Censat Agua Viva's positioning at COP31

1. Carbon Market

Context:

In light of the recent complaint filed by 130 civil society organizations regarding the first carbon market project associated with Article 6.4, which questions the project's integrity in environmental, social, and human rights terms, it is imperative that the Subsidiary Body for the Carbon Credit Mechanism conduct an independent and impartial assessment of all projects seeking access to the mechanism. This assessment must verify that high-integrity criteria are met and that social and environmental safeguards are genuinely implemented at every stage.

In Colombia, the expansion of carbon markets—both voluntary and regulated—and their integration with fiscal incentives, such as the mechanism for the non-accrual of the national carbon tax, have contributed to indirectly subsidizing the continued burning of fossil fuels. Under the promise of environmental conservation, Reducing Emissions from Deforestation and Forest Degradation (REDD+) projects have turned ecosystems that already enjoyed prior legal protection or were subject to community conservation and management efforts into tradable assets, thus questioning compliancewith the additionality criterion. Furthermore, the use of baselines that overstate the risks of deforestation and forest degradation, can inflate estimated emission reductions and the number of carbon credits generated. In addition,, the signing of long-term private mandate contracts (spanning 30 to 100 years) that include confidentiality clauses) has led to the marginalization or displacement of legitimate authorities, the creation of divisions within communities, restrictions on traditional land-use practices, and a lack of transparency regarding the economic resources generated and how they are distributed across these territories.

Demands:

- We call for a reassessment of carbon credit markets, their relevance and effectiveness in climate, economic, and social contexts, as well as the development of redress mechanisms for projects that have generated carbon credits of low integrity, at the international, jurisdictional, or national levels, as indicated in the advisory opinion of the International Court of Justice on the obligations of States with respect to climate change, and the report of the Special Rapporteur on the promotion and protection of human rights in the context of climate change.
- We demand the implementation of social and environmental safeguards in public and private initiatives to mitigate greenhouse gas emissions, as well as the design of effective state-led oversight and monitoring mechanisms for the development of carbon market projects, in accordance with the guidance set forth in Rulings T-248/24 and T-283/26 of the Constitutional Court of Colombia, and in Advisory Opinion OC-32/25 of the Inter-American Commission on Human Rights.
- We call for mandatory public traceability regarding the identity of the international buyer, the ultimate beneficiary, and the end use of the carbon certificate. Indigenous or local communities holding the rights

must have the explicit authority to reject international transfers if the buyer is linked to fossil fuel industries or to activities that counter to their worldview and the principle of "do no harm."

2. Climate action and finance

Context:

Carbon tax schemes designed to discourage fossil fuel use and generate revenue have not established themselves as an effective economic tool for reducing fossil fuel consumption or for making progress toward the emission reduction targets set out in the Nationally Determined Contribution (NDC). For example, since 2017, Colombia has allowed taxpayers and end users (major emitters and fuel consumers) to be exempt from paying the tax if they demonstrate the "offsetting" of their emissions through the purchase of carbon credits on the voluntary market. However, this tax benefit has created profound distortions that undermine climate action and impact public finances. In fact, the mechanism functions as an indirect subsidy to large consumers of fossil fuels, who can purchase carbon credits at a cost lower than the tax and avoid part of their tax liability without necessarily reducing their emissions at the source or transforming their production processes. Furthermore, between July 2017 and June 2023, the government is estimated to have foregone more than one trillion pesos in revenue due to this benefit—funds that could have been allocated to finance conservation efforts, environmental restoration, deforestation control, and the substitution of illicit crops under the terms of the Final Peace Agreement.

Demands:

- Move forward with the development of a climate-focused tax reform that seeks to phase out fossil fuel subsidies, rethink carbon tax rates—shifting the focus toward transition rather than compensation—and redirect these resources to a public fund that will stimulate local projects for productive restructuring and ecological restoration.
- Prioritize the creation of international and national public Energy Transition funds earmarked for the construction and management of infrastructure for local electricity generation using renewable sources and under public-community management, and to promote agriculture based on agroecological and restorative practices, the food supply chain, and local manufacturing that generates distributed wealth and employment, contributes to import substitution and the diversification of the export basket, helps overcome illegal economies, and generates stable tax revenue for governments.
- Monitor the progress and proper implementation of commitments under national and international climate policy by supranational, national, and regional entities, local governments, and the private sector, ensuring compliance with standards of transparency, reliability, credibility, quality, environmental integrity, and additionality.
- We call for the establishment of international and national regulations that prohibit extractive and fossil fuel companies from labeling themselves as "carbon neutral" or "carbon-neutral" when they use carbon credits from greenhouse gas mitigation initiatives to offset their tax payments or climate obligations.

