accounting to meet carbon tax obligations.



## ON THE COLOMBIAN GHG EMISSION REDUCTION REGISTRY– RENARE

RENARE was established by Law 1753 of 2015 and regulated by the Ministry of Environment and Sustainable Development (MADS) through Resolution 1447 of 2018. It is a virtual platform designed to manage all information in Colombia related to GHG mitigation initiatives, incorporating the National System of REDD+ Programs and Projects. RENARE is conceived as a monitoring and reporting public tool enabling detailed tracking of all aspects of GHG mitigation initiatives, including REDD+ projects (Article 10, Resolution 1447 of 2018).

To be eligible for results-based payment from REDD+ Projects, that is, CREs, initiative holders must register with RENARE, taking into account the various stages of the projects (Article 12, Resolution 1447 of 2018):

1. **Feasibility:** This phase defines the technical and financial viability of the initiative and provides general information such as participants, aims, and costs.
2. **Formulation:** It includes the detailed design of the initiative, the establishment of goals and baselines, and the integration of environmental and social safeguards.
3. **Implementation:** This is the execution phase, where progress is monitored, and the mitigation of emissions is verified.
4. **Closure:** In this final phase, the initiative concludes with the reporting and cancellation of all reduced or removed emissions.

Registration in RENARE can have several statuses: active, inactive, without reported information, closed, archived, or registered with incompatible overlap. The latter should highlight cases where an initiative being registered or updated overlaps with another (Article 14, Resolution 1447 of 2018). It is worth noting that RENARE was suspended in September 2022 following a court order, a matter that will be discussed later in this document.



## ON REDD+ PROJECTS IN COLOMBIAN AMAZON:<sup>13</sup>

The Amazon rainforest, besides hosting immense biodiversity, stores between 90 billion and 140 billion tons of CO<sub>2</sub>, representing 10% of the planet's biomass. This makes it a critical player in regulating global climate and hydrological systems and in combating climate change (De La Barrera, 2021). In the case of Colombia, 68.2% of the country's total deforestation occurs in the Amazon (FCDS, n. d.). This, plus the significant biomass concentration in this region allows mitigation initiatives to demonstrate higher avoided GHG emissions over smaller areas, increasing the profitability of REDD+ projects.

Another factor driving the proliferation of REDD+ projects in the Amazon is land ownership rights. While the legal ownership of a mitigation initiative lies with the individual or entity registering it with RENARE, the project area requires consent from landowners to meet registration requirements (ASOCARBONO, 2024). This has to do with the wide-ranging ethnic and cultural diversity in the Colombian Amazon region, as the Amazon is home to 64 Indigenous peoples (OPIAC, n. d.), whose territorial rights are recognized and protected through Indigenous reserves. Particularly in the Amazon, there are the largest Indigenous reserves in the country (Amazon Conservation Team, n. d.).

Indigenous reserves are special legal and sociopolitical entities that grant collective ownership to Indigenous communities, operating under similar principles as private property (Article 2.14.7.5.1., Decree 1071 of 2015). These areas are governed by traditional authorities in line with their customs and internal norms (Article 2.14.7.5.2., Decree 1071 of 2015). Thus, within REDD+ projects, Indigenous reserves function as private entities negotiating contracts under private law, enabling project developers to access large forested areas. When negotiating with an Indigenous reserve, developers may access extensive forest areas through the mechanism aforementioned.

Against this backdrop, REDD+ projects have expanded rapidly in the Colombian Amazon. Currently, 66% of the Indigenous reserve areas, excluding National Parks, are tied to REDD+ projects. Furthermore, 29% of the Indigenous reserve areas have already generated and sold Carbon Emission Reductions (CREs), binding them to REDD+ initiatives for at least the next decade (SINCHI, 2023). According to the Amazonian Institute of Scientific Research (SINCHI), as of July 2022, there were 51 REDD+ projects registered in RENARE within the Amazon region.

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<sup>13</sup> In the Colombian Amazon there is a REDD+ program called *Visión Amazonía*, which is not part of the voluntary carbon market. The *Visión Amazonía* Program, driven by Colombian Government, promotes actions across the Amazon region, funded by result-based international cooperation. Funds are managed in accordance with their strategic foundations priorities (SINCHI, 2023).

# Methodology for Analysis and Formulating Recommendations

An outline of the methodological approach followed to produce this report:

## 1. SCOPE:



Source: own elaboration

First, a contextual analysis of the carbon market in Colombia was conducted, with a particular focus on the framework of REDD+ projects in the Amazon region. This involved reviewing related documentation, national regulations, and press articles. These secondary sources proved valuable in offering a comprehensive understanding of the carbon market in the country, providing context, critical evaluations, and additional perspectives on the implementation and status of this market.

Simultaneously, various information sources were consulted to identify irregularities related to integrity, transparency, or corruption in REDD+ projects in the Amazon. Sources

included press articles, events and direct meetings involving affected communities, analytical documents from other organizations, and legal information concerning ongoing litigation. Based on these inputs, nine relevant cases were selected according to the following technical and geographical criteria:

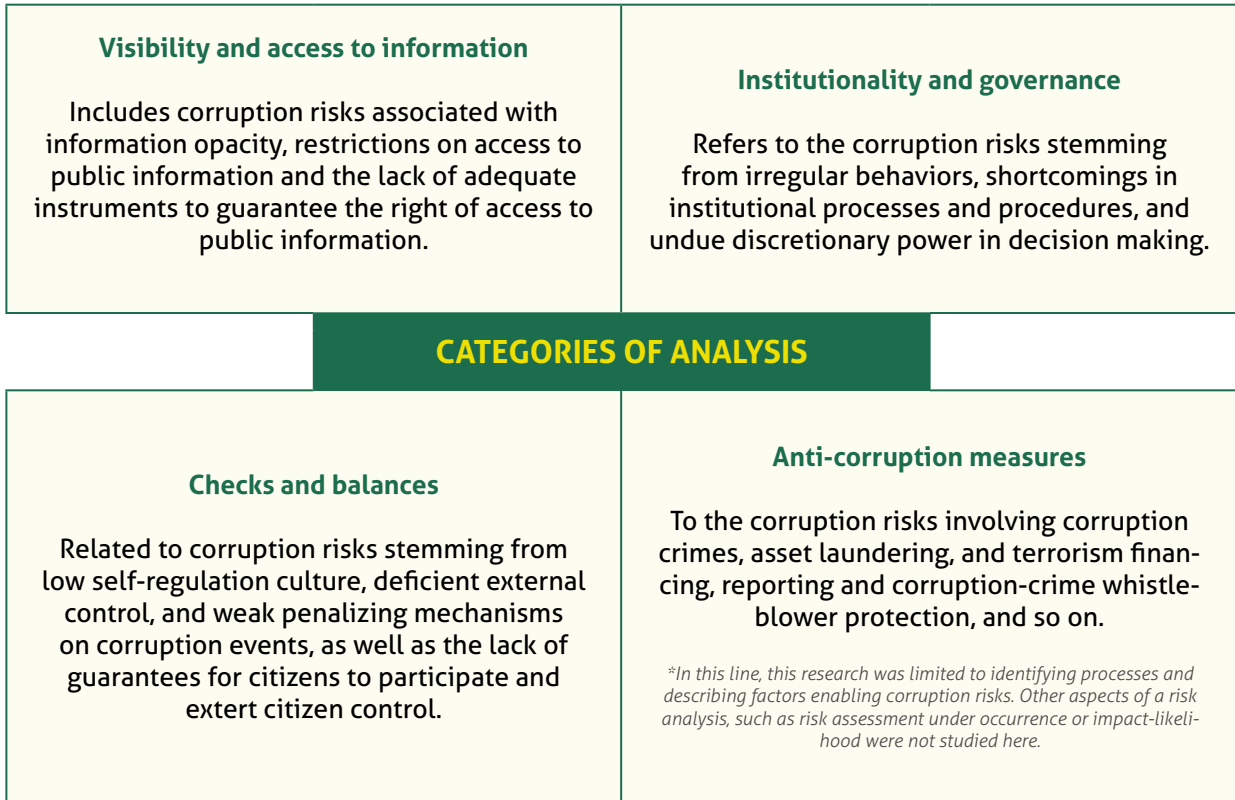
- **Technical Criterion:** Cases referenced in the press and/or other sources where irregularities related to transparency, integrity, or corruption were identified in any phase of a REDD+ project development.
- **Geographical Criterion:** REDD+ projects implemented in any of the departments that make up Colombia's Amazon region.<sup>14</sup>

Finally, international standards promoting transparency and integrity, particularly concerning environmental issues, served as the analytical framework. Specifically, the concepts outlined in the "Practical Guide for Risk Mapping and Anti-Corruption Plans" (Transparency for Colombia, 2023) were adopted as key analytical categories" (Transparency for Colombia, 2023).<sup>15</sup>

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<sup>14</sup> Amazonas, Caquetá, Guainía, Guaviare, Putumayo and Vaupés.

<sup>15</sup> Available in: <https://transparenciacolombia.org.co/guia-mapas-planes-anticorrupcion/>



Source: The Practical Guide for the development of risk maps and anti-corruption plans..

## 2. CHARACTERIZATION:

In this phase, each of the nine prioritized case studies was characterized by identifying key elements (where applicable and available). These include: geographic location, relevant stakeholders involved in the case and potential conflicts of interest, the current status of the project, project size (measured in the number of tons of CO2 to be certified), negotiated value versus the value received by the community, availability of relevant project documents in public sources, channels used for payments and associated financial transactions, and detected irregularities, among other factors.

## 3. ANALYSIS:

After the characterization, an analysis of each case was conducted to identify transparency, integrity, and corruption risk factors present throughout the development cycle of each project, based on the identified irregularities.<sup>16</sup> These risks were categorized into one of the four previously mentioned categories. This analysis was primarily based on first-hand information and was supplemented with secondary sources.

<sup>16</sup> Stages in a REDD+ project involve readiness and feasibility; formulation, validation and registration; verification and certification; commercialization and carbon tax exemption. Not all the cases under analysis had comprehensive information for each of the stages, and many others have not yet reached the commercialization stage.

#### **4. VALIDATION:**

In this phase, the team validated the potential transparency, integrity, and corruption risks identified in the prior phase through semi-structured interviews with key stakeholders in the carbon credit market. Interviewees included companies (developers, certifiers, consultants, and VVBs), industry associations, public sector programs, communities, academia representatives, civil society organizations, and specialized journalists. It is worth noting that while attempts were made to validate the identified risks with public sector entities responsible for oversight, interviews with those entities could not be arranged.

#### **5. RECOMMENDATIONS:**

As a result of the previously outlined methodological approach, recommendations were formulated with a focus on promoting transparency and integrity. These recommendations address potential elements to mitigate the corruption risks identified in the voluntary carbon credit market within REDD+ projects in Colombia.

# Approach to the Main Risks of Transparency, Integrity, and Corruption



## 1 ACCESS TO INFORMATION

A recurring issue identified in the GHG emission reduction initiatives that are part of the voluntary carbon credit market analyzed is the lack of publicly available information related to the projects and their characteristics. While these projects have been developed within the realm of private law, they are initiatives with a public interest, from an environmental, climatic, and human rights perspective, particularly due to their connection with Indigenous, Afro-descendant, and rural communities. Therefore, they should have publicly available information concerning key aspects of the projects.

In general, the main risks are manifesting for the communities undersigning the agreements. Some Indigenous communities have stated that they do not know the actual terms of the agreements or contracts they sign with REDD+ project developers, nor the implications for their land. This is primarily due to the lack of a differentiated approach when delivering or socializing the agreements, as well as limited strategies for sharing relevant information with all the parties involved.

