



The Norway–Colombia Agreement to Protect Rainforest and Reduce Global Warming: Success or Failure?

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Abstract

The Norwegian government has made an agreement with Juan Manuel Santos, former Colombian president, to give Colombia US\$48 million yearly to reduce deforestation. This forms part of a greater effort by Norway to aid countries in the South to halt climate change, through the Norwegian International Climate and Forest Initiative, instituted after the Paris Agreement in 2015. The ways efforts to reduce deforestation have been implemented have been criticised. While Norway, through this investment, appears to be a climate-concerned country, it continues with oil extraction activities. Thus, Norway exhibits double standards and shifts the problem of climate change to the countries in the South. This article examines the successes and failures of the Norwegian rainforest protection efforts in the case of Colombia, assessing the governance of the deforestation policies from the perspective of green Southern criminology and incorporating a critique of the neo-colonialist means of environmental protection established by the North.

Keywords

Corruption; green criminology; neo-imperialist environmental protection; NICFI; rainforest protection.

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Introduction

Norway, a wealthy country in the far north of Europe, has a reputation for being concerned with world peace, humanitarian aid and environmental protection. In part, this reputation is due to Norway's role in peace negotiations, such as those between Israel and Palestine and in Colombia and its considerable contributions to humanitarian aid worldwide. As stated by Tvedt (2007: 615):

During a period when the process of globalisation is forcing all nations to redefine their position, the political leadership [in Norway] has linked Norway's national and international 'state branding' to its development and peace policies on the global scene.

Norway is responsible for the Nobel Peace Prize, which in 2016 was given to ex-president Juan Manuel Santos of Colombia. According to the Norwegian government, Norway's contribution to the peace agreement in Colombia and the rainforest protection program (Norway's International Climate and Forest Initiative [NICFI]) in the country are mutually supportive (Norges internasjonale klima- og skoginitiativ 2015: 18). While Norway contributes greatly to global warming, being an oil- and gas-producing country,¹ it has also contributed significantly to the protection of rainforest in various countries of the global and metaphoric South (Goyes 2017; Carrington et al. 2016), such as Tanzania—a country that for decades has received Norwegian humanitarian aid—Brazil, Peru, DR Congo, and more recently, Colombia.²

We begin by presenting the Joint Declaration of Intent (JDI) between Norway and Colombia, then situate the article theoretically, before describing the NICFI in view of Norway's humanitarian aid history. We continue with present criticism raised against NICFI to form a background for examining Colombia as an empirical case, with a special focus on perverse initiatives (e.g., those concerning the measures taken to reduce the growing of crops for illicit use). Is the NICFI an effective development and forest protection policy, or is it an example of unsuccessful neo-colonialist/imperialist policies and bad governance in a recipient country like Colombia? To answer this, we discuss the results as provided by the Colombian government in fulfilling the requirements to obtain further funding from Norway, and the scope of this collaboration. We also present the actions taken by civil society to demand transparency and effectiveness from the Colombian government in light of the escalating rate of deforestation in the Amazon.

The case of Colombia: The Joint Declaration of Intent

Following the 2009 Conference of the Parties (COP) of the United Nations Framework Convention on Climate Change, in which Colombia presented the ambitious goal of reaching zero net deforestation³ in the Colombian Amazon by 2020, Colombia again committed to this goal during the 2015 COP in Paris. As part of the Colombian National Development Plan for 2014–2018 (Departamento Nacional de Planeación [DNP] 2015), the Ministry of Environment and Sustainable Development (Ministerio de Ambiente y Desarrollo Sostenible [MADS]) has been in charge of designing and implementing the National Strategy for Reducing Emissions from Deforestation and Forest Degradation or REDD+⁴ in coordination with other ministries, public entities and the private sector within the framework of the national climate change policy (Law 1753, 2015). Thus, in 2016, MADS, with technical support from the Institute of Hydrology, Meteorology and Environmental Studies (Instituto de Hidrología, Meteorología y Estudios Ambientales [IDEAM]), among others, designed a comprehensive project named Amazon Vision. This program is expected to be an innovative regional development model that aims to empower local people to tackle conservation challenges such as climate change, tropical deforestation and food security (MADS 2017). The main drivers of deforestation identified by Amazon Vision are large-scale expansion of extensive livestock farming, agro-business and land occupation. Furthermore, reports provided by civil society organisations such as Fundación Ideas para la Paz

(FIP) state that illegal crops have increased exponentially. Coca cultivation grew from 48,000 hectares in 2012 to 146,000 hectares in 2016 (FIP 2018; UNODC 2017).

Preventing deforestation is important and not only for reducing global warming. The latest Planet Index Report (WWF 2018) shows an overall decline of 60 per cent in populations of vertebral species between 1970 and 2014. Species population declines are especially pronounced in the tropics, with South and Central America suffering the most dramatic decline: an 89 per cent decrease in 2018 from 1970. While deforestation indicates loss of livelihood, an actual, as well as symbolic, loss for humans, for non-humans it implies loss of habitats, starvation and species extinction, which is also urgent from an eco-justice non-speciesist harm perspective (White 2013).

