



Libertad y Orden

Bogotá D.C., 10 DIC. 2002

Ministerio del Medio Ambiente
República de Colombia

0001-2-1332

Doctor
Iván Correa Calderón
General Manager
Empresas Públicas de Medellín E.S.P.
Carrera 58 No. 42-125
Medellín

Mr. Correa:

In response to your request according to communication with location number 0001-1-1332, in which you call for the national approval of the Project "Parque Eólico Jeparachi" as an eligible activity for the Clean Development Mechanism of the Kyoto Protocol, I would like to indicate the following considerations:

- Colombia ratified the United Nations Convention on Climate Change through Law 164 of 1994; which was attainable by the Constitutional Court through Verdict C-073 of February 23, 1995.
- Likewise, Colombia ratified the Kyoto Protocol through Law 629 of December 27 of 2000, which was also attainable by the Constitutional Court through Verdict C-860 of April 15, 2001.

Taking into account herein before, the country is an active member of the Convention on Climate Change as well as of the Kyoto Protocol. Regarding the national approval of projects, the Decision 17th of the Seventh Conference of the Parties, held in Morocco on 2001, states that:

- Paragraphs from 28 through 30 correspond to the participation requirements, in literal F it states:

"(...)

28. Participation in a CDM project activity is voluntary.

29. Parties participating in the CDM shall designate a national authority for the CDM.

30. A Party not included in Annex I may participate in a CDM project activity if it is a Party to the Kyoto Protocol.

Likewise, paragraph 40 of literal G, which asserts about Validation and Registration states that:

" 40. (...)

(a) Prior to the submission of the validation report to the executive board, have received from the project participants written approval of voluntary participation from the designated national authority of each Party involved, including confirmation by the host Party that the project activity assists it in achieving sustainable development;



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Taking into account herein before, the Ministry of Environment requested the Ministry of Foreign Relations, its nomination as Designated National Authority for the Clean Development Mechanism. This fact was consolidated through consular note of May 22nd of 2002, with location number DM/VAM/CAA No. 19335, which was addressed to the UNFCCC Secretariat and, as it was previously mentioned, the State is a member to the Convention since June 20th of 1995, date in which the Convention on Climate Change was put into force.

Finally, once we have reviewed the information you sent I might state that the project presents the following characteristics:

- **Endorsement of the Project to the Carbon Prototype Found.** The Project initiated the formulation of eligible activities in the framework of the National Strategic Study for the Implementation of the Clean Development Mechanism in Colombia 1999-2000. In august 28th, 2001, the Ministry of Environment endorsed the project to the Prototype Carbon Found of the World Bank.
- **Use of Renewable Energy Sources.** The performance of the Jepirachi Project constitutes a pioneer activity in Colombia on the use of renewable sources of energy, such as the use of winds. Although wind energy generation has been widely used in several parts of the world, it would be the first project in the country with such characteristics.
- **Pollutants Reductions.** It is estimated that the project will reduce 840.000 Tons of greenhouse gas emissions during the period 2003-2015, besides the reduction of local pollutants, such as NOx and SOx in comparison with the alternatives of carbon and natural gas generation.
- **Benefits to the local communities.** According to the Law 56 of 1981, and Law 99 of 1993, the project will generate compensations to the local community. In addition the project has implemented all previous consultations procedures with the representatives of the regional indigenous communities.
- **Fulfillment of Environmental Regulations:** Taking into account that the Regional Autonomous Corporation of the Guajira –CORPOGUAJIRA- is the environmental authority competent, provided that the project is performed in its jurisdiction. The General Director of CORPOGUAJIRA sent communication No. 00406, with location number 1001-4-272 in which it is stated that "according to the environmental evaluation carried out by CORPOGUAJIRA the project Parque Eólico Jepirachi is considered under the criteria of environmental sustainability and it is in agreement with the current environmental regulations".

Considering the stated above and based on the documentation sent by Empresas Públicas de Medellín (EPPM), the Ministry of Environment in its capacity of Designated National Authority, considers that the project "Parque Eólico Jepirachi" from Empresas Públicas de Medellín (EPPM) contributes to the country's sustainable development and in addition, confirms that the Republic of Colombia voluntarily participates in the Clean Development Mechanism, defined in article 12 of the Kyoto Protocol.



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For your information and pertinent purposes, copy of this letter will be sent to the Clean Development Mechanism Executive Board.

This communication has been issued originally in English and Spanish. In case of disagreement the Spanish version will prevail.

Cordially,

A handwritten signature in black ink, appearing to read 'C. Rodríguez'.

CECILIA RODRÍGUEZ GONZALEZ-RUBIO
Minister

GAEF/jblanco/mpcastillo