According to a document from the Economic Development Studies Center (CEDE) at the University of Los Andes (a member of the National Safeguard System (SNS) for the implementation of REDD+ projects at the national level), it is essential that all stakeholders have access to the project information. An example of this is illustrated in a story published by Routes of Conflict, by the Latin American Center for Investigative Journalism (CLIP), Mongabay Latam, and La Liga Contra el Silencio.<sup>17</sup> In the article, Indigenous communities from Vaupés Great Resguardo claim that the company with which they signed the REDD+ project did not provide detailed information about the agreement's conditions.

The lack of public information can also hinder the monitoring and oversight that should be carried out by state institutions, civil society, and citizen watchdogs. Although REDD+ project developers prepare feasibility and formulation documents detailing the project's characteristics, this information is often not made available to the public. It is also particularly difficult to access georeferenced information that would allow for the precise identification of the project's area, thus preventing verification of potential overlaps and double counting.

In this section, we list some of the most relevant risks concerning access to project information. This lack of transparency can undoubtedly facilitate crimes such as corruption, bribery, conflicts of interest, and extortion, among others.

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<sup>17</sup> Rutas del Conflicto (Routes of the conflict), CLIP, Mongabay Latam, and La Liga Contra el Silencio. (2022). Lo que dicen los contratos de bonos de carbono que dividen a comunidades indígenas de Vaupés [What carbon contract bonds dividing Vaupés Indigenous communities say]. <https://www.elclip.org/lo-que-dicen-los-contratosde-bonos-de-carbono-que-dividen-a-comunidades-indigenas-de-vaupes/>



## 1.1 Lack of a centralized public channel to share information on GHG mitigation initiatives in Colombia

RENARE was established in 2015 with the purpose of centralizing and managing GHG mitigation initiative information at the national level, but it only began operating in October 2020<sup>18</sup>, under the lead of the Hydrology, Meteorology, and Environmental Studies Institute (IDEAM) (MADS, 2020). However, in its Sentence of December 14, 2022, the Council of State<sup>19</sup> ruled a temporary suspension of RENARE on the occasion of a precautionary measures appeal.<sup>20</sup>

Due to the Ministry of Environment and Sustainable Development (MADS) being assigned as the administrator of the RENARE bylaw, any modification to this responsibility needed to be done through a regulation of the same legal hierarchy. Through Article 230 of Law 2294 of 2023, which establishes the National Development Plan for 2022-2026, Article 175 of Law 1753 of 2015 was amended, assigning the responsibility of administering RENARE to IDEAM (the Institute of Hydrology, Meteorology, and Environmental Studies).

Although the regulatory issue with RENARE was resolved with Law 2294 of 2023, it resumed operations only in June 2024. However, according to MADS officials, the temporary suspension of RENARE also aimed to advance technological and thematic updates for the platform.

As explained earlier, RENARE should serve as the official platform consolidating information on GHG emission mitigation initiatives in Colombia, including REDD+ projects. Yet, its intermittent operation has hindered access to critical data, such as project participants, objectives, scope, geographical location, emission and GHG removal sources, activities, costs, financing, and mitigation goals, among others. This has created a significant barrier for citizen oversight, communities, and companies when validating the credibility of the projects in which they participate, either as developers or as carbon credit buyers.

Without a unique, centralized, publicly accessible, and official registry managed by environmental authorities, it is very difficult to provide assurances to the various stakeholders involved in the development of this mitigation mechanism. From communities, that may not receive information from project developers, to companies buying credits that wish to perform due diligence on the project, it is concerning that there is no centralized national registry to validate basic information.

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<sup>18</sup> In 2019, the Environment Ministry and IDEAM began holding training workshops across the RENARE country and to conduct pilot tests on RENARE platform (MADS, 2019).

<sup>19</sup> Council of State, Contentious-Administrative Chamber, First Section. Ruling of September 23 of 2022. Filing No. 11001 03 24 000 2021 00325 00. Board Member Presenting: Oswaldo Giraldo López.

<sup>20</sup> The plaintiff pointed out that Article 175 of Law 1753 of 2015, through which the RENARE was created, expressly establishes that the MADS will be in charge of regulating and administering the platform. However, when developing the regulation of the RENARE, the MADS delegated the administration of the platform to the IDEAM, this through Article 11 of Resolution 1447 of 2018. The Council of State considered that by issuing that article the MADS had transgressed its regulatory power by transferring an activity assigned by law, reason for which it was necessary to leave without provisional effects the Article 11 of Resolution 1447 of 2018 and therefore the RENARE.

## 1.2 In its current form, RENARE does not address the issues of access to information within Colombia's carbon credit market

The absence or ineffectiveness of RENARE is further compounded when considering its limited scope regarding information verification. Ideally, a public registry operated by the State should provide legal security and reliable information. However, as currently designed, RENARE functions merely as an information repository, where initiative holders—such as REDD+ projects—bear sole responsibility for ensuring the accuracy of published data, with no verification conducted by the State (Article 13; Resolution 1447 of 2018; DeJusticia, CJD&T, and MASP, 2023).

An institutional issue within the voluntary carbon market exacerbating this challenge is the lack of legal mechanisms to annul or revoke REDD+ projects if they exhibit irregularities, such as transparency lapses, corruption, or other offenses. The lack of clarity and reliability in RENARE's information and operations undermines the public administration's ability to instill predictability and trust among market stakeholders (Cely Escobar, 2022).

Failure to verify the information in RENARE poses substantial risks of overlap for developers, as they cannot cross-check their project data against other projects in the same territory, potentially leading to overlaps or territorial conflicts<sup>21</sup>. An unreliable database creates opportunities for actors seeking to bypass regulations or maximize profits unethically, as well as for criminal entities that could exploit these projects to finance or launder money from illicit activities.

Additionally, VVBs also face significant challenges. Unreliable information in official records can compromise the rigor of their evaluations, possibly leading to the approval of projects that fail to meet social and environmental standards. These inconsistencies in data could be used as justification for less diligent reviews.

Lastly, buyers of carbon credits face risks when purchasing carbon credits without assurance that they originate from properly executed projects. The lack of transparency and verification can result in the acquisition of credits that fail to meet established standards, exposing buyers to corrupt practices and credits with lower real value. This scenario not only jeopardizes investments but also compromises the goal of genuinely mitigating GHG emissions.

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<sup>21</sup> According to SINCHI (2023) there are three (3) potential overlaps: (i) between projects and National Natural Parks; (ii) between projects and jurisdictional programs (for instance, Visión Amazonía); and (iii) between projects by different developers within the same area.



## RECOMMENDATIONS

- It is crucial for the Ministry of Environment to reactivate RENARE immediately, addressing the previously mentioned issues. Only by doing so can RENARE become a useful tool for verifying and promoting access to information, which must serve the community and be operational as soon as possible (FCDS, 2023).
- Ensure that information within RENARE is verified and endorsed technically and flawlessly.
- Include pertinent data in RENARE to enable verification that registered initiatives have fulfilled the processes required to comply with social and environmental safeguards, as well as human rights obligations toward ethnic communities.
- Establish mechanisms to guarantee RENARE's interoperability with other technological platforms, such as the National Environmental Information System (SIAC) or public, private, or hybrid tools, in accordance with the mandate of Law 2169 of 2021.
- Expand RENARE's capabilities by integrating a geographic viewer to detect overlaps and prevent double counting, as well as requiring that project design documents (PDDs) include polygons delineating project areas within each Indigenous reserve and align them with official polygons of Indigenous reserves (SINCHI, Díaz, & Ruiz-Nieto, 2023, p. 90).

### 1.3 Opacity in project information on developers' platforms, certification standards, and VVBs

During the development of REDD+ projects, information is distinctly managed throughout the various stages and by the various stakeholders, beyond what is expected to be available on the RENARE platform. For instance, project developers typically host relevant information on their websites, which they always should do. Likewise, certification standards maintain independent platforms with specific analyses and methodologies applied to specific initiatives.

Additionally, certification organizations keep records of project locations. This fragmented approach to information systems creates barriers to accessing reliable and precise data. The current setup results in multiple reports and systems, many of which are either non-operational or poorly integrated.

In the absence of a minimum standard requiring stakeholders to disclose project information, the level of transparency largely depends on the discretionary power of certification programs. Furthermore, each program decides how to present this information, which is often highly technical, making it even more challenging for the public to access and understand that information.

## 1.4 Confidentiality clauses in contracts held with indigenous reserves

This investigation has identified that the negotiation of REDD+ projects between Indigenous reserves and project developers has often been treated as private law transactions. Consequently, some companies have invoked privileges typical of this framework, such as confidentiality clauses.

According to press reports and testimony from local organizations, REDD+ projects have frequently been negotiated under irregular conditions with limited access to information for the communities dealing with developing companies<sup>22</sup>. There are records of instances where companies have informed Indigenous reserves—their counterparts—that they cannot obtain copies or take photographs of contract drafts or templates, citing the claim that these documents constitute the company's intellectual property and must remain confidential. Under this premise, local communities have been constrained from challenging companies in court or seeking advice from the national ombudsman or civil society organizations.<sup>23</sup>

It is worth noting that not all indigenous communities have experience negotiating contracts, especially in scenarios with economic speculation, such as REDD+ projects. Companies invoking confidentiality clauses<sup>24</sup>, systematically create transparency risks and may result in unfair or detrimental conditions for local communities.

The lack of access to information caused by confidentiality clauses has led to cases where Indigenous communities agree to participate in REDD+ projects lasting over 100 years without fully understanding the implications for their territories and their relationship with nature.<sup>25</sup>

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<sup>22</sup> Rutas del Conflicto (Routes of the conflict), CLIP, Mongabay Latam, and La Liga Contra el Silencio. (2022). Lo que dicen los contratos de bonos de carbono que dividen a comunidades indígenas de Vaupés [What carbon contract bonds dividing Vaupés Indigenous communities say]. Retrieved from: <https://www.elclip.org/lo-que-dicen-los-contratos-de-bonos-de-carbono-que-dividen-a-comunidades-indigenas-de-vaupes/>

<sup>23</sup> Presentations shared at the event "Cuando el bosque es negocio: bonos de carbono, asimetrías de poder y conflictos territoriales" ("When the forest is a business: asymmetries of power and territorial conflicts", held on July 12. This workshop was hosted by the Center of Information on Companies and Human Rights, Xaverian University, Cealdes, Akubadaura, Tropenbos, OMER.

