



06 January 2025

Federica Donati
Officer-in-charge
Special Procedures Branch
OHCHR
Palais des Nations
1211 Geneva 10
Switzerland

Re: AL OTH 140/2024

Dear Ms. Donati

Pursuant to your letter dated 8 November 2024 and request for information, Aster Global Environmental Solutions, Inc. (Aster Global) is providing this response letter to address the allegations made against Aster Global.

We understand from your letter that an allegation made by an unnamed entity asserts that Aster Global “validated” carbon credits for which free, prior, and informed consent (FPIC) had not been obtained from the Indigenous Peoples of Guyana. The allegation refers specifically to credits “certified” through the Architecture for REDD+ Transactions (ART) and subsequently sold to Hess Corporation. This allegation, although presumably well-intentioned, is misinformed.

We respectfully bring to your attention that information is publicly available for how Aster Global determined, with reasonable assurance, that the Government of Guyana had demonstrated conformance with FPIC requirements regarding Guyana’s national REDD+ strategy consistent with requirements under *The REDD+ Environmental Excellence Standard* (TREES). Information for how Aster Global conducted validation and verification activities and reached reasonable assurance for demonstration by the Government of Guyana for the required FPIC is presented in reports publicly available through the ART Registry as “Public Documents” for the Guyana REDD+ Program:

(<https://art.apx.com/mymodule/reg/TabDocuments.asp?r=111&ad=Prpt&act=update&type=PRO&aProj=pub&tablename=doc&id1=102>)

Specific documents providing information for this demonstration and publicly available through the ART Registry are:

- 2016-2020 TREES-Validation-Report-Final.pdf
- 2016-2020 TREES-Verification-Report-Final.pdf
- 2021-2025 TREES-Validation-Report-Final 20231228.pdf
- 2021 TREES-Verification-Report-Final 20231228.pdf

Please note, Aster Global’s Verification Report covering the 2022 monitoring period has been submitted to the ART Secretariat, but this 2022 Verification Report has not yet been made available on the ART Registry. Aster Global’s policy on confidentiality includes safeguarding all information obtained or created during a validation or verification. This includes all information obtained from the client, as well as information regarding the client obtained from independent sources, in particular information from Indigenous Peoples and local communities. At the onset of meetings with Indigenous Peoples and local communities during the Guyana site visits, Aster Global emphasized an effective audit required honest feedback on the Government of Guyana’s national REDD+ strategy implementation. To reduce the concern that negative feedback could lead to retaliation, Aster Global also emphasized that individual statements or concerns voiced during these meetings would not be attributed back to individuals. Aster Global does not disclose information regarding a validation or verification that is not already public, without the express consent of the client.

Context for Validation and Verification Processes

Aster Global Environmental Solutions, Inc. has been issued a Certificate of Accreditation by the ANSI National Accreditation Board (ANAB) and is accredited to ISO/IEC 17029, Conformity assessment — General principles and requirements for validation and verification bodies, in accordance with the standards and programs listed herein: Validation and Verification, Environmental Information, and Greenhouse Gas. Specific to this project Aster global is accredited to perform validations and verifications of assertions related to GHG emissions reductions and removals at the project level within the Land Use and Forestry Group (03) and Architecture for REDD+ Transactions (ART)/The REDD+ Environmental Excellence Standard (Trees) Subgroup. Aster Global is approved to conduct validations and verifications for ART based on our ANAB accreditation received following witness completion and approval. This approval required witnessing by an ANAB auditor for the desktop and site visit portions of Aster Global’s validation and verification activities for the 2016-2020 crediting period, In addition, ART Secretariat representatives have also accompanied the site visits to observe meetings to ensure the appropriateness of our approach and the completeness of implementation, as well as to provide clarification as needed on the intent of the Standard.

Validation and verification activities and reporting by Aster Global for the Guyana Program under ART were conducted in accordance with requirements of ART’s TREES, version 2.0, August 2021; TREES Validation and Verification Standard v2.0, December 2021; ISO 14064-3; ISO 14065; and the Aster Global Management System and Management System Manual.