The financial resources allocated to reach Colombia's 'Zero Net Deforestation' goal have been provided by the governments of Norway, the United Kingdom (UK) and Germany through the REDD+ Early Movers Programme and the World Bank's BioCarbon Fund. Under the JDI signed by the government of Colombia and the aforementioned governments during the Paris COP in 2015, the four countries agreed upon the following objectives of this partnership: first, to contribute to the reduction of greenhouse gas emissions caused by deforestation and forest degradation. Second, to contribute to achieving national targets of: i) reducing annual deforestation in Colombia to 90,000 hectares or less by 2018; ii) attaining zero net deforestation in the Colombian Amazon by 2020; iii) restoring 210,000 additional hectares between 2015 and 2018, aiming to establish restoration processes for 200,000 more hectares by 2020; iv) striving to end the loss of natural forest by 2030. Third, to contribute to the sustainable development of Colombia's rural sectors and communities by supporting a transition to resilient, low-carbon rural development, and promote zero deforestation in key commercial supply chains, all of which Colombia views as fundamental to securing lasting peace. Fourth, to work together to advance the goals of the New York Declaration on Forests, and to support the progress of global efforts regarding climate change and sustainable development in general, and the progress of REDD+ in particular (JDI 2015). As a consequence of the agreement between Norway, the UK, Germany and Colombia, Norway agreed to give Colombia a total of US\$225 million by 2020, provided Colombia fulfilled its obligations. Colombia's Amazon Vision program is adopting several reforms to reach its goal of achieving net deforestation by 2020. Should Colombia succeed in these endeavors, according to the Norwegian government's report, they would, at a minimum, counteract Norway's yearly emissions (Norges internasjonale klima- og skoginitiativ 2016: 17–18). This is also a clear motivation for Norway's forest initiative.

The Norwegian–Colombian partnership works under two modalities:

- *Modality 1:* Donor countries provide funding for policy design, implementation and structure, enabling the reduction of emissions from deforestation, and therefore, promoting a low carbon emission economy.
- *Modality 2:* Donor countries provide economic contributions for verified emission reductions at a national level.

The modalities represent a 'payment for results' approach in which Colombia is compensated for efforts to reduce carbon dioxide emissions that result from deforestation. In recognition of these reductions, donor countries grant financial resources (up to \$US125 million between 2016 and 2021) to develop strategies to stop deforestation and thereby reduce emissions. Reports concerning reductions of carbon emissions are assessed by a neutral third party (Norges internasjonale klima- og skoginitiativ 2015: 12).

Green and Southern criminology

This article takes its theoretical foundation from green and Southern criminology. Green criminology is concerned with issues of harm and justice, whether for humans, non-humans or ecosystems (e.g., Beirne and South 2007; Sollund 2008; White 2011, 2018). How powerful institutions, whether states or large corporations, contribute to environmental degradation and injustice is an important topic (e.g., Beirne and South 2007; Stretesky et al. 2013; Sollund 2015). To a large degree, green criminology is concerned with environmental crimes and harms against the environment, while the NICFI is dedicated to protecting the environment through *preventing* deforestation and climate change, and consequently, prevent also the ensuing harm to human and non-human species and breaches of environmental and eco-injustice. Due to its critique of power structures, however, green criminology is an important tool for understanding the successes and failures of the NICFI, and for exploring how a potentially fruitful initiative may have inherent unfortunate side effects and deficiencies.

Southern criminology is defined as a transnational criminology that is inclusive of the experiences and perspectives of the Global South (Carrington et al. 2016). Thus, both green and Southern criminology are concerned with transnational (and eco-global) issues (White 2011; Goyes 2017). The concept of the South captures not only North–South divides, but also the enclaves of the South *within* the North and unresolved North/South tensions *within* many societies (Carrington et al. 2016: 6). This resonates with Galtung's (1971: 81) structural theory of imperialism, in which imperialism is a 'species in a genus of dominance and power relationships' and a 'general structural relationship between two entities'. Imperialism, according to Galtung (1971:18), is a system that splits up collectivities and relates some of the parts to each other in relations of *harmony of interest* and other parts in relation to *disharmony of interest*, or *conflict of interest* (italics in original). Imperialism and (neo)colonialism are tightly intertwined concepts and relevant to the present case. While 'colonialism usually is understood as an extension of a country' imposing the sovereignty of a territory outside its own borders, neo-colonialism is a concept used to describe a situation in which a state exploits resources in another state without taking territorial control (Fagerlund Knudsen et al. 2017; Benjaminsen and Svarstad 2018: 26), as practiced by the Global North, while people in the South suffer the consequences of climate change (Brisman et al. 2018).

The relevance of Southern criminology for the topic of the present article is enlarged by the fact that this discipline concerns issues of vital significance for criminological research and policy for and in the Global South, as well as for the Global North. It also has important implications for South–North relations, and for questions of global security and justice (Carrington et al. 2016). As stated by Brisman et al. (2018: 2):⁵

Southern criminology and green criminology are both powerful reactions against the status quo in criminology and provide standpoints from which to reconsider the contemporary causes and distribution of various forms of inequality and exploitation.