Municipal Court of Cumbal - Nariño. (July 21, 2023) Writ of Amparo [Acción de tutela] N° 522274089001-2023-00095-00. Retrieved from: [https://recursos.elclip.org/carbono-gris/Sentencia+Accio%CC%81n+Tutela+2023-00095+\(1\)\\_230908\\_141639.pdf](https://recursos.elclip.org/carbono-gris/Sentencia+Accio%CC%81n+Tutela+2023-00095+(1)_230908_141639.pdf)

<sup>24</sup> Municipal Court of Cumbal - Nariño. (July 21, 2023) Writ of Amparo [Acción de tutela] N° 522274089001-2023-00095-00. Retrieved from: [https://recursos.elclip.org/carbono-gris/Sentencia+Accio%CC%81n+Tutela+2023-00095+\(1\)\\_230908\\_141639.pdf](https://recursos.elclip.org/carbono-gris/Sentencia+Accio%CC%81n+Tutela+2023-00095+(1)_230908_141639.pdf)

Díaz, (2021) REDD+: una apuesta limitada para el reconocimiento de los derechos indígenas a la autonomía y al territorio. ( REDD+ a limited bet for the recognition of indigenous rights for autonomy and the territory). El caso de los indígenas Piaroa del resguardo Matavén (The case of the Piaroa indigenous from the Matavén safeguard). Retrieved from: <https://repositorio.uniandes.edu.co/entities/publication/3e4537fe-325d-4fdd-aa53-da67c2e9ae82>

<sup>25</sup> Rutas del Conflicto (Routes of the conflict), CLIP, Mongabay Latam, and La Liga Contra el Silencio. (2022). Lo que dicen los contratos de bonos de carbono que dividen a comunidades indígenas de Vaupés [What carbon contract bonds dividing Vaupés Indigenous communities say]. Retrieved from: <https://www.elclip.org/lo-que-dicen-los-contratos-de-bonos-de-carbono-que-dividen-a-comunidades-indigenas-de-vaupes/>

Finally, because the negotiation and development of REDD+ projects on Indigenous reserves have been assumed to fall solely under private and commercial law, some judges have declared themselves incompetent to adjudicate disputes arising from these projects. They argue that such matters must be resolved through civil contract nullity actions, which can address the enforceability of confidentiality clauses.<sup>26</sup> These clauses also negatively impact the monitoring and oversight capacity of State institutions and civil society regarding REDD+ projects.

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<sup>26</sup> Constitutional Court. T-248-24.

## 1.5 Lack of a standardized dissemination framework to ensure communities' access to information

In several cases analyzed for this report, deficiencies were identified in the way companies conduct the dissemination and consultation processes for REDD+ projects in Indigenous reserves. This issue was notably acknowledged by the Constitutional Court in Ruling T-248 of 2024, where it was observed that such shortcomings often impede the affected communities' access to necessary information. For example, according to reports by the Latin American Center for Investigative Journalism (CLIP), in the case of Pirá Paraná in Vaupés, community members reported that the project was never formally approved by their highest governance body due to inadequate communication efforts.<sup>27</sup>

Furthermore, it was noted that during negotiations with leaders of Indigenous reserves—whether they were legal representatives or traditional authorities—the information provided by the companies often lacked the depth required for a comprehensive understanding of the voluntary carbon market and REDD+ projects, as evidenced in the case reported by CLIP. In testimonies collected, some leaders admitted they still did not fully grasp why or how carbon was being captured from their territories, even after signing contracts with the companies.<sup>28</sup>

The lack of access to information is further exacerbated by the absence of standardized communication frameworks,<sup>29</sup> which undermines the collective governance structure inherent to Indigenous communities. While the legal representative has the authority to bind the reserve legally, Indigenous communities typically prefer decisions to be made collectively. Ideally, the consultation and information-sharing processes for these projects should involve the entire community and use methods that respect and align with their worldview and traditional knowledge.

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<sup>27</sup> Bermúdez Liévano, A. (2022). El territorio de los jaguares de Yuruparí dividido por un proyecto de bonos de carbono (The territory of the Yuruparí jaguars divided by a carbon bonds project). <https://www.elclip.org/bonos-carbono-yurupari/>

<sup>28</sup> Personal communications with members from Indigenous Communities in the Guaviare department.

<sup>29</sup> Socialization standards in the carbon credit market are criteria that ensure the active participation and informed consent of communities in the framework of these projects. The standards ensure that these initiatives, in addition to reducing emissions, also ensure the improvement of community welfare. Some of these globally recognized standards are: Gold Standard, Verified Carbon Standard (VCS), and the Social Carbon Standard. For more information, look up on this link: <https://verra.org/programs/verified-carbon-standard/>

However, in some cases analyzed<sup>30</sup> and in discussions held by CEALDES with communities, it was revealed that the consultations were mere formalities, limited to meeting the minimum requirements. This concern was also highlighted by the Constitutional Court in Ruling T-248 of 2024, which pointed out a systematic lack of proper consultation and free, prior, and informed consent processes.

Moreover, the absence of established standards for engaging and negotiating with Indigenous communities has led to irregularities. For example, some companies have used photographs taken in unrelated contexts to falsely represent adequate consultation processes, thereby seeking to legitimize projects before authorities without genuinely adhering to standards for protecting Indigenous communities' rights.

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<sup>30</sup> Check Annex 1 for further detail



## RECOMMENDATIONS TO IMPROVE ACCESS TO INFORMATION:

### For the Government:

- Define a public information policy for carbon markets that may be led by the Ministry of Environment, to ensure greater transparency and accessibility of public information in the voluntary carbon market (CEMCO2, 2023). This includes regulating the reach of confidentiality clauses in negotiations and contracts.
- Establish a monitoring agency, which could be the Ombudsman's Office or the Ministry of Government, to ensure that project communication is conducted thoroughly and clearly with local communities.

### For project development companies:

- Provide adequate guarantees to communities for timely access to project-related agreements and contracts. This includes translating agreements, contracts, and other relevant documents for REDD+ projects into Indigenous languages (SINCHI, Díaz, & Ruiz-Nieto, 2023, p. 89). Additionally, this process should be supervised by the appropriate national authority.
- Increase transparency in resource allocation: to publicly disclose the actual amounts received by communities for hosting carbon projects (El País, 2023) can help reduce the risks of bribery, conflicts of interest, and so on.



# Approach to the Main Risks of Transparency, Integrity, and Corruption



## 2 INSTITUTIONALITY AND GOVERNANCE

The implementation of REDD+ projects in the Colombian Amazon faces significant challenges in terms of institutional capacity and governance. These challenges directly impact the transparency, effectiveness, and legitimacy of these programs, particularly regarding the social and environmental safeguards designed to protect both local communities and the environment.

The governance of REDD+ projects in Colombia needs strengthening in terms of transparency, independent verification, and respect for the rights of local communities. Clear regulations and effective control mechanisms must be developed to ensure the proper implementation of social and environmental safeguards, while also protecting the rights of communities in the Colombian Amazon in accordance with transparency principles. Below are some risks identified in our analysis:

### **2.1 Lack of clarity in regulation, application, and monitoring of social and environmental safeguards**

Social and environmental safeguards (hereinafter “safeguards”) are the rules of the game for REDD+ initiatives. They are designed to guide countries and ensure that actions taken in the territory are carried out correctly. They aim to increase benefits, reduce social and environmental risks, and ensure respect for the rights of communities (MADS & WWF, 2018).

The safeguards for REDD+ initiatives were created in 2010 during COP 16 of the UNFCCC in Mexico and were formalized in what is known as the Cancun Agreement.<sup>31</sup> As part of Colombia’s commitments under this convention and the Paris Agreement, in 2017 MADS published the National Interpretation Guide for Safeguards<sup>32</sup> which outlines that there are:

***“15 elements that must be applied to all REDD+ Policies, Actions, and Measures implemented at the national, regional, and local levels”*** (MADS, 2017).

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<sup>31</sup> Cancun safeguards are summarized in seven (7) “rules of the game” that must be respected by all countries in any REDD+ activity they develop according to their national context and sovereignty, namely: (i) Consistent with national forest programs and international agreements; (ii) Transparency and effectiveness of forest governance structures; (iii) Respect for traditional knowledge and community rights; (iv) Full and effective participation; (v) Conservation and benefits; (vi) Avoidance of risks of reversal; and (vii) Avoidance of displacement of emissions.

<sup>32</sup> Booklet on Social and Environmental Safeguards Interpreting. Available on: [https://archivo.minambiente.gov.co/images/cambioclimatico/pdf/Reed\\_/Cartilla-Interpretacion-Nacional-de-Salvaguardas-ministerio-de-ambiente.pdf](https://archivo.minambiente.gov.co/images/cambioclimatico/pdf/Reed_/Cartilla-Interpretacion-Nacional-de-Salvaguardas-ministerio-de-ambiente.pdf)

KEY ELEMENTS OF THE NATIONWIDE INTERPRETATION OF SOCIAL AND ENVIRONMENTAL SAFEGUARDS		
INSTITUTIONAL	SOCIAL	ENVIRONMENTAL
1. Match with Colombian legislation	6. Free, Prior, and Informed Consent (FPIC)	11. Forest and biodiversity conservation
2. Transparency and access to information	7. Respect towards Traditional Wisdom	12. Environmental Goods and Services Supply
3. Accountability	8. Profit sharing	13. Environmental and territorial ordering
4. Recognize forest governance structures	9. Territorial Rights	14. Sector planning
5. Strengthening Capacity-building	10. Participation	15. Forest monitoring and oversight to avoid displacement of emissions

Source: Infographics Ministry of Environment "REDD+ Social and Environmental Safeguards."

According to the findings of the Study Commission for the Promotion and Development of Carbon Markets in Colombia ("CEMCO2"), the country has made significant progress in establishing environmental safeguards for REDD+ projects. However, from a regulatory standpoint, there is still a lack of concrete actions or procedures for addressing non-compliance with these safeguards (CEMCO2, 2023). While the Ministry of Environment and Sustainable Development (MADS) aimed to demonstrate the legal foundation of each safeguard in its national interpretation, the regulatory reference remains general and does not directly bind any of the stakeholders involved in REDD+ projects.

It is expected that the government would promote the proper enforcement of safeguards in REDD+ programs<sup>33</sup> executed and funded by public entities and resources. However, even within the framework regulating this initiative, there is no specific regulation that makes these safeguards binding. This leads to the conclusion that Colombia lacks a robust system for effectively implementing social and environmental safeguards, as such a system would require binding regulations, institutions, and enforcement mechanisms, specific rules regarding the respect of local community rights in the context of REDD+ projects, and rules concerning the state's monitoring and control functions over these initiatives (DeJusticia, CJD&T, & MASP, 2023, p. 9).

<sup>33</sup> Such as Visión Amazonía, BioCarbono, and Corazón de la Amazonía.

In general, without a clear legislative framework regarding climate change, deforestation, degradation, and property rights, the REDD+ strategies developed and implemented may be vulnerable to corrupt practices that could undermine the mechanism's overall functioning and outcomes (Transparency Mexico, CCMSS, & Proética, 2013).

The lack of governmental clarity regarding its responsibilities to monitor the implementation of projects, particularly those that may present environmental and human rights irregularities, could put communities in project areas at a disadvantage (Fundación para la Conservación y el Desarrollo Sostenible, 2023) and could open loopholes allowing project developers to adopt inconsistent implementation strategies (SINCHI, Díaz, & Ruiz-Nieto, 2023).



## RECOMMENDATIONS TO IMPROVE SAFEGUARD IMPLEMENTATION:

### For the Colombian Government:

- Establish the necessary legal framework to make safeguards explicitly enforceable in REDD+ Projects, providing for a monitoring and control mechanism.
- The National Safeguard System advance and provide timely information about its status (SINCHI, Díaz, & Ruiz-Nieto, 2023, p. 88). This ensures that, in the implementation of mitigation actions, regardless of the standard or the accreditation and certification processes used, compliance with social and environmental safeguards aligned with the country's territorial and natural conditions is required (CEMCO2, 2023).
- Establish a procedure to guarantee the rights of communities and territories focused on participation, justice, symmetry of information, fair benefit distribution, capacity building, and support in investment, among other criteria (CEMCO2, 2023).
- Incorporate an ethnic approach into the safeguards, delving into the right to self-governance.
- Although the safeguards mention access to information as one of their foundations, it is crucial to include a dimension of corruption prevention and the promotion of transparency.

