Honduras

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Honduras has a tropical climate. The country experiences high levels of deforestation due to illegal logging and forest fires primarily resulting from the expansion of agricultural products, livestock and plantations, and subsistence fuelwood collection. **Illegal drug trafficking also plays a significant role** in increased deforestation and illegal logging activities. Honduras has consistently been on the top of the list of countries that are more **dangerous** for **environmental defenders** due to corruption, limited enforcement, powerful political and commercial interests and the **climate of impunity** surrounding natural resources exploitation projects. In 2022, Honduras became the **first Latin American country** to sign and ratify a Voluntary Partnership Agreement (VPA) with the European Union in efforts to combat illegal logging.

Forest Management

Forest Governance

According to the **Forest, Protected Areas and Wildlife Law (2007)**, forests can be publicly and privately owned in Honduras. Forests located on State land can be leased to the public as a concession. Private forests are owned through a legitimate title to the land from the State and registered in the Real Estate Registry. There are national and municipal forest areas administered and managed by the State government and municipalities, respectively. In Honduras, there are **two distinctive forest production models** for broadleaf forests (mainly under community-based management) and coniferous forests (mainly in private lands and are more industrialized). Traceability processes differ based on these two production models. To access management guides and technical standards related to broadleaf and coniferous forests, see the National Institute of Forest Conservation and Development, Protected Areas and Wildlife's (ICF) ***Guides of Interest*** webpage.

The following agencies/ministries oversee regulation and management of forest lands and products in Honduras:

- **National Institute of Forest Conservation, Protected Areas and Wildlife (ICF)**: Responsible for the administration and management of forest resources, protected areas and wildlife. The institute uses regulatory instruments for forest protection, restoration, use, promotion and conservation. The Institute implements national forestry laws and ensures their objectives are fulfilled. ICF is also responsible for the implementation of the Honduras timber legality assurance system (SALH).
- **Ministry of Energy, Natural Resources, Environment and Mines (MiAmbiente)**: Responsible for controlling and managing the country's natural resources. MiAmbiente grants environmental licenses to forest industries and for wood sales.
- **Ministry of Agriculture and Livestock (SAG)**: Responsible for the inspection and verification of wood and wood products for import and export.
- **Independent Forest Monitoring (MFI)**: MFI began as a project under the Honduran National Commissioner for Human Rights (CONADEH) in 2005 to expose illegal forest activities throughout the country. Now, MFI is an independent organization that prepares

technical reports on the verification of legality of forest activities and compliance with forestry laws. To date, MFI has published 157 specific cases of legality verification and four analysis reports on illegal logging and monitoring by the competent authorities.

Transparency

For information regarding transparency and risk scores in Honduras, head to these links:

- **Transparency International's Corruption Perceptions Index**
- The World Bank's **Worldwide Governance Indicator Data**

Laws and Regulations

Forest Laws

- **Decree No. 98-2007 (Forest, Protected Areas and Wildlife Law (LFAPVS)) 2007** (Amended by **Agreement No. 010-2011 (2011)**): Aims to improve the administration and management of forests and forest resources while considering forest protection efforts and the benefit of the commercialization of forest resources toward the economy and Honduran people. This law regulates forest harvesting activities in public forests, the use of forest resources, and the forest processing industry. Public and private forests must be managed under a Forest Management Plan with an environmental impact evaluation and annual operation plan before carrying out commercial activities (Article 68). Management plans differ based on the size of land and the type of forest intended for harvest (either broadleaf forests or coniferous forests) (Articles 70 and 74). Forest protection and promotion efforts may be assigned to public or private areas of deforestation or degradation, outlined in Article 135.
    - **Forest contracts in public areas**: Must comply with the requirements outlined in Article 82 and contain the information detailed in Article 85. Regulations on contracts signed with foreign partners are explained in Article 86.
    - **Private forest area management**: Owner has the right to use, market, transport, store or process forest products and byproducts freely in accordance with the law (Article 89).
    - **Community Forest Management Plans**: Short-, medium- or long-term plans that are issued between the State, Municipalities, and communities settled in Public Forest Areas (Article 77).
    - The 2011 agreement established two additional units (Forest Statistics Unit and Forest Monitoring Unit) under the **Forest Information and Heritage Center (CIPF)**. The **Forest Monitoring Unit** tracks illegal logging, changes in forest cover and other changes made to the country’s natural resources.
- **Executive Agreement No. 031-2010 (2010)**: Implements the Forest, Protected Areas and Wildlife Law and provides regulations on transportation, trade and processing of forest products and byproducts, and social forestry programs. This agreement establishes provisions on the management of public and private production forests and protection forest areas.
- **National Strategy for the Control of Illegal Harvesting and Transport of Forest Products (ENCTI) 2010**: Establishes three objectives to maintain Honduran forests as a

strategic resource through sustainable use and conservation, which include preventing the illegal use of forests, promoting legal forest use, and controlling forest exploitation. The strategy articulates opportunities and barriers of Honduras' forestry institutions and defines illegal logging and trade in forest products and byproducts (II.B). The main vision of the strategy is for Honduran forests to be managed with notable improvement and in compliance with forest legislation by 2022.