While Southern criminology may have been more concerned with how the North (whether symbolic or geographic) has extracted from and exploited the South, we also find it urgent to explore how such an apparently well-intentioned initiative as the NICFI, which ensures that resources are *added* rather than *extracted* (Stretesky et al. 2013), may resemble previous colonialist and imperialist policy and practice. An issue to be discussed is whether local, peripheral communities of the Global South may not only be extraordinarily burdened by the effects of deforestation and climate change (Brisman et al. 2018), but also by measures made to counteract such harms. However, while acknowledging the dignity of the South, in this case the receiving South, we also consider the responsibilities connected to how the rainforest millions are used in terms of Colombian governance of the means received.

Climate change aid, NICFI and humanitarian aid: Wheels on the same wagon?

The Norwegian government states that Norway has been a driving force for ensuring strong social and environmental security mechanisms within the REDD+ framework. This is considered particularly important for securing the participation of indigenous groups, protecting their rights and preserving the rich biodiversity of the forests (Norges internasjonale klima- og skoginitiativ 2015: 12). The ideological basis for the initiative implies that it is more cost-efficient to implement climate measures in low-cost countries than in high-cost countries like Norway (Benjaminsen and Svarstad 2018; Hermansen and Kasa 2014).

The background for the NICFI was an increased domestic demand, from 2006 onwards, for a more proactive climate policy (Hermansen and Kasa 2014). Two Norwegian environmental non-government organisations (NGOs), the Rainforest Foundation Norway and Friends of the Earth Norway, exploited the window of opportunity that emerged from the tension between high domestic abatement costs and increasing domestic climate policy demands by proposing a large-scale Norwegian rainforest effort (Hermansen and Kasa 2014: 1). Norway signed an agreement with the Brazilian government in 2008, making Brazil the world's largest recipient of aid through REDD+. Brazil has received nearly \$US1 billion in forest aid from Norway (Riksrevisjonen 2018).⁶ Norway's yearly payments are transferred to the Amazon Fund (Birdsall, Savedoff and Seymour 2014). According to the Norwegian Ministry for Climate and Environment, projects supported by the fund contribute to Brazil's overarching plan to reduce deforestation, as well as sustainable development in the Amazon region. The fund supports 20 projects in many different categories and has made agreements with authorities, universities, research institutions and NGOs. Indigenous groups are prioritised and the Amazon Fund also supports a project intended to support isolated or recently contacted indigenous groups to counteract pressure or invasions from actors who want to destroy the rainforest. It supports the Waiapiene, who patrol their territory by means of global positioning systems and warn the Brazilian authorities about illegal activities. However, while the Norwegian government expresses great confidence in these initiatives, it has on several occasions had to reduce the rainforest support it provides to the Brazilian government due to failure to comply with its requirements. With Jair Bolsonaro elected as president, there is reason for concern for future rainforest protection in Brazil.

Norway's forest aid cannot be considered in isolation from Norway's long tradition of humanitarian aid. The money allocated to various aid projects and the number of NGOs that receive funding from the budget of the Ministry of Foreign Affairs for Humanitarian Aid, such as Norwegian People's Aid, Norwegian Church Aid, the Red Cross and Refugee Aid, have increased significantly over the past decades. According to Tvedt, by 2005 more than 200 organisations were involved in development aid and emergency assistance, and received more than NOK\$3 billion in support from the Ministry of Foreign Affairs, totalling US\$3 billion between 1990 and 2005 (Tvedt 2007: 616). The Norwegian humanitarian aid system can be characterised as being within the 'Southern political system', which comprises both development aid and foreign policy directed towards improvement of the situation in the 'South', a national sub-system of what Tvedt (2007: 618–619) described as the 'international aid system'.

The climate and forest initiative is funded by the budget for humanitarian aid. In 2017, Norway gave \$US4.1 billion in humanitarian aid, of which nearly US\$64 million was for rainforest protection. Between 2008 and 2017, the Norwegian parliament granted nearly US\$3 billion for this purpose. Colombia is also a great recipient of other types of Norwegian aid, of which, in 2017, US\$3.5 million went to support emergency aid, US\$248 million to good governance, US\$31 million to environment and energy and roughly US\$2 million to health and social services. It is important to note that Norway supports Colombia with a budget for good governance, since Colombia's government structure has responded inadequately to many of the challenges related to the prevention and control of deforestation. Corruption is one of Colombia's main scourges, as reflected by the fact that it has an index rating of perception of corruption well above the global

average, classifying it as one of the most corrupt countries in the world (Newman and Angel 2017). The actions that should be taken to comply with the commitments with international funders may not be fully carried out, since the funds destined for them are drained by corruption at all levels (El Tiempo 2017). Corruption contravenes good governance. Simultaneously, the lack of technical capacity, institutional commitment and political will make many Colombian institutions ineffective at carrying out their assigned tasks (Guzmán-Ayala 2017).

Criticism of REDD+

Criticism of REDD+ divides its negative effects into four categories, each of which has a legal basis in human rights:

- 1) land grabs, land conflicts and violations of customary land rights
- 2) exploitative carbon contracts and corruption
- 3) marginalisation of indigenous peoples and forest-dwellers
- 4) increased poverty and disruption of traditional forest-based lifestyles (Raftopolous and Short 2017: 170).