- We demand that emission reductions at the source be the only valid metric for demonstrating compliance with climate commitments, with offsetting serving as a last resort and not applicable for tax exemptions or regulatory compliance.

3. Debt

Context:

In the context of the current climate crisis, public debt operates within a perverse, vicious cycle. The obligation to repay it in foreign currency drives countries in the Global South to intensify extractivism to generate revenue, while climate disasters create new borrowing needs and increase financing costs. At the same time, debt service absorbs public resources that could be allocated to social investment, biodiversity protection, and climate action. Added to this are debt-for-nature or debt-for-climate swaps, often presented as innovative solutions yet questioned for their limited capacity to reduce debt and for fostering new forms of the financialization of nature In these arrangements, private actors and transnational organizations can gain a decisive role in the management of territories, to the detriment of community autonomy. Finally, the fact that a large portion of climate finance allocated to Latin America and the Caribbean is provided through interest-bearing loans exacerbates this contradiction, as it forces countries in the Global South to shoulder new financial burdens to address a climate crisis for which they are historically least responsible.

Demands:

- We demand that the industrialized powers of the Global North assume their historical responsibility for centuries of colonial plunder, massive pollution, and disproportionate exploitation of the atmosphere and biodiversity.
- Ecological and climate debt must be repaid through direct, additional, transparent, and non-repayable public transfers (without creating new debt), earmarked for financing adaptation, mitigation, and the Loss and Damage Response Fund, ensuring direct and uninterrupted access for Indigenous communities, communities of African descent, rural communities, and grassroots territorial organizations.

4. Strategic minerals

Context:

Today, the growing demand for strategic minerals is justified in the name of the energy transition,driving an expansion of extractive frontiers at the cost of perpetuating the inequalities, socio-environmental conflicts, and dependency relations that have historically characterized the economic and energy model. Although climate-related forums have formulated principles concerning justice, human rights, and environmental protection in critical mineral supply chains, these remain voluntary and perpetuate the patterns of production and consumption that drive the growing demand for these materials. In Colombia, this trend is manifesting itself in

mining policy decisions that seek to broaden the classification of "strategic minerals"—including coal, regardless of its uses—and to promote new areas for exploration and exploitation even within vital ecosystems like the Amazon. This approach threatens to subordinate peasant territories—which are essential for food production—as well as forests and territories historically inhabited, protected, and managed by communities, to new extractive priorities. Taken together with recent international cooperation and investment agreements regarding critical minerals, these developments highlight the risk of reconfiguring land-use and territorial organization to serve global supply chains, thereby displacing the priorities of food sovereignty, conservation, and territorial autonomy.

Demands:

- Recognize the right of communities to make decisions regarding their territories, including the right to reject extractive projects, and guarantee the free, prior, and informed consent of peoples, without reducing their participation to mechanisms that merely legitimize decisions already made.
- Halt the expansion of mining frontiers into ecosystems essential for sustaining life, the territories of Indigenous peoples, Afro-descendant communities, and peasant communities, as well as areas critical for the protection of biodiversity, water, and food production.
- Challenge and transform trade and investment agreements on strategic minerals that deepen extractive specialization and the economic dependence of countries in the Global South. Such instruments must be subordinated to the rights of peoples, the protection of territories, and sovereign decisions regarding the use and management of the common goods rather than being driven by the supply needs of industrialized economies.
- Establish binding obligations and independent mechanisms for oversight, accountability, and reparation for transnational corporations involved in the supply chain of strategic minerals. This must ensure that they are held responsible for environmental and social harms throughout the entire chain, without shifting the costs to states or communities.

