

**To: The Secretariat of the Architecture for REDD+ Transactions (ART)**

**Dated: November 30, 2023**

We, the undersigned civil society and Indigenous peoples' organizations, hereby call on the Architecture for REDD+ Transactions (ART) Secretariat and the Government of Guyana (GoG) to engage in good faith dialogue around the issues raised by the Amerindian Peoples Association (APA)'s complaint and appeal related to the sale of carbon credits in Guyana. The APA has a thirty year track record of research, advocacy, and organizing to advance Indigenous peoples' rights in Guyana, and is a well-respected and trusted source of analysis and information on the situation of Indigenous peoples in Guyana. As APA has reiterated many times, they are neither anti-development nor anti-carbon market. They are simply advocating for the full and effective respect for the rights of their people.

While there is a wide range of views on offsetting and carbon markets among Indigenous and civil society organizations, and indeed among governments, the issues raised by the APA with respect to the GoG compliance with The REDD+ Environmental Excellence Standard (TREES) are critical to resolve if international voluntary carbon markets are to develop with integrity based on respect for the rights of Indigenous peoples as set out in the United Nations Declaration on the Rights of Indigenous People's (UNDRIP) and the Cancun safeguards as agreed under the United Nations Framework Convention on Climate Change (UNFCCC).

In response to the first set of carbon credits approved under the ART TREES standard in December of 2022 and the subsequent sale of credits to the Hess Oil Company, the APA filed a complaint with the ART Secretariat in March of 2023. The complaint alleged that ART had not done sufficient due diligence around the credit approvals, pointing out numerous ways in which the GoG had not in fact met the TREES standard regarding respect for Indigenous peoples' rights, land tenure security, access to justice, free prior and informed consent, and transparency, among others. The ART Secretariat dismissed the complaint without considering the substantive issues raised therein. The APA subsequently appealed that decision.

We are disappointed by the recent news that the appeals process broke down in October of 2023, before even starting, because the ART Secretariat would not negotiate with the APA over the terms of reference for the Appeal Committee to ensure basic fairness and effectiveness of the appeal process.

The GoG has consistently attacked the APA for submitting this complaint but has not engaged in good faith efforts to address the concerns the APA has raised regarding respect for Indigenous peoples' rights.

It is critically important for all of those committed to combating the climate emergency around the world that major carbon crediting standard bodies adhere to basic principles of respect for rights, including full and effective participation of Indigenous peoples, free prior and informed consent and equitable benefit sharing. If they do not, international carbon markets will become mired in conflict and complaints, and make things worse rather than better.

We therefore recommend:

- The ART Secretariat should reconsider its decision to enter a dismissal order against the APA's appeal and instead continue to engage with the APA to address the underlying issues raised by the complaint and appeal.
- The ART Secretariat should engage an independent third party to convene the APA, the GoG, and any other interested parties together with the Secretariat to discuss the fundamental issues of the complaint, including such critical enabling conditions for REDD+ such as land tenure security, free prior and informed consent, and equitable benefit sharing.
- The ART Secretariat should refrain from issuing any more credits until it is able to complete a participatory review and updated process for the TREES standard, ensuring access to information and forms of participation for interested Indigenous peoples' organizations, with a view towards learning lessons from the Guyana experience and strengthening their social safeguards and validation and verification bodies' due diligence methodologies.
- The ART Secretariat should also refrain from issuing any more credits until it is able to reform their complaint and appeals process to align with international standards.
- The GoG should desist from further public attacks on the APA and instead engage in a constructive manner with the Association.

Signed by:

**AIDSESP** - Interethnic Association for the Development of the Peruvian Rainforest

**AIKATUK** - Associação Indígena Kaxuyana, Tunayana e Kahyana

**AMPB** - Mesoamerican Alliance of Peoples and Forests

**APA** - Amerindian Peoples Association (Guyana)

**APIB** - Articulation of Indigenous Peoples of Brazil

**Asociación de Forestería Comunitaria Utz Che'** (Guatemala)

**Bank Information Center**

**Climate Justice Programme**

**COIAB** - Coordination of the Indigenous Organizations of the Brazilian Amazon

**COICA** - Coordinator Body of Indigenous Peoples Organizations of the Amazon Basin

**DAR** - Derecho Ambiente y Recursos Naturales

**Digital Democracy**

**FECOTYBA** - Federation of Ticuna and Yagua Communities of the Lower Amazon

**FEPIKECHA** - Federation of Indigenous Kechua Chazuta Amazonian Peoples

**Forest Peoples Programme**

**Global Justice Clinic at NYU School of Law** (statements of the Global Justice Clinic do not purport to represent the institutional views of NYU School of Law, if any)

**Instituto de Defensa Legal**

**JPIC Kalimantan** (Indonesia)

**One Earth**

**ORAU** - Regional Organization Aidesep Ucayali (Peru)

**ORPIO** - Regional Organization of Eastern Indigenous Peoples (Peru)

**OIS** - Organization of Indigenous Peoples of Suriname

**Rainforest Foundation US**

**Rainforest Foundation UK**

**Rainforest Foundation Norway**

**RCA** - Amazonian Cooperation Network

**REPALEAC** - Network of Indigenous and Local Populations for the Sustainable Management of Forest Ecosystems in Central Africa

**Rights and Resources Initiative**

**Social Entrepreneurs for Sustainable Development**

**Tenure Facility**