In 2018, *Riksrevisjonen* (the Office of the Auditor General of Norway) published an evaluation of the Norwegian rainforest initiative and concluded that:

- the results of REDD+ in terms of reducing carbon emissions are delayed and insecure
- Norwegian contributions have not triggered sufficient contributions from others
- controls with the implementation of REDD+ are insufficiently effective
- the Ministry of Climate and Environment is insufficiently systematic in gathering information and in its use of information about the NICFI
- ministries fail to properly follow up irregularities in the use of rainforest aid (Riksrevisjonen 2018).

Concerning the insecure and delayed results, *Riksrevisjonen* asserted that conflicts of interest and changing political priorities in the collaborating countries hinder and delay efforts and results, as in Colombia, Brazil and Guyana. Concerning lack of control, *Riksadvokaten* alleged that there is a lack of follow-up with regard to social and environmental security, such as the rights of indigenous peoples, the fight against poverty, and conservation of natural forest, and that the receiver countries' reporting is insufficient. Finally, measurement, reporting and verification of carbon emissions are inadequate, particularly in Brazil. In five of eight concrete collaborations, payment for carbon emission reductions is delayed, and weak implementation of REDD+ at the national level means that an end to deforestation in one area will be replaced by deforestation elsewhere. Large amounts of money remain in bank accounts rather than being paid out to collaborating countries because of their political failure to prioritise REDD+.

While *Riksrevisjonen* is particularly critical of the implementation of REDD+ and the use of Norwegian rainforest billions in Brazil, Benjaminsen and Svarstad (2018a) examined the rainforest initiative's success in Tanzania. The agreement with Tanzania was the first bilateral agreement to come out of the NICFI (Hermansen and Kasa 2014). We present this as an empirical example in view of the theoretical framework within which the Colombian case will later be discussed. Benjaminsen and Svarstad followed one REDD project held up by Norwegian authorities as especially *successful*. It was intended to compensate the local community for their loss of access to the protected forest. Benjaminsen and Svarstad argued, however, that the project has entailed extensive negative consequences for people in the local villages surrounding the forest, claiming this can be regarded as a form of climate colonialism (Benjaminsen and Svarstad 2018a: 26). In addition, poor or marginalised people in the South bear the direct costs of measures taken to reduce climate change, such as through REDD+, in the form of limitations of

their use of natural resources and areas. In Tanzania, Benjaminsen and Svarstad (2018: 33) found that three overlapping groups are most negatively affected by restrictions on the use of protected forest: people living near the protected forest without alternative resources nearby (e.g., firewood and grazing land); people with small farms or no land; and women, since they usually are responsible for collecting firewood for cooking. While the Tanzania project was planned to stimulate national forest policy development, political changes in the Tanzanian government apparently dampened the motivation to develop a viable national REDD+ strategy (Hermansen and Kasa 2014: 18), which may easily happen in other receiving countries with changing governments such as Colombia and Brazil, where Bolsonaro's ideology is unlikely to ensure rainforest protection. Hermansen and Kasa view this as an illustration of the political risks involved in the development of NICFI.

Results of the Norwegian–Colombian collaboration

In 2016, the government of Colombia (with the long-term support of Norway) signed a peace agreement with the FARC (Revolutionary Armed Forces of Colombia). According to the IDEAM, in the same year the rate of deforestation grew by 44 per cent. Seventy per cent of deforestation in Colombia in 2017 occurred in the Amazon region. Deforestation increased by 74,073 hectares to a total of 144,147 hectares (IDEAM 2018). There is a direct relationship between the disarmament of the FARC and the increase in deforestation (Salazar et al. 2018). Many problems regarding land use surged in scope because the guerrillas abandoned territory in which during the war they had had strict rules for logging, hunting and so on. When they left, these zones were left without governance.

Regardless of emerging international cooperation to extend protected areas, 90 per cent of the deforestation was carried out in six of the most biodiversity-rich national parks, such as Sierra de la Macarena, Tinigua, Paramillo, Cordillera de los Picachos, La Paya and Nukak. These national parks (along with Chiribiquete National Park) are part of the most extensive biological corridor in the Amazon biogeographic region (Clerici et al. 2018). Despite its biological importance, this corridor remains poorly studied, due to the long-term presence of armed groups and the absence of state control. IDEAM (2018) stated that the main drivers of deforestation in these mega-diverse forests are:

- usage as a wasteland by the state
- challenges in the implementation of peace agreements and changes in local land-use rules (presence/absence of armed actors)
- investments by private businesspeople to carry out 'controlled' logging and burning in large territories, including in national parks
- the need for premises to improve mobility between historically isolated population centres
- flexibility of notarial processes regarding the sale of land
- speculative land interests
- programs that serve as perverse incentives (elaborated on below).

Mining has been declared the 'locomotive of Colombian's economic development' and presented as an 'activity to improve not only economic growth but also social advancement' for local communities around mining areas (Agencia Nacional de Minería 2012). The Colombian government has enacted laws promoting large-scale mining across the country (Villar et al. 2017). By declaring mining an 'activity for public utility and social interest', it has opened the gates for pervasive expropriations, forced displacements and licences to operate in protected areas (Goyes in print; Mol 2013; Rojas-Páez 2017).