### For companies:

- Ensure respect for human rights (DeJusticia, CJD&T, & MASP, 2023, regardless of whether specific regulations exist to guide compliance with Social and Environmental Safeguards.
- Adopt environmental safeguards to ensure the protection of human rights, particularly those of vulnerable communities. Among their guidelines, safeguards aim to prevent negative environmental and individual impacts.

## 2.2 Lack of regulatory and institutional provisions ensuring free, Prior, and Informed Consent (FPIC), or alternatively prior consultation, in REDD+ projects

Among the safeguards, the possibility is being discussed to ensure the fundamental rights of ethnic communities participating in REDD+ projects, including the right to prior consultation and FPIC. This arises from the disproportionate impact of climate change on vulnerable groups like ethnic communities, which often lack the resources required to adapt to or mitigate its effects effectively<sup>34</sup>. (DeJusticia, CJD&T y MASP, 2023, pág. 7)

It is worth noting that in the Colombian legal framework, FPIC and prior consultation are related but distinct concepts with unique legal and normative requirements. On the one hand, Prior consultation is a fundamental right guaranteed by the 1991 Colombian Constitution for Indigenous and Afro-Colombian communities, and prior consultation is a fundamental right guaranteed by the 1991 Colombian Constitution for Indigenous and Afro-Colombian communities and later developed within the jurisprudence.<sup>35</sup> It aims to protect their cultural, social, and economic autonomy regarding any project, work, or activity affecting their territories or way of life. Prior consultation must be conducted by the State or project promoters, carried out in good faith, aiming to reach agreements or secure consent for proposed measures.

This said, FPIC is an international standard incorporated into Colombian law, especially concerning Indigenous peoples' rights. FPIC goes beyond prior consultation by requiring not only information sharing and consultation but also obtaining explicit consent before starting projects that directly impact communities. This standard is recognized in international instruments such as ILO Convention 169 and the UN Declaration on the Rights of Indigenous Peoples.

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<sup>34</sup> In line with the provisions of the United Nations Declaration on the Rights of Indigenous Peoples (2007), Resolution 3 of 2021 by the Inter-American Commission on Human Rights (IACHR). More information on Rulings T-514 of 2009 and C-054 of 2023 by the Constitutional Court.

<sup>35</sup> In the case of the right to prior consultation, the Constitutional Court has established in its jurisprudence that it has a material character of effective participation, beyond a simple formality or formality. See, for example, rulings T-007 de 2017, SU-123 of 2018 and T-154 of 2021.

The difference between both notions is relevant to understanding safeguard implementation in REDD+ Projects in the Amazon. In cases where Indigenous communities are direct participants and project promoters, there is a legal interpretation suggesting that prior consultation may not need to be applied as usual in the instances that the community is a party in the project. This presumes that the community has had active involvement in project design, planning, and decision-making. This implies that the community not only is informed but has also its agreement and willingness to participate and directly benefit from the project, that is, it has already given its FPIC. In that line of thought, the prior consultation process, aiming to ensure that Indigenous communities have a say before making decisions that may affect them, would be already integrated and provided within the direct association and cooperation dynamic.

Although the Constitutional Court's jurisprudence on this matter is not definitive, in most REDD+ projects in the Colombian Amazon, the prior consultation process has not been activated, nor have legal actions been taken to safeguard this right. This situation differs in jurisdictional REDD+ programs, as these are implemented by the State without the direct participation of communities, making it clear that prior consultation applies in such cases.

Beyond the previous discussion,

***“to date, there is no clear and uniform instrument to guarantee such consultation in REDD+ projects. Therefore, it is evident that a new procedure or protocol for consultation needs to be created within the framework of these projects”*** (Sanclemente Zea & Camacho Henao, 2017).

This legal and institutional gap creates a risk of violating communities' rights to full and effective participation,<sup>36</sup> as it is likely that the procedures required for this purpose are not being fully executed by project developers and that the verification of safeguard compliance by standards and third-party oversight organizations (VVBs) has not been sufficiently rigorous on this matter.

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<sup>36</sup> In the case of the right to prior consultation which has already been judged by the Constitutional Court as having a material character of effective participation, beyond a simple formality or formality. See, for example, rulings T-007 of 2017, SU-123 of 2018, and T-154 of 2021.

The Ministry of Environment and Sustainable Development (MADS) has acknowledged that these gaps undermine FPIC processes in the communities, which has already led to

*“legal disputes made public through local and international press reports, questioning the compliance of mitigation initiatives with social and environmental safeguards”*

(MADS, 2022).

These tensions and conflicts within communities arise because FPIC processes have not been effective in facilitating dialogue on fundamental aspects of self-governance, forest governance, and strengthening Indigenous organizational processes (SINCHI, Díaz, & Ruiz-Nieto, 2023, p. 85).



## RECOMMENDATIONS TO STRENGTHEN THE FPIC:

### **For the Colombian government:**

- Regulate and clearly define the mechanisms for differentiated participation of ethnic communities that must be implemented in REDD+ projects in the Amazon. This will reduce legal uncertainty and protect the effective participation of communities. (Dell'Amico, 2024).

### **For companies:**

- Adopt a rights-based approach that goes beyond a compliance-oriented mindset. This entails actively respecting the rights of communities, seeking genuine consent, and avoiding unethical practice (Chan, Ford, Higham, Pouget, & Setzer, 2023).
- In REDD+ initiative communication and consultation, to obtaining consent provide a diverse flexible space for reflection accommodating the perspectives of the Amazonian Indigenous peoples (SINCHI, Díaz, & Ruiz-Nieto, 2023, p. 88).
- Invest in training staff on the principles and practices of Free, Prior, and Informed Consent (FPIC), along with education on the risks of corruption associated with the consent process (Chan, Ford, Higham, Pouget, & Setzer, 2023).
- Establish internal controls to prevent facilitation payments or any form of bribery used to secure the consent of local stakeholders (Chan, Ford, Higham, Pouget, & Setzer, 2023).



Fieldwork conducted by CEALDES has identified cases where minutes and contracts signed between Indigenous communities and developing companies are presented only in one language other than the community's. There is even proof of contracts undersigned in the English language. Such practices place communities in vulnerable positions and violate their right to clear and accessible information. In this regard, the national interpretation regarding safeguards establishes that

***“if ethnic groups are involved and they do not speak Spanish well, interpreters of their language must be present in consultation and information spaces, along with appropriate materials to facilitate understanding”***

(MADS & WWF, 2018).

In Colombia, jurisprudence<sup>37</sup> has underscored the importance of respecting the linguistic rights of Indigenous communities, particularly in contexts of prior consultation and legal or administrative proceedings directly affecting them. The Constitutional Court has ruled that providing information and documents in Indigenous languages is not just a right but a necessary condition for ensuring meaningful participation and the exercise of fundamental rights.

This legal position is based on Article 7 of Colombia's Constitution, which recognizes and protects the country's ethnic and cultural diversity, and Article 10, which designates Spanish as the official language of Colombia while also recognizing the languages and dialects of ethnic groups as official within their territories. Furthermore, compliance with international norms, such as the International Labor Organization's Convention 169, ratified by Colombia, reinforces this obligation by requiring the use of Indigenous languages in administrative processes and other relevant contexts.

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<sup>37</sup> Ruling T-129 of 2011

### 2.3 Lack of regulation defining VVBs' procedures, controls, and oversight mechanisms

Decree 926 of 2017 establishes that VVBs are third-party entities required to operate under international accreditation standards and methodologies. On this matter, the Ministry of Environment and Sustainable Development acknowledges that:

*“Resolution 1447 of 2018 failed to specify rules to demonstrate and ensure independence among stakeholders. This regulatory gap in the current framework may result in conflicts of interest between market participants, such as VVB-GEI entities and GHG certification programs or carbon standards, due to a lack of independence, which can compromise the objectivity and transparency of mitigation results.”*

(Ministry of Environment and Sustainable Development, 2022)

Given that VVBs are selected and paid for by project developers, an inherent conflict of interest arises, which the current regulations have not adequately addressed. According to Carbon Market Watch:

*“VVBs may be reluctant to provide negative evaluations of projects for fear of not being selected by project developers in the future and potentially gaining a ‘bad’ reputation among market participants. As a result, the system’s inherent incentives work against the independence and integrity of VVBs.”*

(Carbon Market Watch, 2021)

While establishing criteria and procedures to ensure the independence of VVBs is crucial, equally important is defining state oversight and controls regarding technical standards (e.g., ISO) and other obligations for these entities. Interviews conducted for this analysis revealed instances where VVBs limited their practices and methodologies, citing, among other factors, difficulties in physically accessing the territories. In Constitutional Court Ruling T-248 of 2024, the Court highlighted that in the REDD+ Project in the Pirá Paraná territory, the companies involved, including the VVBs, failed to conduct adequate due diligence. They also neglected to carry out effective monitoring and assessments of the actual and potential impacts of the project on the livelihoods and cultural structures of the affected communities.

In the specific case of the Pirá Paraná territory, it was observed that the VVB did not conduct an on-site inspection of the project, instead relying on satellite imagery to evaluate its implementation. This approach highlights the lack of rigorous and targeted oversight of these organizations' actions. Without proper supervision, such methods can seriously undermine the transparency and integrity of the project, as they fail to provide an accurate and relevant representation on the ground. It is crucial to establish stricter standards and oversight mechanisms to ensure the reliability and accuracy of verification reports, thereby guaranteeing that they accurately reflect the project's conditions and compliance.

The situation cited above highlights the lack of an ethnic-differentiated approach to ensure specific standards for fulfilling various functions related to such projects. This would not only make interventions more effective but also more equitable, enhancing trust among stakeholders and fostering sustainable and respectful environmental management.

Moreover, it is worth noting that Article 3 of Decree 926 of 2017 refers to VVBs in terms of the mechanisms used to carry out accreditation processes. The methodology applied for verifying reductions is based on ISO Standard 14064-2:2006. However, as of the publication date of this article (2024), this standard is listed as "Withdrawn" on the official ISO website, meaning it is no longer recognized as a supported quality standard by ISO. Despite this, it continues to be used as an environmental standard in Colombia.



## RECOMMENDATIONS:

### For the Colombian Government:

- Define mechanisms for oversight, controls, monitoring, and constant follow-up regarding compliance with ISO technical standards, which form the basis for OVVs' operations. In this context, the national accreditation scheme serves as the foundational instrument through which MADS (Ministry of Environment and Sustainable Development) and MinCIT (Ministry of Commerce, Industry, and Tourism) can influence the performance of OVVs and implement continuous improvement criteria for the operations of these service providers (CEMCO2, 2023).

## 2.4 Lack of specific criteria to ensure additionality in GHG mitigation initiatives

Additionality is key to ensuring the environmental integrity of the carbon credit market. As specified in Resolution 1447 of 2018, additionality refers to the mitigation results of an initiative being "additional" to what would have occurred if the project had not been implemented (Article 43, Resolution 1447 of 2018).

According to Dobson (2015), the primary challenge in the carbon credit market lies in maintaining integrity throughout the certification process, given the intangible nature of this commodity (carbon credit), which makes determining its additional benefits difficult.

However, assessing the additionality of initiatives presents several challenges. First, additionality can only be evaluated theoretically, as it is impossible to definitively prove what could or would have occurred in the absence of a project's execution. Along these lines, since carbon is not a physical product but a commodity, verifying actual emission reductions or improvements over the baseline scenario (additionality) becomes significantly more complex. This requires comparing the investment against a hypothetical scenario (INTERPOL, 2013).

The challenge of assessing additionality, due to the intangible nature of carbon emissions, makes investments in emission reductions particularly susceptible to manipulation in terms of measurement and claims about the benefits of carbon market investments.