Validation and verification activities undertaken for the Guyana REDD+ Program are separate but related processes with different purposes:

- The validation objective under TREES is the evaluation of the TREES Registration Document (required for each 5-year crediting period) against applicable requirements of TREES using a systematic, independent, and documented process. This included an assessment of the likelihood that implementation of the planned TREES Program (as described in the respective TREES Registration Documents submitted by the Government of Guyana) will result in the GHG emission reductions (ERs) from the forest and land use sector as stated by the Participant (ISO 14064-3) and will result in appropriate environmental, social, and governance safeguards.

- The verification objective under TREES is the assessment of the ER statement and program implementation for a specific reporting period using a systematic, independent, and documented process. This includes an assessment of the degree to which the project conforms with TREES and has correctly quantified net GHG reductions through AFOLU activities, specifically Reduced Emissions from Deforestation and Degradation, and demonstrated conformance with the Environmental, Social and Governance Safeguard requirements (as described in the respective TREES Monitoring Reports submitted by the Government of Guyana).

Aster Global developed Audit Plans for each respective validation/verification period in conjunction with the VVB's internal Evidence-gathering Plan, including sampling requirements, in line with Aster Global's internal risk assessment and Evidence-gathering Plan development processes and considered the relative contribution of each source, internal or external audits of the data, and other factors affecting risk. Development of the Audit Plan was an iterative process involving input from the Participant regarding logistics and in-country coordination for accomplishing the objectives identified by the VVB for data review, site visits, and stakeholder interviews. The Audit Plan was updated throughout the validation and verification processes to reflect changes determined to be necessary or appropriate by the VVB lead to achieve a reasonable level of assurance.

Public comments covering topics similar to the concerns expressed in the allegations presented in the OHCHR letter were provided to Aster Global during the validation and verification processes, and these comments were used to help inform validation and verification activities. The respective referenced validation and verification reports provide summaries of the comments received, the Government of Guyana's responses to the comments, and how the input was considered by Aster Global during the validation and verification processes, including in the issuance and closure of findings.

The respective validation and verification reports provide summaries of the methodologies employed, including explanations for reaching a reasonable level of assurance and the risk-based approach used to develop the audit plans, including conducting the desktop assessment for reviewing program documents and supporting evidence, and for the site visits that included meetings requested by Aster Global with a range of public and private stakeholders, including Indigenous Peoples and forest-dependent communities. The respective referenced validation and verification reports summarize the meetings and interviews held in multiple Indigenous Villages and Communities with leaders and community members, as well as meetings with Indigenous NGOs, representatives of small and large forest concession holders (including representatives from indigenous and local community forest organizations), and government agencies (including the Ministry of Amerindian Affairs). The site visits provided Aster Global with the opportunity to speak with a range of individuals concerned with Indigenous rights.

As part of the validation and verification processes, Aster Global issued findings to the Government of Guyana where nonconformances were initially identified and issued clarification requests where additional clarity, including supporting evidence as appropriate, was determined to be needed to ensure that the Program was in conformance with TREES requirements, including for demonstrating ER ownership rights and associated FPIC. Through an iterative process, in some

cases requiring multiple rounds of findings and responses, Aster Global reached reasonable assurance that sufficient and appropriate evidence had been provided by the Government of Guyana during the Program validation and verification processes to demonstrate conformance with requirements under TREES, including for demonstrating ER ownership rights and associated FPIC. All nonconformance findings, as well as clarification requests, were closed prior to issuance of the respective validation or verification report by Aster Global. The initial nonconformance findings and clarification requests issued, along with Government of Guyana's responses and supplemental evidence, and any subsequent rounds of findings and responses, are documented in an appendix to each of the referenced validation and verification reports.

Determination of Conformance with Requirements for Demonstrating ER Ownership Rights and Associated FPIC

TREES Validation and Verification Standard, v2.0 (December 2021) Section 3.3 requires validation of "Ownership Rights to TREES Credits", specifically through the requirement: "The VVB evaluates whether the ART Participant has provided a description of its rights to TREES credits or plan to obtain rights. The VVB validates the completeness of the description but does not validate the legality of the claims to the credits." TREES Validation and Verification Standard, v2.0 (December 2021) Section 3.4 requires verification of "Ownership Rights to TREES Credits", specifically through the requirement: "The VVB verifies that the ART Participant has provided a description of its rights to TREES credits or plan to obtain rights and verifies that any changes since the last TREES document submission have been included. The VVB does not assess the legality of the claims to the credits."