One of the main drivers of deforestation in the Colombian Amazon since the signing of the peace agreement with the FARC is the exponential increase (33 per cent) in productive areas for coca crops, reaching 167,400 hectares in 2017 (UNODC 2018). The productive area is an estimate of the coca crop area that has contributed to the total production of coca leaf during the survey period; these crops must be raised in remote locations in forested areas and involve communities with limited income opportunities. The solutions proposed to address this problem include forced manual eradication and voluntary substitution, with the latter achieved through collective agreements with the communities. Despite the strategy's high costs, the territory covered by manual eradication corresponds to only five per cent of the total territory used for coca crops (UNODC 2017). In October 2015, the government of Colombia approved the suspension of aerial spraying operations of coca fields with glyphosate. However, current president Ivan Duque raised the possibility of restarting the spraying, despite the detrimental effects on human health, wildlife and ecosystems (Del Olmo, 1998). In Table 1 below, we summarise the alarming indicators of deforestation related to coca plantations reported by the United Nations Office on Drugs and Crime (UNODC) (2018). The reported manual eradication figures for 2016 provided by the Colombian government differ significantly from the figures reported by the Mobile Eradication Groups—police and military forces, showing better results than real ones (UNODC 2018).

Table 1: Summary of indicators according to the UNODC coca surveys 2017–2018 before and after signing the JDI—Paris 2015 and the peace agreement between the Colombian government and FARC in 2016 (Oficina del alto comisionado para la paz 2016)

<i>Description of indicators</i>	<i>Measure</i>	<i>2014</i>	<i>2015</i>	<i>2016</i>	<i>2017</i>	<i>Source</i>
Potential cocaine hydrochloride production	Metric tons	564 ^a	797 ^a	1.053 ^b	1.379 ^b	UNODC2017 ^a -2018 ^b
Net coca cultivation area	Hectares	69.132 ^a	96.084 ^a	146.139 ^a	171.000 ^b	UNODC2017 ^a -2018 ^b
Coca crops on indigenous land	Hectares	7.799	11.837	15.665		UNODC 2017
Coca crops in National Parks	Hectares	5.480	6.214	7.873		UNODC 2017
Aerial spraying of coca crops	Hectares	55.523	37.199	0	0	UNODC 2017
Manual eradication by the GME*	Hectares	5.326	4.905	3.555		UNODC 2017
Reported manual eradication¹	Hectares			18.277	52.571	UNODC 2018
Achieved an enrolment rate in the National Substitution Program (PNIS)	Families			0	54.027	UNODC 2018
Cocaine seizures	Kilograms			362.415	435.431	UNODC 2018

*GME: Grupos Moviles de Erradicacion - Mobile Eradication Groups - Police and Military Forces

¹Figures reported by UNODC in 2018, without annotations stating that values were verified and updated on a continuous basis, which may have an impact on data and trends previously reported. Thus, values for 2016 in both reports differ significantly.

^a https://www.unodc.org/documents/colombia/2017/julio/CENSO_2017_WEB_baja.pdf

^b http://www.unodc.org/documents/cropmonitoring/Colombia/Colombia_Survey_territories_affected_illicit_crops_2017_Summary.pdf

Another perverse incentive is the National Comprehensive Program for the Substitution of Crops for Illicit Use (PNIS—Programa Nacional Integral de Sustitución de Cultivos de Uso Ilícito). Currently, it faces significant setbacks that compromise the sustainability of the substitution process. Families with high numbers of hectares with coca crops were prioritised for benefits

disbursement (US\$350 per month). Thus, families with one hectare increased their crops to five hectares to access the PNIS benefits (e.g., in the Pacific region). Civil society organisations in Colombia and UNODC reported that ‘By March 31 2018, 62,182 families in 43 municipalities were registered in the PNIS [but] only 11 percent of the families engaged in the program had received assistance’ (FIP 2018: 1–2). UNODC (2018) stated that to decrease the quantity of illegal crops, interventions must be carried out at the local level rather than the municipal level to improve livelihoods in remote areas where armed groups dominate. The present system fails to support local farmers and increases deforestation when farmers expand their coca crops to receive benefits.

Land conflict and armed struggle have increased the quantity of illicit crops. This conflict has been aggravated, among other causes, by dispossession (caused by the action of armed actors such as guerrillas and paramilitaries), lack of formal paperwork to document ownership of land/formality of tenure, forced displacement and voluntary abandonment of land to avoid armed conflicts and change of agricultural vocation of the land as a consequence of the displacement that expands the agricultural border (UNODC 2017). In 2011, the Colombian government implemented the *Victims and Land Restitution Law* (Law 1448, 2011), which provides a legal framework for restoring and formalising the ownership of land for victims of internal armed conflict displaced from their territories (Congreso de Colombia 2011). The Unit for Land Restitution (Unidad de Restitucion de Tierras) is a governmental office that provides support for the registration of requests for land restitution and any legal advice needed by the applicant to obtain a legal land title.