According to INTERPOL, there are two primary ways in which measurements used to determine a project's additionality can be manipulated: first, by "excessively inflating the estimate of emissions that would otherwise have occurred"; and second, by, "fraudulently claiming that the project reduces emissions to a greater extent than it does" (INTERPOL 2013).

As concluded by the Commission for the Promotion and Development of Carbon Markets in Colombia (2023), Resolution 1447 of 2018 outlined general criteria for additionality applicable to GHG mitigation initiatives. However, it does not develop the specific requirements or methods for applying additionality in a way that determines the net benefit to the atmosphere. This lack of clarity in evaluation criteria leaves significant discretionary action to certification standards in addressing the concept of additionality.

The lack of information on resource distribution in the projects hinders investment supervision and verification. The absence of effective monitoring can lead to fund embezzlement. Furthermore, it highlights the need for implementing more robust external systems for financial tracking and impact assessment of these projects.



## RECOMMENDATIONS:

### For VVOs:

- Define characteristics, criteria, conditions, and the method of demonstrating the above in the context of GHG mitigation initiatives, in such a way that clear rules for their validation are established.
- Establish clear guidelines for procedures to ensure that the measurement process, methodologies, and calculations of emission reductions are transparent and easily verifiable (INTERPOL, 2013).

# Approach to the Main Risks of Transparency, Integrity, and Corruption



## 3 CHECKS AND BALANCES

Checks and balances are essential to ensure transparency in the carbon credit market, as they provide proper oversight of the activities of various actors involved, such as project developers, verifiers, and credit buyers.

By establishing supervision and regulation mechanisms, it is possible to prevent participants from manipulating emission reduction data or inflating the value of credits, which in turn boosts investor confidence and guarantees that the reported environmental benefits are genuine. Without these controls, projects may lose credibility, and the carbon market becomes a space prone to fraud and malpractice, undermining its climate change mitigation goals (Carbon Market Watch, 2023). Here are some of the identified risks:

### **3.1 Lack of external mechanisms for monitoring and auditing the allocation of resources obtained from REDD+ projects**

One of the most controversial aspects of implementing REDD+ projects in the Colombian Amazon is the traceability of the financial resources generated by these projects and how they are distributed to Indigenous communities. Based on the cases reviewed in this analysis, this issue has two dimensions: one related to the flow of money managed by developers and intermediaries, and the other concerning the use of funds by the recipient communities.

National safeguards indicate that REDD+ projects must ensure the fair and equitable distribution of benefits generated by measures and actions to reduce deforestation for ethnic and local communities.<sup>38</sup> However, there is no binding regulation in Colombian law to enforce this safeguard.

The case analysis conducted in this report suggests a lack of mechanisms for communities to verify the market value of the carbon credits (CREs) or identify the final buyers. Although Indigenous communities are part of these projects and are expected to receive benefits based on their participation, the lack of transparency hinders verification of whether they are receiving their fair share.<sup>39</sup>

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<sup>38</sup> Booklet on National Social and Environmental Safeguards Interpretation. Available on: [https://archivo.minambiente.gov.co/images/cambioclimatico/pdf/Reed\\_/Cartilla-Interpretacion-Nacional-de-Salvavidas-ministerio-de-ambiente.pdf](https://archivo.minambiente.gov.co/images/cambioclimatico/pdf/Reed_/Cartilla-Interpretacion-Nacional-de-Salvavidas-ministerio-de-ambiente.pdf)

<sup>39</sup> Personal communications with members of Indigenous peoples in the departments of Guaviare and Caquetá. Item presented at the REDD+ working group Fair and Equitable, which resulted in the document published by WWF Colombia & CCAP, "Acuerdos REDD+ Justos y Equitativos. Una guía para la Amazonía y el Pacífico" [Fair and Equitable REDD+ Agreements. A guide for the Amazon and the Pacific Coastline] in 2024.



## RECOMMENDATIONS TO IMPROVE MONITORING AND AUDITING:

### For the Government:

- Improve transparency and equity in REDD+ projects, it is crucial to implement binding obligations that require the detailed disclosure of all financial transactions involved. These obligations should include an ethnic and gender approach.
- Unify or link information from developers available in the National Securities Register (RENARE) with the National Securities Issuance Registry of the Financial Superintendence would prevent the information about REDD+ project developments from being dispersed, making it easier to monitor their progress.

### For developing companies:

- Design governance mechanisms in a participatory and negotiated manner with local communities. This involves actively engaging these communities in decision-making regarding the entire certification and commercialization chain of carbon credits (CRE). By establishing an inclusive process, decisions reflect the interests and needs of all stakeholders, thereby strengthening the legitimacy and effectiveness of the project (Dell'Amico, 2024).
- Promote policies that ensure transparency and public availability of financial statements, as well as the specific allocation of CREs (CEMCO2, 2023).

### For local communities:

- Design and establish clear protocols that regulate the reception and allocation of funds. These protocols must ensure an equitable distribution of resources both within and outside households, with a specific focus on gender equity. This involves setting clear criteria to ensure that women, who are often responsible for domestic management and resource management at the family level, have fair and direct access to financial benefits. This approach promotes a more just and effective distribution of income, reinforcing their economic autonomy and decision-making capacity (Nava, 2023).
- Communities, with the support of international cooperation, civil society, and the Colombian state, should receive training in basic due diligence processes, accounting, finance, and other areas that will enhance their ability to conduct independent.



### 3.2 Lack of regulation defining mechanisms of oversight, control, and penalties

In Colombia, there is currently no sanctioning system that can be applied in cases of non-compliance with the criteria of projects, programs, and initiatives related to greenhouse gas (GHG) removal and reduction. In other words, there is no clarity about the roles, mechanisms, procedures, and penalties that would help dissuade bad practices in the market and encourage the effective implementation of these mitigation mechanisms (CEMCO2, 2023).

This absence can partly be attributed to the Colombian State's view that the carbon market operates as a private-sector endeavor. During the administration of former President Iván Duque, the Ministry of Environment and Sustainable Development (MADS) upheld the position that a REDD+ project is:

***“A private initiative governed by commercial private law. As such, the Ministry lacked jurisdiction to oversee the management of resources related to those resources”.***

(Bermúdez Liévano, 2023)

Meanwhile, the current administration has expressed intentions to regulate the carbon market. Susana Muhamad, Colombia's Minister of Environment during the preparation of this report, has stated:

***“In highly sensitive ecosystems, alternative economic activities must be activated to generate equal or greater benefits [...] in collaboration with communities. This can be achieved with robust payment-for-environmental-services programs and carbon credits, but this needs regulation—because right now, it's the wild West regarding carbon credits.”*** (Osorio & Díaz, 2022)

The primary rationale for advocating a sanctioning framework stems from the critical role that communities play in REDD+ projects. As Andrés Bermúdez stated, citing Juan Carlos Preciado from Gaia Amazonas Foundation:

*“Public law should also apply because, although Indigenous reserves are forms of collective private property, the exercise of authority by Indigenous peoples is of a public nature”.* (Bermúdez Liévano, 2023).

It is anticipated that the National Government will issue relevant regulations, as this was mentioned as an objective in the National Development Plan through 2026. Such regulation could address corruption risks stemming from the absence of oversight and control mechanisms.



#### RECOMMENDATIONS TO STRENGTHEN OVERSIGHT, SANCTIONING, AND CONTROL:

##### **For the Colombian Government:**

- Establish a mandatory compliance framework for all REDD+ projects, defining mechanisms for effective oversight and control.
- Assign roles within the relevant entities for supervising the carbon markets, focusing on two key areas: information and accounting, and compliance with environmental and social safeguards.
- Include explicit guidelines within mandatory criteria for assessing independence and managing and declaring conflicts of interest.
- Emphasize, at the regulatory level, that information related to the development of REDD+ projects involving communities is of public interest. Therefore, such information should be publicly accessible and not confined solely to private domains.

### 3.3 Conflicts of interest and low self-regulation culture among market actors

During COP 28, various organizations highlighted the urgent need for an international regulatory framework to safeguard the well-being of communities and the environment in the development of these projects.

According to Sebastián Lema, director of carbon markets at the Center for Clean Air Policy (CCAP), a potential conflict of interest exists within the Colombian system, as “everyone in the market—the developers, verifiers, and certifiers—are private entities.” This structure incentivizes maximizing the generation of carbon credits (El País, 2023).

One significant indication of the low self-regulation culture is the proliferation of intermediaries or brokers—private actors who mediate and negotiate carbon credits between industries and communities (Latin American Post, 2022).

Worldwide, these brokers are often referred to as Carbon Cowboys, as

***“they do not guide their practices or interactions with communities in the most ethical manner for the market, since pursuing their interests they often fail to properly engage communities in projects, leading to significant social conflicts in some cases. Consequently, these projects frequently fail to achieve the anticipated environmental and social impacts”.*** (Duzán, 2021).

In this regard, there is a general consensus that in Colombia, this problem has been growing in recent years, NGOs and communities<sup>40</sup> have raised concerns about intermediaries offering contracts with exorbitant terms (up to 100 years), agreements that disregard traditional authorities, and practices that create conflicts and divisions within communities.

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<sup>40</sup> Notably, DeJusticia and Fundación Gaia intervened in a hearing before the Inter-American Commission on Human Rights (IACHR), in which the risks of an unregulated carbon credit market were exposed. More information on <https://www.dejusticia.org/audiencia-cidh-bonos-de-carbono-afectan-comunidades-en-amazonia/>



## RECOMMENDATIONS TO DEAL WITH CONFLICTS OF INTEREST:

### **For developers, certification standards, auditors, and VVOs:**

- Define a mechanism for declaring conflicts of interest for all stakeholders, including directors, board members, suppliers, advisors, and third parties. This mechanism should be accompanied by a publicly accessible procedure, which must include a definition of conflict of interest, situations potentially generating conflicts of interest, frequency of updates (annual as a minimum), and establishing a tracking system and responsible parties for validation.
- Conflict of interest statements must be publicly available and easily accessible to any interested party.
- In the case of Politically Exposed Persons (PEPs), it is crucial to disclose their status when creating or establishing a company involved in the development, verification, or auditing of these projects.

### **3.4 Challenges faced by communities to receive support and access to justice**

One of the barriers to establishing effective checks and balances in the context of REDD+ projects for Indigenous communities is their limited access to justice. According to statements from community members, inadequate information dissemination and ineffective project socialization, combined with confidentiality clauses, have led Indigenous communities to delay or avoid seeking external advice. This hesitation stems from a perception that such advice is inaccessible or from a lack of understanding about the potential negative impacts of the project on their territories.

The second issue is the novelty of the carbon market, which means that clear mechanisms or optimal strategies to address gaps in these projects have not yet been established. Additionally, the nature of interactions between Indigenous communities and companies—regulated under private and commercial law—introduces further challenges.

Judges often lack experience in dealing with issues related to ethnic diversity, environmental rights, or the territorial dimensions of these rights. They are also unfamiliar with the complex aspects of REDD+ projects, which further complicates their ability to issue informed rulings in a context where judicial officials are still adapting to the relevant guidelines and frameworks for these matters.

This challenge is exacerbated by the geographical isolation of many Indigenous communities, which limits their access to legal resources and expert advice. Language barriers and cultural differences between Indigenous communities and REDD+ project operators often further hinder effective communication and mutual understanding. These factors collectively contribute to an asymmetry that creates an imbalance of power between communities and companies.