The VVB reviewed Section 6 of the respective finalized TREES Registration Documents and Monitoring Reports for each crediting period under validation and monitoring period under verification and determined the Government of Guyana had provided a description of its rights to TREES credits. The VVB determined the respective TREES Registration Documents and Monitoring Reports provided an abbreviated summary of the regulatory framework, based on Guyana's National Forest Policy, that identified the Government of Guyana's rights to manage and administer forest carbon services at the national level, covering all forest areas, and to engage to secure payment for forest carbon services. Based on review of the Policy Statement, the VVB determined that this Policy Statement provided evidence, supported by other documents provided, that the Government of Guyana has clear ownership rights to TREES Credits on State Lands. The VVB determined the Policy Statement states that Guyana's National Forest Policy does not directly apply to the administration and management of forest areas on Amerindian Titled Lands and private property, including forest goods and services including forest carbon services, but the Policy Statement further identifies the opportunity for participation of Amerindian Titled Lands.

The VVB reviewed the description provided in the respective TREES Registration Documents and Monitoring Reports for the plan to obtain rights to TREES credits for Amerindian Titled Lands for the respective crediting periods and monitoring periods, specifically through the participation identified as an opportunity for Amerindian Titled Lands under the Policy Statement (page 8). Evidence reviewed included: 1) the Resolution of the National Tshaos Council (NTC) Conference: Guyana's Low Carbon Development Strategy (LCDS) 2030, dated July 15, 2022; 2) LCDS sections specifically referencing the ART program, and involvement of indigenous villages and forest-based communities; and 3) results of meetings held with representatives of Amerindian

villages, communities, and indigenous NGOs; follow-up assessment for the validation of the 2021-2025 crediting period and verification for the 2021 monitoring period also relied on the submittal letters and supporting documentation accompanying village sustainability plans or outline plans submitted in 2023.

As part of the validation activities for the 2021-2025 crediting period, and verification activities for the 2021 monitoring period, the VVB reviewed each of the 241 full village sustainability plan or outline plan submittals received through 22 September 2023, along with other supporting documentation included with the plan submittal letters. The VVB noted each of the submittal letters were signed by leaders of the respective Amerindian titled villages, untitled communities, and Community Development Councils. As part of the second site visit in June 2023, the VVB met with some of the villages that had already submitted plans, and substantiated the information provided in the accompanying submittal letters regarding general meetings held to discuss participation in the National Forest Carbon Credits Programme and Benefits Sharing Mechanism. The VVB noted the Government of Guyana indicated it expected to receive the submittal for the one remaining Amerindian community (Parapie) following formation of a governance structure for this satellite village. The VVB further noted that none of the submittal letters stated that the Amerindian Village, Community, or Community Development Council had withdrawn consent from the NTC endorsement contained in the July 2022 NTC Resolution.

Conclusion

To summarize, conformance with demonstrating ownership rights to ERs and associated FPIC requirements was systematically assessed for the Guyana REDD+ program under ART's TREES (standard) as part of the validation and verification activities conducted by Aster Global for the initial crediting period (2016-2020) and conformance was also systematically assessed as part of validation activities for the second crediting period (2021-2025) and verification activities for the 2021 reporting period as well as 2022 reporting period. More detailed information for Aster Global's validation and verification assessments for the Government of Guyana's national REDD+ program are provided in reports publicly available through the ART Registry website as previously noted.

We thank you for the opportunity to respond to the allegations presented in your letter and for the opportunity to provide you with additional information to correct the misinformation you received from the unnamed source of those allegations. We respectfully request specific contact information for the entities to whom the allegations against Aster Global were sent by OHCHR so that we may have the opportunity to provide these entities with a copy of our response.

Sincerely yours,

ASTER GLOBAL ENVIRONMENTAL SOLUTIONS, INC.



Janice McMahon, President