Similarly, the Ministry of Justice and Law, in alliance with UNODC, supported the legal formalisation of the ownership of land. Land titling has had positive effects in relation to the palm oil industry in Colombia. The expanded legal framework in the area of cultural and ethnic diversity—instituted with Colombia’s constitutional reform in 1991—has involved the allocation of collective land titles to Afro-Colombian and indigenous communities, which sets limits on the expansion of corporate private property (Mol 2017: 175). However, Ruiz-Soto (2017) suggested that land titling may accelerate the process of deforestation. According to the guidelines by Incora (former Instituto Colombiano de la Reforma Agraria) and Incoder (former Instituto Colombiano de Desarrollo Rural), an unproductive forest being transformed into an area of agricultural use requires the cutting down of two-thirds of the forest in the requested area. In other words, the poor *campesino* would be required to cut down forest to demonstrate productive management and legitimise his application for certification. Now, investors who want to seize land pay loggers to cut down the forest and, as subsequent owners of the improved areas, request the formalisation of the title. Therefore, Ruiz-Soto advised that the National Land Agency only give titles for those properties that comply with their ecological function, and establish that these investors’ participation in deforestation cannot be considered in an argument in favour of the title. Rather, it is to be treated as a factor for exclusion (Ruiz-Soto 2017).

Civil society searching for transparency: The Colombian government’s reporting to Norway

The MADS report (October 2017) stated that by 2017, MADS expected to have completed the establishment of the ENREDD+ citizen care system, but during the writing of this article,⁷ no progress report on this program was found (MADS 2017). IDEAM produced the data to implement the National Forest Inventory (structure, composition and floristic diversity, aerial biomass, soil carbon, wood detritus, wood volume, quality and conditions and dynamics mainly of the country’s forests), and monitor reports of deforestation every three months. In terms of the progress in policies and instruments, MADS reported the establishment of the National REDD+ Roundtable as a key tool for the participation of actors in the creation of a public–private coalition with companies committed to ambitious zero-deforestation policies. It focuses on the design and

implementation of sustainable agricultural production, improving the use of lands already deforested, and preventing new conversions of forests for agricultural purposes (MADS 2017).

Regarding sectorial achievements, MADS reported cadastral registration of at least 130,000 additional rural properties at the national level and the declaration of at least 2.5 million hectares of additional protected areas for on-site preservation. The Unit for Land Restitution stated in its online report that as of 30 September 2018, 117,000 requests for land titling have been filed, but only 6,518 titles have been formalised.

The second report from MADS (2017a) presented a comprehensive list of achievements related to Modality 1, such as the creation of additional legislation (e.g., Decree 1257 2017; Law 1900 2018) (MADS 2017b; Congreso de Colombia 2018) that will address the objectives of the JDI, including the monitoring and evaluation carried out by agencies such as the IDEAM and DNP, which collect data on key social, economic and environmental indicators. The report described the completion of 27 of 63 milestones, including decrees, national policies, land-use plans and life plans from Amazonian indigenous associations, design of an ENREDD+⁸ citizen service system and an increase in protected marine areas (see MADS 2017, Appendix 1). In its 2016 report, Amazon Vision focused on budget allocation, stating that most of the budget was committed according to agreements with the governmental institutions that would implement the action plan (MADS 2016). Before delving further into the NICFI, we present the theoretical framework.

The UN report on social participation in the preparation of REDD+ highlights the Forests—Territories of Life initiative, which is the Colombian government’s Integrated Strategy for Control of Deforestation and Forest Management (García 2018). The report also mentions the development of a participation route with four phases:

- 1) early dialogues, information, training and preparation (2010–2016) to improve information sharing on climate change
- 2) information for the construction of ENREDD+ (2016–2017), initiation of dialogue to generate input orientated towards the construction of ENREDD+, and to identify the causes and agents of deforestation, and possible measures and actions
- 3) ENREDD+ divulgation and feedback (2017) to create a first version of the National REDD+ Strategy document
- 4) social validation, policy and implementation agreements (without a set deadline) to count on the validation of the Strategy according to recommendations by the actors (people directly involved in the use of forest and deforestation) and the national standards (García et al. 2018).

While these reports may seem encouraging, the reality in rural areas of Colombia is very different. This gave rise to a group of citizens committed to the defence of the environment (25 children, adolescents and young adults) who filed a case before the Supreme Court of Justice of Colombia for the right to enjoy a healthy environment. They stated that, despite the commitments of the Colombian government to reducing deforestation, the Amazon is the region with the highest number of early deforestation warnings from the public. The court’s decision favoured the plaintiffs, and ordered the Colombian government to formulate a plan to counteract the rate of deforestation in the Amazon. In addition, it ordered the creation of the *Pacto Intergeneracional por la vida del Amazonas Colombiano* (Intergenerational Agreement for the Life of the Colombian Amazon). In October 2018, the Supreme Court granted the government a maximum period of five months to complete this set of actions (Tolosa-Villabona 2018). With the Directiva Presidencial (Presidential Directive) No 5 (2018) signed by ex-president Santos, the Colombian government provided an action plan for the implementation of the court ruling. This delivered details for what was to be done in the short, medium and long term by all ministries, Colombian agencies, military forces and the police to fulfil the governmental responsibilities related to the substitution of illicit crops; issuing land titles for victims of armed conflict; improvement of local livelihoods (e.g.,

agroforestry management, cattle ranching tourism, ecotourism); and operations to obstruct and destroy access routes for the extraction and transport of cocaine, among others. MADS met with local stakeholders, farmers, indigenous communities and local authorities from July–August 2018, to approach a participatory design for this document. These actions taken by civil society indicate that many of the state policies to stop the high rate of deforestation that threatens Colombia are not effectuated, causing the public to react with an unprecedented social movement that has achieved important victories in the face of this lack of action by the government.