## RECOMMENDATIONS FOR ACCESS TO JUSTICE:

### **For the Colombian Government:**

- Access to the legal system for Indigenous communities by providing legal counseling services in their own languages and in accordance with their customs. Judicial procedures must be made accessible and comprehensible to them. REDD+ projects have created an unprecedented situation where Indigenous Reserves cannot resolve conflicts through their customary justice systems. Instead, they are compelled to rely on the traditional judicial system.

# Approach to the Main Risks of Transparency, Integrity, and Corruption

A photograph of a hand holding a stack of US dollar bills in a forest setting. The image is overlaid with a teal color filter. The hand is positioned in the lower right, holding the bills. The background shows a dense forest of tall, thin trees.

## 4 ANTI-CORRUPTION MEASURES

Anti-corruption measures are crucial in Colombia’s carbon markets due to the risks of mismanagement of resources and manipulation of carbon credits, which could undermine trust in this mechanism as a tool for mitigating climate change. In a market involving large sums of money and diverse actors—such as private companies, government agencies, and local communities—ensuring that funds allocated for emission reduction projects are used transparently and efficiently is essential. Without anti-corruption measures, the system could favor certain companies or actors at the expense of environmental goals, damaging the credibility of the carbon market and its potential to reduce emissions.

In Colombia, where many conservation and reforestation initiatives are implemented in vulnerable communities’ territories, anti-corruption mechanisms help ensure that the benefits of the carbon market reach those who truly need them and that the prior, informed consent of these communities is respected. Implementing strict measures for transparency and oversight, such as independent audits and public access to information, strengthens the positive impact of the carbon market, both in terms of environmental sustainability and social justice (Transparency for Colombia, 2022; Carbon Market Watch, 2023).

#### **4.1 The limited reach of citizen and institutional reporting mechanisms**

In general, certification programs should publicize the channels available for reporting potential irregularities identified during and after verification, as well as the procedures for addressing them (SINCHI, Díaz, & Ruiz-Nieto, 2023, p. 90). However, according to discussions with various stakeholders, including some certification standards, these channels are not frequently used.

On the institutional level, no citizen assistance mechanism allows individuals and communities to request information about projects or report issues in the private carbon credit market. The National Safeguard System employs the Ministry of Environment’s Citizen Contact Center to receive and manage questions, complaints, suggestions, and reports, which includes a toll-free phone line, email for citizen service, and a digital form for inquiries and complaints (Forest Carbon Partnership, 2022). However, these are general channels provided by the Ministry for receiving any type of request, complaint, or claim.

Law 2169 of 2021, or the Climate Action Law, in Article 21, granted the Ministry of Environment (MADS) the authority to request additional information, visit the implementation site of an initiative, and refer matters to the competent authorities in case of suspected irregularities or valid complaints from any community. However, procedures have not yet been developed, nor have the conditions been created to ensure culturally

appropriate, easily accessible, and timely reporting channels for key actors in the REDD+ project market and the general public.

In this regard, DeJusticia has pointed out the lack of effective response mechanisms for reports of potential violations of the rights of ethnic communities, who are subject to special protection as collective entities (DeJusticia, CJD&T, & MASP, 2023).



## RECOMMENDATIONS ON REPORTING:

### **For the Colombian Government:**

- In accordance with the provisions of the Climate Action Law, it is necessary for the Ministry of Environment and Sustainable Development to implement a Citizen Assistance Mechanism, which allow individuals and communities to request information about projects or report potential irregularities.

### **For companies:**

- Strengthen and publicize the formal complaint mechanisms in place, so that the general public, and especially the members of affected local communities, can express their concerns, complaints, and grievances. It is important that these mechanisms are easily accessible and consider the particularities of the different stakeholders involved in REDD+ initiatives. Key considerations include differential approaches, the level of access to internet or phone coverage, and the use of culturally appropriate language.
- Foster a culture of reporting within the company and its value chain, based on clear guidelines, ethical leadership that encourages reporting acts against integrity, and creating spaces for promotion and training on the available reporting channels.



## 4.2 Lack of traceability mechanisms in CREs

Due to the intangible nature of CREs and the decentralized dynamics of their commercialization, it can be difficult to trace their origin and history. This is important, especially for agents aiming to get benefits from their purchase, whether as a part of their contribution to mitigating GHG emissions or to benefit from the carbon tax exemption mechanism<sup>41</sup>.

This mechanism was established alongside the carbon tax<sup>42</sup> and regulated by Decree 926 of 2017. It allows for an exemption from the carbon tax in exchange for the early compensation of GHG emissions generated by the sale, import, or consumption of taxed fossil fuels (Ministry of Environment and Sustainable Development, 2022) In summary,

***“the mechanism consists in exempting taxpayers who offset their emissions by acquiring carbon credits from the tax”***

(Díaz, 2021)

Regarding this mechanism, it is a priority to set strategies to ensure credit traceability, as well as verify the transparent flow — origin and allocation — of resources stemming from the commercialization of carbon credits in order to mitigate risks such as money laundering and tax fraud.

In this regard, INTERPOL has highlighted the risk of money laundering in the carbon credit market, noting that

***“criminals may acquire carbon credits as a way to introduce illicit income into the financial system and use subsequent transactions to conceal its illegal origin”*** (INTERPOL, 2013.)

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<sup>41</sup> For more information, look up the Infographics Carbon Tax Exemption Mechanism, available on [https://www.minambiente.gov.co/wp-content/uploads/2023/03/2-Infografia\\_Mecanismo\\_No\\_Causacion\\_Renare\\_250522.pdf](https://www.minambiente.gov.co/wp-content/uploads/2023/03/2-Infografia_Mecanismo_No_Causacion_Renare_250522.pdf)

<sup>42</sup> Under Law 1819 of 2016.

The risk of tax fraud also poses a significant threat to the effectiveness of carbon pricing schemes, as,

***“fraud can deprive governments of significant revenues that could be allocated to other forms of climate action.”***

(Chan, Ford, Higham, Pouget, & Setzer, 2023).

The lack of transparency in carbon markets exacerbates these risks in this context, corrupt agents can exploit the opacity of information and the absence of traceability mechanisms to trade low-quality carbon certificates. This is further compounded by the lack of incentives for buyers to verify the quality of the certificates (self-regulation), driven by their interest in avoiding the cost of carbon tax obligations, for example.

### **4.3 REDD+ Projects execution in high-conflict areas**

A critical aspect to consider with REDD+ projects in the Colombian Amazon is that they are often developed in areas susceptible to armed conflict, which involves additional risks due to the presence of illegal armed groups. These groups may attempt to exert territorial control by influencing or interacting with businesses and private projects. This situation exposes REDD+ projects to significant risks, requiring the development of effective strategies to manage and verify these delicate interactions. A clear example is the project in Pirá Paraná, where verifiers reported difficulties accessing the territory due to security issues.

Moreover, it is important to recognize that the implementation of these projects often involves high financial speculation and broad regulations, but with relatively low general understanding, particularly in high-conflict settings. This can increase risks for environmental leaders, whether promoters or opponents of these projects. In Colombia, which has been ranked as the most dangerous country for environmental leaders according to the Global Witness index, it is imperative to review and strengthen prevention mechanisms to protect these individuals and ensure the sustainable and secure development of REDD+ projects.



## RECOMMENDATIONS IN CONFLICT AREAS:

### **For the Colombian Government (Attorney General's and Ombudsman's Offices):**

- In areas affected by armed conflicts, specific monitoring mechanisms for REDD+ projects. It is necessary to strategically prepare to identify and prevent potential crimes related to the financing of terrorism that could be linked to these projects. To achieve this, institutions such as the Attorney General's Office and groups responsible for investigating these types of crimes need to be strengthened.
- Develop protection strategies for environmental and social leaders involved in REDD+ projects. This requires a more effective response from organizations like the Ombudsman's Office.

## REFERENCES

- Agencia AFP. (30 de marzo 2024). ¿Qué está pasando en Canadá con el impuesto al carbono?. (What is happening in Canada with the carbon tax?). Available at: <https://www.elespectador.com/economia/macroeconomia/que-esta-pasando-en-canada-con-el-impuesto-al-carbono/>
- Amazon Conservation Team (s.f) Legalizando Territorios Indígenas en Colombia: Avances en la Consolidación de Corredores Bioculturales. (Legalizing indigenous territories in Colombia: Advancements in the consolidation of biocultural corridors). Available at: <https://www.amazonteam.org/maps/colombia-land-rights/es/index.html>
- ASOCARBONO. (2024) análisis jurídico sobre los derechos de carbono en Colombia. (Legal analysis about carbon rights in Colombia). Available at: <https://asocarbono.org/wp-content/uploads/2024/02/documento-concepto-juridico-derecho-de-carbono-en-Colombia.pdf>
- Banco Mundial. (24 de mayo de 2022). Países en la cima de los mercados de carbono. (Countries at the top of the carbon markets). Available at: <https://www.bancomundial.org/es/news/feature/2022/05/24/countries-on-the-cusp-of-carbon-markets>
- Bermúdez Liévano, A. (17 de mayo de 2023). Colombia: Corte Constitucional examinará por primera vez un conflicto por créditos de carbono. (Constitutional court will examine for the first time a conflict related to carbon credits). Mongabay. Available at: <https://es.mongabay.com/2023/05/colombia-corte-constitucional-examinara-por-primera-vez-un-conflicto-por-bonos-de-carbono/>
- Bermúdez Liévano, A. (2022). El territorio de los jaguares de Yuruparí dividido por un proyecto de bonos de carbono. (The Yaruparí jaguars territory divided by the a carbon bonds project). Available at: <https://www.elclip.org/bonos-carbono-yurupari/>
- yd, D. (2024) Las empresas, los límites planetarios y el derecho a un medio ambiente limpio, saludable y sostenible. Informe del Relator Especial sobre la cuestión de las obligaciones de derechos humanos relacionadas con el disfrute de un medio ambiente sin riesgos, limpio, saludable y sostenible. Naciones Unidas – Asamblea General. General (The enterprises, the planetarian limits and the right to a clean environment. (Special Rapporteur Report about human rights obligations concerning the enjoyment of the environment without risks, clean, sound and sustainable. United Nations-General Assembly). Available at: : <https://documents.un.org/doc/undoc/gen/g23/266/66/pdf/g2326666.pdf?token=MgN93uSuLP7VAc47AJ&fe=true>
- Carbon Market Watch . (June de 2021). Two Shades of Green: HOW HOT AIR FOREST CREDITS ARE BEING USED TO AVOID CARBON TAXES IN COLOMBIA. Available at: [https://carbonmarketwatch.org/wp-content/uploads/2021/06/Two-shades-of-green\\_EN\\_WEB.pdf](https://carbonmarketwatch.org/wp-content/uploads/2021/06/Two-shades-of-green_EN_WEB.pdf)
- Carbon Market Watch (2024). "Ensuring Transparency and Accountability in Carbon Offsetting." Available at: : <https://carbonmarketwatch.org>
- Carbon Market Watch. "Corporate Climate Responsibility and Carbon Markets." Carbon Market Watch, 2024: <https://carbonmarketwatch.org>
- Cely Escobar, D. (2022). Análisis de riesgos asociados a la seguridad jurídica del mecanismo REDD+ en Colombia (Analysis of risks associated to legal certainty for the REDD+ mechanism).
- Comisión de estudio para la promoción y desarrollo de los mercados de carbono en Colombia- CEMCO2. (2023). Reporte final (Study commission for the promotion and development of the carbon markets in Colombia-CEMCO2 (2023) Final report) . Available at: <https://www.minambiente.gov.co/wp-content/uploads/2023/07/CEMCO2-Informe-Final.pdf>
- Chan, T., Ford, L., Higham, C., Pouget, S., & Setzer, J. (Octubre de 2023). Corruption and integrity risks in climate solutions: an emerging global challenge. (G. R. Policy, Ed.) Retrieved from: <https://www.lse.ac.uk/granthaminstitute/wp-content/uploads/2023/10/Corruption-and-integrity-risks-in-climate-solutions.pdf>
- Chêne, M. (6 of July 2010). Corruption, auditing and carbon emission reduction schemes. (T. I. Woods & Wayside International, Ed.) Available at: <https://knowledgehub.transparency.org/helpdesk/corruption-auditing-and-carbon-emission-reduction-schemes>
- Climate Focus, Akörde y Climate Outreach. (2020). Ficha informativa #4. Los mercados de carbono. (Informative guide #4. The carbon markets)