- **Decree No. 104-93 (1993)**: This decree establishes a legal framework for the protection, conservation, restoration, and sustainable management of the environment and its natural resources. Chapter II Section C *Forests* requires that the State Forestry Administration must issue permits or authorizations for forest harvesting activities. Amended by **Decree No. 181-2007 (2007)** which provides that municipalities are responsible for environmental evaluations for activities that may threaten or harm people, nature or the environment (Article 28-A). The amending decree also includes additional provisions on environmental licensing.
- **Decree No. 134-90 (1990)**: Establishes that municipalities are responsible for controlling and regulating land use, the administration of ejidal lands, the protection of ecology and environment and the promotion of reforestation.

Processing/Manufacturing Laws

- **Decree No. 98-2007 (Forest, Protected Areas and Wildlife Law (LFAPVS)) (2007)**: Title 5 *Industrialization, Marketing and Transportation* regulates the forest product processing industry. The public and private sectors must promote the transformation of forest products and favor national markets. Forest industries must register with the municipality in which they are located and the ICF to receive an operating license (Article 98).
- **Executive Agreement No. 031-2010 (2010)**: Title 5 *Industrialization, Commercialization and Transportation* establishes guidelines and requirements for the forest industry. Primary industries must hold an operating license, as well as meet additional requirements for registration with the ICF. Operating licenses are not required for artisanal activities. Forest industries are subject to inspection and must operate with visibility for the public.

Transport Laws

- **Decree No. 155-2015 (2015)**: Establishes the regulations and control mechanisms for vehicles that transport various products. These products must have a certificate of origin for legal transport.
- **Decree No. 98-2007 (Forest, Protected Areas and Wildlife Law (LFAPVS)) (2007)**: Title 5 *Industrialization, Marketing and Transportation* regulates the transport of forest products. Transporting forest products and byproducts requires a mobilization guide or original codified invoice containing the approved operational plan signed and sealed by the ICF. The invoice is used by industries to transport sawnwood for trade and must be completed by the person responsible for shipping the wood to the cutting site (Article 103). ICF is the only institution that issues mobilization guides. Transporting wood is regulated by a schedule and may only be moved between 5:00am and 9:00pm and must be visible. Article 105 outlines the authorization required for transporting firewood for commercial purposes.
- **Executive Agreement No. 031-2010 (2010)**: A mobilization guide and a transportation guide or commercial invoice are required for the transport of all forest products and

byproducts in Honduras (Article 236). For transporting processed wood and wood products, forest or forest industry owners must use special marks on their products (Article 237). For complete guidelines on transporting forest products, see Title 5 Chapter IV *Transportation*.

Tax Laws

- **Decree No. 98-2007 (Forest, Protected Areas and Wildlife Law (LFAPVS)) (2007)**: The import or local acquisition of machinery or equipment are tax exempt when used for the conservation, reforestation and protection of the forest they are operated on (Article 137). Additional incentives are outlined in Articles 148 and 149 for the following activities: afforestation and reforestation, natural and plantation forest protection, protection of hydrographic basins and microbasins, establishing energy, timber or multiple-use plantations, and forest management plans in public and private forests.
- **Agreement No. 041-A-2013 (2013)**: Establishes the rate for specific forest products and byproducts that must be paid to the ICF under forest management contracts.
- **Decree No. 134-90 (1990)**: Establishes the governing structure for Honduran municipalities. Notably, Chapter IV *Of Taxes, Services, Fees and Contributions* provides municipal taxes, which includes industries and extraction or exploitation of resources (Article 75). Article 78 establishes the tax rates and schedule for industries and commercial activities. The tax rate for extraction and exploitation from forests is one percent of commercial value of these resources, regardless of the forest resources' transformation, storage, processing, or collection center (Article 80). Before engaging in extraction activities, individuals and companies must apply for a Resource Extraction or Exploitation License from the Municipal Corporation (Article 130).