Discussion

As has been shown, an important point concerning deforestation, such as that in Brazil and Colombia, is that much of it is caused by illegal activities (Boekhout van Solinge 2010). Not only must the countries involved in the NICFI find ways to reduce their own legal deforestation, they are challenged by multifarious forms of criminality related to the illegal clearing of land (e.g., for agricultural purposes), as well as by corruption. This corruption and the Colombian authorities' lack of operational capacity seem to be the main factors preventing effective action against deforestation.

The studies conducted by the IDEAM and other sources provide comprehensive data on deforestation and its causes. Beyond the national and international agreements signed by the government, concrete action must be taken to reduce deforestation before more key ecosystems are lost. As suggested by the UNOCD (2018: 6):

The consolidation of peace must be accompanied by institutional presence capable of providing conditions for security and the rule of law. The main objective will be to facilitate and reinforce the role of the state and promote integrated rural development activities, reduce vulnerabilities and transform the territories of Colombia.

This implies the cessation of illicit land use, such as for illegal crops (e.g., coca), illegal mining and extensive livestock farming—all which entail deforestation.

The Colombian government needs to re-evaluate the traditional rural development strategies that rely on the unsustainable exploitation of forested areas (Mol 2013, 2017). It is necessary to investigate the feasibility of alternative land-use practices, such as sustainable tropical agriculture and production that promotes coexistence with forests, especially with regard to the Amazon region (Hoffman 2016). This is necessary to guarantee the continuity of complex dynamics between the Andean highlands and the Amazonian lowlands that have influenced the origin and maintenance of neotropical biodiversity (Clerici et al. 2018).

Participatory research and action must be established, integrating the ecological knowledge of indigenous people and the reintegrated FARC members' knowledge of the territory (Salazar et al. 2018; see Goyes 2017 in relation to seed management). This will facilitate the study of biodiversity, giving priority to local needs. As matters stand, discussions are made and measures planned by public servants in places disconnected both physically and politically from the localities where their action plans are supposed to be implemented. While the reports of the positive achievements made by the Colombian governments seem promising and convincing, this lack of understanding of the reality of isolated communities and their relationship with tropical forests leaves it unclear whether the Colombian government's policies are of sufficient practical value to prevent deforestation.

Furthermore, a list of achievements that exists only on paper cannot guarantee that funding has been invested in the root of the problem. The state fails to fulfil its promises regarding crop substitution, land titling and provision of sustainable livelihoods for the local communities it has

neglected since the beginning of the armed conflict in Colombia, or to assess the situation for those affected directly by the forest-saving measures. Instead, considerable funding is spent on salaries for a substantial number of public servants in the main cities. Thus, the new government's challenge is to restore trust in the state and demonstrate its commitment to the peace process and to the promises given during the presidential campaign regarding the conservation of the Amazon region and its cultural, social and biological diversity.

Credibility and transparency must be in place when reporting to international donors (like Norway) that are part of the JDI. Norway must, through *Riksrevisjonen*, continue to closely monitor the NICFI's claims of success concerning deforestation prevented by the Colombian government to ensure that a) the requirements are fulfilled; and b) that in doing so, these do not burden local groups in an unjust manner, since the Colombian government has an interest in presenting a disproportionate positive image rather than a discouraging reality. Just as deforestation through palm oil production, causing both environmentally harmful withdrawals and monoculture additions (Mol 2013, 2017; Stretesky et al. 2013), may be part of colonial and neo-colonial practices disadvantaging groups who have traditionally been disadvantaged in Colombia. Thus, pressure from distant authorities dictating how Colombians are to save the forest, with vast social implications, may be examples of the same.

While the Supreme Court case in Colombia that favoured the environmental rights of the plaintiffs and the subsequent implementation of the Intergenerational Agreement for the Life of the Colombian Amazon are positive steps, it is urgent that the new government follow up on the court decision, and more broadly, that the people who live in the Amazon and other places exposed to deforestation actively participate in planning how to prevent it. REDD+ critics' main objection concerns the lack of involvement of indigenous groups, undermining their self-determination (Raftopoulos and Short 2017: 172).

The North and the South share a harmony of interest in reducing climate change and deforestation. However there are different gains and losses within Colombia and Norway, since Norwegian citizens do not suffer from measures made in Colombia, but can benefit from the Norwegian state's continued oil exploitation.

Norway is, through NICFI, succeeding in several aspects of image-building. Through seemingly reducing carbon emissions in Colombia, Brazil and other Southern countries, it can continue its own carbon emission policy related to environmentally harmful oil and gas production, but simultaneously appear to be at the forefront of protecting the natural environment and reducing climate change. The value of the Norwegian Government Pension Fund Global, which was established when Norway entered the oil industry, amounts to \$US1.076 trillion as of 22 July 2019.⁹ Consequently, Norway has the economic resources to provide humanitarian aid, direct/participate in peace negotiations and prevent deforestation in the South. Nonetheless, Norway's fortune is derived predominantly from environmentally harmful industries such as oil and gas production, thus producing a 'brown crime' (South 2015; White 2011), as well as aquafarming of salmon, fed with Brazilian soy produced through deforestation. Norway imported 670,000 tons of soy protein concentrate for fish fodder in 2016, of which 94 per cent came from Brazil (Regnskogsfondet and Fremtiden i våre hender 2017: 4). Norway aims to significantly increase its salmon production by 2050 and continue its oil and gas production.