Available at: Sistema para la reducción de emisiones REVERDECE.Climate Trade. (s.f.). El papel de las energías renovables para alcanzar los objetivos climáticos y alimentar nuestro futuro sostenible. (The role of renewable energies to reach climate objectives and contribute to a sustainable future). Available at: <https://climatetrade.com/es/el-papel-de-las-energias-renovables-para-alcanzar-los-objetivos-climaticos-y-alimentar-nuestro-futuro-sostenible/>

Compensate Foundation. (2023). Rethinking Integrity in the Voluntary Carbon Market. Available at: <https://www.compensate.com/articles/from-crisis-to-confidence-rethinking-integrity-in-the-voluntary-carbon>

Corficolombiana. (4 de julio de 2023). Estado actual de los mercados de carbono en Colombia y en el mundo. (Actual state of carbon markets in Colombia and the world). Available at: <https://investigaciones.corficolombiana.com/documentos/38211/0/20230704%20semanaldef.pdf/58b185b5-d8a0-3a2b-fe8d-f9902c24f18a>

DeJusticia, CJD&T y MASP. (2023). Respuesta al auto de pruebas EXPEDIENTE: T-9.312.858. (Response to the evidence document. FILE: T-9.312.858). Available at: <https://www.dejusticia.org/wp-content/uploads/2023/10/Intervencion-conjunta-Dejusticia-CJDT-y-MASP-1.pdf>

De La Barrera, A. (2021) La Amazonía y su importancia como pulmón de América. (The Amazonia and its importance as a lung for America) Available at: <https://storymaps.arcgis.com/stories/a47d4ade48ae-4f4286e698f2613a2c2e>

Díaz, C. (Julio de 2021). Mecanismo de no causación del Impuesto Nacional al Carbono, ¿una evasión de impuestos? (No causation mechanisms for the National Carbon Tax, a tax evasion?). Available at: <https://periodico.unal.edu.co/articulos/mecanismo-de-no-causacion-del-impuesto-nacional-al-carbono-una-evasion-de-impuestos/>

Dell'Amico, A. (2024) Human Right Abuses from Carbon Credits – A Critique of “Greenwashing” Lawsuits and Additional Litigation Techniques. Environmental Law Review Syndicate. Available at <https://www.nyuelj.org/2024/01/human-rights-abuses-from-carbon-credits-a-critique-of-greenwashing-lawsuits-and-additional-litigation-techniques/>

Dobson, R. (2015). Carbon market corruption risks and mitigation strategies. Transparency International. Available at: [https://www.transparency.org/files/content/corruptionqas/Carbon\\_market\\_corruption\\_risks\\_and\\_mitigation\\_strategies\\_2015.pdf](https://www.transparency.org/files/content/corruptionqas/Carbon_market_corruption_risks_and_mitigation_strategies_2015.pdf)

Duzán, M. (31 of november, 2021). Los carbon cowboys: los especuladores de los bosques colombianos.(The Carbon Cowboys: the speculation of the Colombian forest). A fondo con María Jimena Duzán. Available at: <https://open.spotify.com/episode/3sdD3UBxPlAmHuZq11e5xq?si=9c-85c6162bdf45e3>

El Espectador. (11 de octubre de 2023). Los vacíos de los proyectos de créditos de carbono en la Amazonia colombiana. (The voids of the carbon credit projects in the Colombian Amazonia) Available at: <https://www.elespectador.com/ambiente/amazonas/los-vacios-de-los-proyectos-de-bonos-de-carbono-en-la-amazonia-colombiana/>

El País. (29 of november, 2023). How to regulate 'the Wild West' of carbon markets in Latin America. Available at: <https://english.elpais.com/climate/2023-11-29/how-to-regulate-the-wild-west-of-carbon-markets-in-latin-america.html>

Forest Carbon Partnership. (2022). Reporte de Autoevaluación del Paquete de Preparación REDD+ de Colombia para el Forest Carbon Partnership Facility). (Self-evaluation report on the REDD+ preparation kit for the Cooperative Fund for the Carbon Forest) Available at: [https://www.forest-carbonpartnership.org/system/files/documents/colombia\\_r-package\\_final\\_es\\_0.pdf](https://www.forest-carbonpartnership.org/system/files/documents/colombia_r-package_final_es_0.pdf)

Fundación para la Conservación y el Desarrollo Sostenible (Sustainable development and conservation Fund). (2023). Siete recomendaciones para mejorar la regulación de los mercados de carbono en Colombia (Seven recommendations to improve the regulation of carbon markets in Colombia).

Fundación para la Conservación y el Desarrollo Sostenible – FCDS (s.f) Deforestación en el bioma amazónico colombiano. (Sustainable development and conservation Fund-FCDS (s.f) Biome deforestation in the Colombian Amazonia) Available at: <https://observatorioamazonia.fcds.org.co/fichas/deforestacion/deforestacion-en-el-bioma-amazonico-colombiano.html>

Gaia Amazonas. (s.f.). Problemas y oportunidades de REDD+. (Problems and opportunities of REDD+).

Instituto SINCHI. (28 de julio de 2023). Diagnóstico de proyectos REDD+ en la Amazonia colombiana. ( REDD+ projects diagnost in the Colombian Amazonia). Available at: <https://sinchi.org.co/files/PUBLICACIONES%20DIGITALES/>

[redd%20en%20la%20amazonia/Diagnostico%20de%20proyectos%20REDD+%20AC%202023.pdf](https://www.minambiente.gov.co/renare-la-plataforma-para-registrar-las-reducciones-de-gases-efecto-invernadero-en-colombia/#:~:text=El%20Ministerio%20de%20Ambiente%20y,a%20lo%20largo%20del%20tiempo.)

INTERPOL. (2013). Guide to Carbon Trading Crime. Available at: <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwiFqZiGq--DAxXgSzABHUBpCMUQF-noECDgOAO&url=https%3A%2F%2Fwww.interpol.int%2Fcontent%2Fdownload%2F5172%2Ffile%2FGuide%2520to%2520Carbon%2520Trading%2520Crime.pdf&usg=AOv>

Jagers, S. & Stripple, J. (2003) Climate Governance Beyond the State. *Global Governance*, 9(3). Pp. 385–399). (3 October, 2023). Así es el mercado de créditos de carbono que el Estado, por ahora, no ve. (This is the carbon credits market which the State for now does not see) Available at: <https://www.lasillavacia.com/silla-nacional/asi-es-el-mercado-de-bonos-de-carbono-que-el-estado-por-ahora-no-ve/>

LatinAmerican Post. (2022). ¿Quiénes son los Carbon Cowboys y cuál es su influencia en la Amazonía? (Who are the Carbon Cowboys and which is its impact in the Amazonia?) Available at: <https://latinamericanpost.com/es/americas-es/medioambiente/quines-son-los-carbon-cowboys-y-cul-es-su-influencia-en-la-amazona/>

Marie Chêne, T. I. (21 of January, 2014). U4 Helpdesk. Corruption risks and mitigating approaches in climate finance. Available at: <https://knowledgehub.transparency.org/helpdesk/corruption-risks-and-mitigating-approaches-in-climate-finance>

Maslen, C. (24 of October, 2023). Corruption risks in land-based solutions to climate change. (U. A.-C. CMI, Ed.) Available at: <https://knowledgehub.transparency.org/helpdesk/corruption-risks-in-land-based-solutions-to-climate-change>

Mejía, P. (4 of september, 2021). Mercados de carbono en Colombia. Asuntos Legales (Carbon Markets in Colombia. Legal Matters). Available at: <https://www.asuntoslegales.com.co/analisis/pablo-mejia-3227380/mercados-de-carbono-en-colombia-3227382>

Ministerio de Ambiente y Desarrollo Sostenible - MADS. (s.f.). Iniciativas de mitigación (Mitigation Initiatives). Available at: <https://www.minambiente.gov.co/mercados-de-carbono/iniciativas-de-mitigacion/>

Ministerio de Ambiente y Desarrollo Sostenible - MADS (1 of August, 2018). Resolution 1447 of 2018. Available at: <https://www.minambiente.gov.co/wp-content/uploads/2022/01/15.-Resolucion-1447-de-2018.pdf>

Ministerio de Ambiente y Desarrollo Sostenible – MADS. (15 of October, 2019) RENARE, la plataforma para registrar las reducciones de gases efecto invernadero en Colombia (RENARE, the platform to register greenhouse gas reductions in Colombia). Available at: <https://www.minambiente.gov.co/renare-la-plataforma-para-registrar-las-reducciones-de-gases-efecto-invernadero-en-colombia/#:~:text=El%20Ministerio%20de%20Ambiente%20y,a%20lo%20largo%20del%20tiempo.>

Ministerio de Ambiente y Desarrollo Sostenible – MADS. (2020a). En marcha RENARE, plataforma para registrar iniciativas de mitigación de Gases Efecto Invernadero en Colombia (RENARE is up and running, a platform to register greenhouse gas mitigation initiatives in Colombia). Available at: <https://www.minambiente.gov.co/en-marcha-renare-plataforma-para-registrar-iniciativas-de-mitigacion-de-gases-efecto-invernadero-en-colombia/>

Ministerio de Ambiente y Desarrollo Sostenible – MADS (2020). Actualización de la Contribución Determinada a Nivel Nacional de Colombia-NDC (Update of Colombia’s Nationally Determined Contribution).

Ministerio de Ambiente y Desarrollo Sostenible - MADS. (2021). Fifth Summary of Information on REDD+ Safeguards.

