Global Sustainable Buildings Guide - Colombia

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*This chapter was last reviewed in April 2024.*

# Authors

# Green Certification

## Is there a nationally adopted and recognized form of certification for buildings? What is it and is it mandatory for all new buildings and refurbished buildings?

Currently, there is no nationally adopted or recognized form of certification for buildings. Nevertheless, the Ministry of Environment and Sustainable Development, together with the Colombian Technical Regulations Institute (ICONTEC), the Colombian Sustainable Construction Council, and other entities and guilds, are working together for the issuance of the voluntary Colombian Environmental Seal for Sustainable Buildings ("**SAC-ES**"). The SAC-ES seal (certification) shall be granted to buildings built with integral sustainable criteria, including aspects such as localization, efficient use of energy, water, materials and waste, among others.

The SAC-ES seeks the following:

To create an informative and commercial tool to differentiate products with better environmental performance than others

To encourage the trading growth of environmentally friendly products and services

To encourage the growth of these types of products and services' consumption within the market

To promote a change towards environmentally friendly products in the purchasing preferences of consumers

To facilitate the access to the market and improve the images of products with better environmental performance

To promote the use and development of clean and sustainable processes, techniques and technologies

In November 2014, the SAC-ES conditions and requirements were unanimously defined, except for guidelines regarding materials, which is still being evaluated.

Nevertheless, buildings in Colombia are being certified by other foreign certifying bodies such as Leadership in Energy and Environmental Design (LEED), being the most widely accepted and used in Colombia, and the Building Research Establishment Environmental Assessment Methodology (BREEAM).

As of 2023, there are 250 buildings certified by LEED and more than 500 projects registered in the official directory of LEED in Colombia.

# Energy Performance Certificates and Minimum Energy Standards

## Is there a mandatory form of energy performance certification? When does it apply and are there any prescribed minimum standards?

No, there is no mandatory energy performance certification. Nevertheless, entities can be certified with ICONTEC NTC 50001 for their efficient use of energy.

The purpose of this international standard (ICONTEC NTC 50001) is to enable organizations and different entities to establish the systems and processes necessary to improve energy performance, including energy efficiency, and the use and consumption of non-conventional energy.

# Incentives for Green Retrofit

## Are there any government-funded or sponsored schemes for improving the energy efficiency of existing buildings and, broadly, how do they work?

The government has issued different regulations (public policies, laws, decrees, recommendations, etc.) establishing incentives, guidelines and rules for improving the efficient use of energy. However, there are no government-funded or -sponsored schemes for improving the energy efficiency of existing buildings.

Nevertheless, Decree 3683 of 2003 established and ordered the following incentives for the rational and efficient use of energy:

The Administrative Department of Science, Technology and Innovation ("**COLCIENCIAS**") will be promoting lines of research in the rational and efficient use of energy.

The Colombian Institute of Student Loans and Technical Studies Abroad (ICETEX) will be granting loans to people interested in degrees or postgraduate degrees in rational- and efficient-energy-related studies.

The national government will be granting public awards to recognize those who excel in the rational and efficient use of energy and non-conventional sources. Such awards will be granted to: (i) corporations using energy efficiently; (ii) corporations and/or individuals conducting research in the efficient use of energy field; (iii) educational institutions teaching on the efficient use of energy.

Other (tax) incentives are further described in the "Regulation" section.

# CO2 and Energy Targets

## Are there any national targets for CO2 reduction and/or energy use reduction from buildings? If there are, are there any exclusions?

The Ministry of Environment, the Ministry of Housing, and the Ministry of Mining and Energy, among other entities, are leading a program for the establishment of a net zero carbon buildings industry. This program takes a full life-cycle approach and proposes major operational and embedded carbon reduction targets staggered between 2030 and 2040, with the aim of achieving net zero carbon buildings by 2050.

Colombia has agreed to reduce its greenhouse gas emissions by 20% by the year 2030, on a "business as usual" basis. Subject to international finance and technological aid, Colombia may increase the goal up to 30%.

Colombia was the first South American country to express this commitment. This commitment includes undertaking mitigation measures requiring investments under USD 30 per CO2-reduced ton.