Both countries may desire to proceed with activities that drive global warming, rather than stopping it, but Norway can pay to eliminate such burden. Also within; the 'South', there are interests that are in disharmony; for example, the Colombian state may want to exploit its resources (e.g., minerals), which can produce social benefits, but again also can produce deforestation and problems for the country's inhabitants. People may also try to exploit the arrangements of the state to fulfil its obligations to the NICFI agreement for their own benefit,

which in turn produces a larger disharmony of interest as deforestation is increased, as discussed in relation to coca plantations.

Although it may seem that there is an external ‘imperialist’ climate change power in the rich North that determines the internal politics of the South, there are also core-periphery patterns and problems within Colombia, where the central powers claim that they are determining how to achieve the objectives of reducing climate change, but may be acting contrary in favour of private interests. In this way, we are witnessing the consequences of the domination of power relations and private interests, both from Norway, as well as internally in Colombia (Galtung 1971; Goyes 2017).

Conclusion

It is vital that the interests of the entire Colombian population are safeguarded. As protecting the natural environment has become a life-threatening activity in Latin America (Human Rights Watch 2018; Lynch et al. 2018), protesters and people directly affected by deforestation and the measures taken to prevent it must be heard and supported. This is important not only for securing the environmental rights of humans, as an extension of human rights (White 2013), but also to secure their culture. Saving the forest, however, is important in view of the rights of the environment, from a non-anthropocentric perspective (White and Halsey 1998, Zaffaroni 2011). When preserving national parks and forests, it is essential to pay close attention to the injustices that efforts like the NICFI may produce, and to the injustice produced when rich countries pay to free themselves from their own obligations through such initiatives. Even if a nation is working against deforestation globally, it must still reduce carbon emissions domestically as a step towards eco-global justice.

Through the NICFI, the rich North, rather than contributing significantly to reducing global warming, dictates state policies in the Global South to glorify the donor countries’ own image. For some, these countries can be legitimately described as climate neo-colonialists that potentially cause injustice for people in the periphery (Benjaminsen and Svartad 2018; Galtung 1972). While the forest is protected, or rather *appears* to be protected through a number of measures as exemplified above, when it comes to crops for illicit use and land titling, the danger comes from how little is done in practice to directly protect the forests and their inhabitants—human and non-human.

Conversely, corruption at various levels, in the case of Colombia, is a problem of great proportions that prevents concrete and effective actions to be taken to stop deforestation. Revealing more internal problems and the effects of the policy of payment for conservation to countries of the South must be a central topic for a green, Southern criminology in the years to come. At present, one such central topic is intergenerational equity (Weston 2012; White 2011, 2013), a topic recently highlighted by young Swedish climate activist Greta Thunberg, who is leading school strikes worldwide to protest global warming politics. To envision intergenerational equity, White argued, one must pay attention to the effects of harmful acts and policies, not only those that harm us or others directly, but also those that will harm coming generations, whether human or non-human. This is something we can achieve through horizon scanning. However, we do not need to scan the future horizon to observe the harms of climate change and deforestation. The future is now, climate change is here (UN IPCC 2018), and forests are falling even as we speak; now is the time to act. As we do, it is necessary to emphasise that the rulers must listen to their people and stop favouring the particular interests of entrepreneurs and multinationals, which contribute little to the economy of the countries of the South, but encourage the erosion of natural resources. Deforestation in Colombia will be reduced and prevented when there is a consensus among the actors involved, effective actions are taken by the government authorities, and the favouring of private interests is left aside.

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¹ Norway is among the world's most oil- and gas-producing countries, fulfilling 20 per cent of Europe's gas needs. <https://www.eia.gov/todayinenergy/detail.php?id=16311>

² <https://www.regjeringen.no/en/aktuelt/colombia/id2464811/>

³ Zero net deforestation describes a forest frontier region in which the area of forest that is cleared over a given time is equal to or less than the area of 'new' forest that is regenerating or being anthropogenically restored during that same period (<https://earthinnovation.org/our-work/case-studies/colombias-amazon-vision-program/>).

⁴ REDD (Reducing Emissions from Deforestation and Forest Degradation) (<https://www.unredd.net/about/what-is-redd-plus.html>) involves measures made in 'developing' countries. The + has gradually been added to mark the addition of further goals, such as environmental protection, sustainable forest management or carbon storing in forests (Benjaminsen and Svarstad 2018).

⁵ Manuscript version.

⁶ <https://www.regjeringen.no/no/tema/klima-og-miljo/klima/klima--og-skogsatsingen/kos-innsikt/brasil1/id734166/#brasilsresultaterogutbetalinger>. Norway has paid Brazil NOK\$7,473 million [US\$ 962259.05 between 2006 and 2015. <https://www.regjeringen.no/no/tema/klima-og-miljo/klima/klima--og-skogsatsingen/kos-innsikt/brasil1/id734166/#brasilsresultaterogutbetalinger>

⁷ July–November 2018.

⁸ Estrategía nacional de REDD+ (The National strategy of REDD+).

⁹ <https://www.nbim.no/en/the-fund/market-value/>

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