Ministerio de Ambiente y Desarrollo Sostenible – MADS. (March, 2022). Adicionalidad en el contexto de las iniciativas de mitigación para cambio climático (Additionality in the context of climate change mitigation initiatives). Available at: <https://www.minambiente.gov.co/wp-content/uploads/2022/03/Contexto-Adicionalidad-1era-sesion-submesa-V.2.1.pdf>

Ministerio de Ambiente y Desarrollo Sostenible - MADS. (3 of June, 2022). Justification Notes . Available: [https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwianl\\_PjbeEAXVQRzABHabcDOg-QFnoECA8QAQ&url=https%3A%2F%2Fwww.andi.com.co%2FUploads%2FMemoria%2520Justificativa%2520OVV-GEI%252018%2520de%2520julio%2520de%25202022.pdf&u](https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&cad=rja&uact=8&ved=2ahUKEwianl_PjbeEAXVQRzABHabcDOg-QFnoECA8QAQ&url=https%3A%2F%2Fwww.andi.com.co%2FUploads%2FMemoria%2520Justificativa%2520OVV-GEI%252018%2520de%2520julio%2520de%25202022.pdf&u)

- Ministerio de Ambiente y Desarrollo Sostenible - MADS. (2022). Preguntas frecuentes del impuesto nacional al carbono y el tratamiento tributario de no causación por carbononeutralidad (Frequently Asked Questions about the National Carbon Tax and the Tax Treatment of Non-Causation for Carbon Neutrality). Available at: [https://www.minambiente.gov.co/wp-content/uploads/2022/01/ABC\\_DECRETO\\_926\\_de\\_2017.pdf](https://www.minambiente.gov.co/wp-content/uploads/2022/01/ABC_DECRETO_926_de_2017.pdf)
- Ministerio de Ambiente y Desarrollo Sostenible - MADS. (s.f.). Cambio Climático y Gestión del Riesgo. Iniciativas de Mitigación de GEI (Climate Change and Risk Management. Greenhouse Gas Mitigation Initiatives). Available at: <https://www.minambiente.gov.co/cambio-climatico-y-gestion-del-riesgo/programas-proyectos-redd/>
- Ministerio de Ambiente y Desarrollo Sostenible - MADS (s.f.). Ciclo de vida de las Iniciativas de Mitigación de GEI en RENARE (Lifecycle of Greenhouse Gas Mitigation Initiatives in RENARE). Available at: <https://www.minambiente.gov.co/mercados-de-carbono/iniciativas-de-mitigacion/>
- Ministerio de Ambiente y Desarrollo Sostenible - MADS (s.f.). Conozca qué es el Mercado Voluntario de Carbono - Redd+ (Learn about the Voluntary Carbon Market - REDD+). Available at: <https://archivo.minambiente.gov.co/index.php/bosques-biodiversidad-y-servicios-ecosistematicos/reduccion-de-emisiones-de-gases/conozca-que-es-el-mercado-del-carbono>
- Ministerio de Ambiente y Desarrollo Sostenible y WWF . (18 of december, 2018). Interpretación Nacional de las Salvaguardas Sociales y Ambientales para REDD+ en Colombia (National Interpretation of Social and Environmental Safeguards for REDD+ in Colombia). Available at: <https://www.undp.org/es/latin-america/publicaciones/interpretacion-nacional-de-las-salvaguardas-sociales-y-ambientales-para-redd-en-colombia>
- Ministerio de Minas y Energía. (s.f.). Fuentes No Convencionales de Energía Renovable - FNCER (Non-Conventional Renewable Energy Sources - FNCER). Available at: <https://www.minenergia.gov.co/es/misional/fuentes-no-convencionales-de-ener%C3%ADa-renovable-fncer/>
- Moreno, C., Speich-Chassé, D. & Fuhr, L. (2016). El poder de los números en la política ambiental global. La métrica del carbono: ¿el CO 2 como medida de todas las cosas?. Editado por la Fundación Heinrich Böll, México, Centroamérica y El Caribe. [https://mx.boell.org/sites/default/files/carbon\\_metrics-impresion.pdf](https://mx.boell.org/sites/default/files/carbon_metrics-impresion.pdf)
- Moreno, C., Speich-Chassé, D. & Fuhr, L. (2016). El poder de los números en la política ambiental global. La métrica del carbono: ¿el CO2 como medida de todas las cosas? (The Power of Numbers in Global Environmental Policy. Carbon Metrics: Is CO2 the Measure of Everything?) Edited by: Fundación Heinrich Böll, México, Centroamérica y El Caribe.
- Naciones Unidas. (1997). Kyoto Protocol of the United Nations Framework Convention on Climate Change.
- Nava, M. (2023) créditos de carbono: ¿instrumento de la gobernanza climática o cortina de humo? (Carbon Credits: Instrument of Climate Governance or Smoke Screen?) InterNaciones, 10(24). Pp. 79 -96.
- Neira, S. C. (2023). Hacia la integralidad del mercado voluntario de carbono en Colombia a partir de la aplicación de un esquema para el fortalecimiento y encadenamiento de las comunidades con proyectos de remoción de emisiones (Towards the Integrity of the Voluntary Carbon Market in Colombia through the Application of a Scheme for the Strengthening and Linking of Communities with Emission Removal Projects).
- Ochoa, O. (2016). Créditos de carbono: desarrollo conceptual y aproximación crítica (Carbon Credits: Conceptual Development and Critical Approach). Available at: Misión Jurídica. Vol. 9 - Núm. 11. Pp. 289 – 297.
- Organización Nacional de los Pueblos Indígenas de la Amazonía Colombiana – OPIAC (National Organization of the Indigenous Peoples of the Colombian Amazon – OPIAC). (s.f). Available at: <https://www.opiac.org.co/historia/>
- Osorio, C., & Díaz, D. (2022). Susana Muhamad: “Debemos investigar a los grandes capitales que están financiando la deforestación” (Susana Muhamad: “We must investigate the big capital that is financing deforestation”). El País. Available at: <https://elpais.com/america-colombia/2022-08-04/susana-muhamad-debemos-investigar-a-los-grandes-capitales-que-estan-financiando-la-deforestacion.html>
- Panel Intergubernamental sobre Cambio Climático – IPCC (Intergovernmental Panel on Climate Change – IPCC). (2023). CLIMATE CHANGE 2023 Synthesis Report Summary for Policymakers. Available at: [https://www.ipcc.ch/report/ar6/syr/downloads/report/IPCC\\_AR6\\_SYR\\_SPM.pdf](https://www.ipcc.ch/report/ar6/syr/downloads/report/IPCC_AR6_SYR_SPM.pdf)

- Resimić, M. (19 de octubre de 2022). Grand corruption and climate change policies. Available at: <https://knowledgehub.transparency.org/helpdesk/grand-corruption-and-climate-change-policies-overview-of-grand-corruption-evidence-in-energy-transition-biodiversity-loss-and-climate-finance>
- Reverdece – System for Emission Reductions. (2020) Information Sheet #4. Carbon Markets. Available at: [https://www.minambiente.gov.co/wp-content/uploads/2022/05/12\\_2020\\_FICHA\\_INFORMATIVA\\_4\\_Los-mercados-de-carbono\\_compressed-1.pdf](https://www.minambiente.gov.co/wp-content/uploads/2022/05/12_2020_FICHA_INFORMATIVA_4_Los-mercados-de-carbono_compressed-1.pdf)
- Rodríguez, N. S. (19 de julio de 2022). Implicaciones del blockchain en los mercados de carbono (Implications of Blockchain in Carbon Markets). Available at: <https://medioambiente.uexternado.edu.co/implicaciones-del-blockchain-en-los-mercados-de-carbono-%EF%BF%BC/>
- Rutas del Conflicto, CLIP, Mongabay Latam y La Liga Contra el Silencio (Routes of the Conflict, CLIP, Mongabay Latam, and The League Against Silence). (2022). Lo que dicen los contratos de bonos de carbono que dividen a comunidades indígenas de Vaupés (What the Carbon Credit Contracts Say that Divide Indigenous Communities in Vaupés). Available at: <https://www.elclip.org/lo-que-dicen-los-contratos-de-bonos-de-carbono-que-dividen-a-comunidades-indigenas-de-vaupes/>
- Sancllemente Zea, G., & Camacho Henao, A. (2017). MARCO NORMATIVO: Análisis del marco legal colombiano en relación a las salvaguardas ambientales y sociales para REDD+ (Legal Framework: Analysis of the Colombian Legal Framework in Relation to Environmental and Social Safeguards for REDD+). (P. O.-R. Colombia, Ed.) Available at: <https://www.un-redd.org/sites/default/files/2021-10/MARCO%20NORMATIVO%20SALVAGUARDAS.pdf>
- SINCHI, Díaz, J. M., & Ruiz-Nieto, O. (2023). Diagnóstico de proyectos REDD+ en la Amazonía colombiana (Diagnosis of REDD+ Projects in the Colombian Amazon). Instituto Amazónico de Investigaciones Científicas SINCHI (Amazonian Institute of Scientific Research - SINCHI). Available at: <https://www.sinchi.org.co/files/PUBLICACIONES%20DIGITALES/redd%20en%20la%20amazonia/Diagnostico%20de%20proyectos%20REDD+%20AC%202023.pdf>
- Transparencia Mexicana, CCMSS y Proética. (2013). Transparencia en REDD+: Una guía para prevenir la corrupción en la reducción de emisiones por deforestación y degradación forestal (Transparency in REDD+: A Guide to Preventing Corruption in Emission Reductions from Deforestation and Forest Degradation). Available at: [https://www.tm.org.mx/wp-content/uploads/2013/05/Transparencia\\_en\\_REDD+\\_Manual\\_.pdf](https://www.tm.org.mx/wp-content/uploads/2013/05/Transparencia_en_REDD+_Manual_.pdf)
- Transparencia por Colombia. (2023). Hacia una lectura de la transición energética desde una perspectiva anticorrupción (Towards a Reading of the Energy Transition from an Anti-Corruption Perspective). Available at: <https://transparenciacolombia.org.co/lectura-transicion-energetica-perspectiva-anticorrupcion/>
- Transparencia por Colombia. (2023). Riesgos de corrupción en el sector de hidrocarburos en Colombia (Risks of Corruption in the Hydrocarbons Sector in Colombia). Available at: <https://transparenciacolombia.org.co/wp-content/uploads/2023/08/Estudio-riesgos-de-corrupcion-en-el-sector-hidrocarburos.pdf>
- Transparencia por Colombia. (2022). Recomendaciones en materia de transparencia y lucha contra la corrupción para la construcción del Plan Nacional de Desarrollo 2022-2026 (Recommendations on Transparency and Anti-Corruption for the Construction of the National Development Plan 2022-2026). Available at: <https://transparenciacolombia.org.co>
- Transparency International. (2011). Global Corruption Report: Climate Change A User's Guide. Available at: [https://www.transparency.org/files/content/publication/GCR\\_ClimateChange\\_UsersGuide\\_EN.pdf](https://www.transparency.org/files/content/publication/GCR_ClimateChange_UsersGuide_EN.pdf)
- Transparency International. (2012). Keeping REDD+ Clean: A step-by-step guide to preventing corruption. Available at: <https://www.transparency.org/en/publications/keeping-redd-clean>
- Transparency International. (s.f.). Corruptionary A-Z. Available at: <https://www.transparency.org/en/corruptionary>
- Trujillo, J. (2023) Problemas y oportunidades de REDD+: Una mirada desde los territorios indígenas de la Amazonía. Documentos de Investigación y Política. ((Problems and Opportunities of REDD+: A View from Indigenous Territories in the Amazon. Research and Policy Documents). Gaia Amazonas.



UNDP. (27 of may, 2022). Climate Promise. ¿Qué son los mercados de carbono y por qué son importantes? (What Are Carbon Markets and Why Are They Important?) Available at: <https://climatepromise.undp.org/es/news-and-stories/que-son-los-mercados-de-carbono-y-por-que-son-importantes>

UNDP. (2023) The Climate Dictionary: A Practical Guide to Climate Change. Available at: <https://www.undp.org/publications/climate-dictionary>

WWF. (2022). Modelo financiero para el cálculo de rentabilidades tipo de un proyecto REDD+ en la Amazonía colombiana (Financial Model for Calculating the Type of Returns of a REDD+ Project in the Colombian Amazon). Available at: [https://wwflac.awsassets.panda.org/downloads/anexo\\_6\\_redd\\_1804.pdf](https://wwflac.awsassets.panda.org/downloads/anexo_6_redd_1804.pdf)

## ANNEXES

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<https://drive.google.com/drive/u/0/folders/1AwMe3cpPO9pqj7SVR7LYwXnIH2MDJhf>