# Renewable Energy

## Are there any regulations requiring a percentage of energy consumption to come from renewable sources?

No, there are no regulations requiring a percentage of energy consumption to come from renewable sources. Nevertheless, the Indicative Action Plan 2010-2015 (IAP) of the Rational and Efficient Use of the Energy and Other Non-Conventional Energy Program (PROURE) established certain goals for the use of non-conventional energy.

The IAP stipulates that in terms of installed capacity of the Interconnected National System for 2015, non-conventional energy should represent 3.5% of the total energy used, and this percentage should have increased by up to 6.5% for 2020. According to information as of December 2014, the non-conventional energy percentage share in the Interconnected National System was 2.71%.

Likewise, the IAP established goals for the use of non-conventional energy within the non-interconnected zones, in 20% and 30% of the installed generation capacities, for years 2015 and 2020, respectively. These goals were to be accomplished by, among others, adopting the following measures: (i) implementing a wind measurement and registration program in places identified with a high potential of wind energy to make an estimate of the usable energy; (ii) promoting the research in universities and research centers; (iii) investigating the vulnerability of water resources due to climate change.

# Regulation

## What other national regulatory measures are there, such as taxes on energy consumption and/or tax reliefs on energy-saving measures, that can encourage more efficient use of energy in buildings?

Colombia has implemented the following tax reliefs on energy-saving measures, which will encourage more efficient use of energy in buildings:

According to Article 424 and 428 of the Tax Code, further developed by Decree 2532 of 2001, equipment destined for projects seeking a reduction of energy consumption are excluded from VAT.

According to Article 158-2 of the Tax Code, legal entities investing in control and improvement of the environment may deduct from their income tax returns the value of such investments, without exceeding 20% of the net income.

According to Article 207-2 of the Tax Code, the sale by energy-generating companies of energy coming from wind resources, for the maximum term of 15 years, is considered exempted income, provided that such companies comply with the requirements established in this article.

Finally, congress recently enacted Law 1715 of 2014, whereby tax benefits (income tax deduction, exemption from custom duties and exclusion of VAT) are granted to those persons who promote energy efficiency by making investments related to the use of non-conventional energy sources.

# Financing

## Are there any public or private “green” financing initiatives for sustainable real estate projects?

Colombia has been particularly looking for financing schemes mainly related to the efficient use of energy in general, not only in real estate projects. For example, Colombia received a total of USD 150 million from the Inter-American Development Bank, the World Bank and the International Finance Corporation for these purposes.

The Mining and Energy Planning Unit (UPME) is also promoting the implementation of different schemes for energy efficiency.

Particularly in the building sector, the Territorial Development Financial Entity ("**FINDETER**") is developing the "Sustainable and Competitive Program," together with certain international organizations, such as the Inter-American Development Bank, as well as the national government. This program has, among others, the purpose of financing sustainable investment projects guaranteeing the infrastructure demanded by sustainable cities.

Finally, a bill that intends to create the "green financial mechanisms" for the construction of sustainable buildings is currently being examined in congress. This program will consist of granting loans through public financial entities to people interested in acquiring or refurbishing houses, provided they relate to sustainable criteria.

# Planning

## Is the national or local/state government able to mandate green initiatives via the planning/zoning regime (e.g., district heating systems on large developments)?

Yes, it is possible for the national or local government to mandate green initiatives via the planning/zoning regime. All municipalities, through the Territorial Arrangement Planning (POT), establish the standards to guide and manage the physical development of the relevant territory and its authorized land use. The POT must consider, among other aspects, the conservation and protection of the environment and natural resources.

The general public policies contemplated within the POT are specified by the issuance of a partial plan, which, among other purposes, seeks to precisely define the urbanistic directives and objectives in aspects such as efficient property use, public space extensions and environmental quality.

Therefore, it is possible through the POT and the partial plan to mandate green initiatives, which ultimately will be materialized in granting the relevant urbanistic licenses for any real estate project. However, Colombia has not yet entered into a mandatory sustainable building policy, but after the sustainable construction rule enters into force (from July 2016), sustainable construction standards will begin to be mandatory in certain aspects.

# Green Leases

## Are green leases or green lease provisions mandatory or optional? If mandatory, to whom do they apply? If optional, is there significant take up?

Green leases are not mandatory in Colombia and do not constitute a common practice.

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