5. Gas and the expansion of fossil fuels

Context

Despite the commitment to move toward phasing out fossil fuels, manygovernments continue to promote the expansion of their exploration, production, and infrastructure under the guise of energy security and sovereignty. This approach disregards the climate impacts of methane, deepens long-term dependence on fossil fuel infrastructure, and diverts investments that could otherwise be directed toward truly transformative energy and economic alternatives. In Colombia, even though the country had made progress in recognizing the need to establish commitments to progressively limit the expansion of hydrocarbons, the new government is promoting the resumption of exploration, offshore projects, and the assessment of unconventional deposits, framing natural gas as the solution to supply challenges. This approach disregards the commitments of NDC 3.0, threatens to exacerbate socio-environmental conflicts, create new economic dependencies, and

jeopardize the prospects for a planned transition away from fossil fuels.

Demands:

- Acknowledge the contribution of fossil gas—and the methane emissions associated with its extraction, processing, and transportation—to the climate crisis, and reject its classification as a "transition fuel" within climate policies and strategies. This also entails halting the development of new fields, including offshore projects and unconventional deposits.
- Rethink energy security and sovereignty strategies by prioritizing alternatives that reduce reliance on natural gas and strengthen community access to and management of energy, rather than justifying new investments and infrastructure for fossil fuels.

6. Energy Transition Roadmap

Context:

COP31 represents an important forum for advancing the mechanisms needed to phase out fossil fuels and achieve a just, orderly, and equitable transition. However, the lack of binding commitments, sufficient financing mechanisms, and concrete measures to reduce the production and consumption of fossil fuels threatens to perpetuate the economic and energy structures that fuel the climate crisis. Colombia had taken the lead in initiating a discussion on a planned phase-out of fossil fuels, incorporating concrete commitments into its NDC 3.0—such as developing a roadmap for a progressive transition, moving toward a moratorium on new hydrocarbon exploration contracts and coal mining concessions, and promoting economic and productive diversification. This stance was further reflected in the First Conference on the Transition Beyond Fossil Fuels—co-hosted with the Netherlands in Santa Marta in 2026—which created a space to address barriers to the transition and to develop, among other things, roadmaps for an energy transition away from fossil fuels. Nevertheless, Colombia's current government is proposing the reactivation of hydrocarbon exploration and production, calling into question the continuity of these gains and Colombia's ability to sustain the international leadership it had established in this area.

Demands:

- Establish roadmaps for phasing out fossil fuels with targets, deadlines, and effective implementation and monitoring mechanisms that provide for the planned reduction of their production and consumption, prevent the opening of new extraction frontiers, and ensure the continuity and fulfillment of the climate commitments made by States, while aligning progress from various international cooperation forums with the processes of the UN Framework Convention on Climate Change.
- Integrate processes of economic and productive diversification, workforce retraining, the restoration of affected territories, and the effective and binding participation of communities and workers in transition pathways.

- Recognize and strengthen community-based energy systems, local economies, and initiatives for the collective management of common goods as fundamental components of just transitions, moving beyond approaches focused exclusively on technological substitution and instead promoting the autonomy and decision-making capacity of communities.
- Ensure the provision of sufficient, non-debt-creating public international cooperation and financing mechanisms —grounded in the principle of common but differentiated responsibilities— that enable countries in the Global South to overcome economic and fiscal dependence on fossil fuels, without shifting the costs of the transition onto communities.

7. Roadmap on Enhancing Efforts Towards Halting and Reversing Deforestation and Forest Degradation by 2030

Context:

Within the framework of COP31, work will continue on developing a Roadmap to Redouble Efforts to Halt and Reverse Deforestation and Forest Degradation by 2030, incorporating input from various sectors of civil society and States Parties. While this proposal is not intended to replace existing negotiation forums, it seeks to foster a dialogue between national and international instruments to achieve more effective action toward halting deforestation by 2030.

Demands:

- Design and implement effective, binding, non-market mechanisms that ensure a real reduction in deforestation— avoiding the creation of perverse incentives— while recognizing specific forms of territoriality, community governance, and community-based forest management. In the case of the Colombian Amazon, such approaches have been shown to result in lower deforestation rates compared to other management models.