Trade Laws

- **Decree No. 98-2007 (Forest, Protected Areas and Wildlife Law (LFAPVS)) (2007)**: For the export or import of forest products and byproducts, the ICF will establish special procedures (Article 139). Title 5, Chapter 2 *Commercialization and Transportation* states that processed wood and harvested forest products may be traded domestically or internationally. Broad-leafed species from natural forests can only be exported as processed wood (Round or squared wood of broad-leafed species is not permitted) (Article 102).
- **Executive Agreement No. 031-2010 (2010)**: Title 5 *Industrialization, Commercialization and Transportation* Chapter III *Commercialization* establishes that warehouses engaged in the sale and trade of wood and processed wood are commercial entities that must be registered with the ICF. These business activities must be visible to the public, and wood deposits and sales must be reported to the ICF monthly with specific information outlined in Articles 229 and 230. Proof of product origin is required for sale and trade.
- **Decree No. 104-93 (1993)**: Chapter II Section B *Wild Flora and Fauna* prohibits the exploitation, commercialization or destruction of protected flora and fauna. Individuals or companies must obtain a license from the Department of Protected Areas and Wildlife of the Honduran Forestry Development Corporation (COHDEFOR) before exporting or importing species of wild flora and fauna.

Criminal Laws

- **Decree No. 130-2017 (2017)**: The Honduran Penal Code establishes crimes against the environment and their respective sanctions under Title XVI. These include crimes against the ecosystem balance and the illegal exploitation of natural resources, crimes against biological diversity and damage to threatened species and crimes against cultural heritage and illegal species trafficking.
- **Decree No. 98-2007 (Forest, Protected Areas and Wildlife Law (LFAPVS)) (2007)**: Title 10 *Of Crimes and Offenses* details the crimes and applicable penalties regarding forests and forest activities. This section establishes that illegal logging, transportation, processing, and trade activities of forest products and byproducts are subject to imprisonment and fines.
- **Decree No. 104-93 (1993)**: Title VI Chapter II *Environmental Crimes* provides a list of activities that are considered environmental crimes, including manufacturing, storing, importing, trading, transporting, using or disposing of natural resources (including forest resources) without legal authorization. Penalties include sanctions and imprisonment.

Bilateral Agreements

- In February 2021, Honduras and the European Union (EU) **signed a Voluntary Partnership Agreement (VPA)** to ensure that all timber and timber products exported to the EU are legally sourced to reduce illegal logging and associated trade. The VPA entered into force in September 2022. Under the VPA, Honduras is establishing a timber legality assurance system (SALH) to increase traceability and transparency within its timber supply chains. SALH has yet to be operationalized.
- **United States - Dominican Republic-Central America Free Trade Agreement (CAFTA-DR)**: The CAFTA-DR is the first free trade agreement between the US and a group of smaller developing countries, including Costa Rica, El Salvador, Guatemala, Honduras, Nicaragua and the Dominican Republic. Entered into force in 2007 for Honduras and eliminates tariffs and barriers to US services. Chapter 17 on Environment stipulates that, as part of the free trade agreement, both the US and Honduras are committed to enforcing environmental laws, including the protection and conservation of wild flora and fauna, endangered species and protected natural areas. *Environmental laws do not include any regulation whose primary purpose is managing the commercial or subsistence harvest of natural resources*.

CITES

The **Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES)** is an international agreement among governments whose purpose is to ensure that the international trade of wild animals and plant species does not threaten the survival of these species. It is up to each country to draft their own domestic legislation to comply with its CITES obligations. Honduras signed onto the Convention in 1985.

Agreement No. 936-13 (2013) establishes provisions and procedures for trading CITES species. The Agreement details the managing and scientific authorities and outlines the necessary permits and certificates for CITES species in each Annex (Title III Procedures, Permits, CITES Certificates). The species under the protection of CITES are listed in three Appendices based on

how threatened they are by international trade.

The species listed in Appendix I are the most endangered and international trade in these species is prohibited unless the purpose of import is noncommercial. The species listed in Appendix II are tightly controlled in international trade and may be authorized with an export permit or re-export certificate. Appendix III lists species at the request of a Party that needs other countries' cooperation to regulate the trade in the species. International trade in Appendix III is allowed with appropriate permits or certificates.

If you don't know if the species you are interested in sourcing from this country is CITES listed, please check this **link**. If it is, please use this **database** to identify the National CITES Authority. In Honduras, the CITES managing authorities are the **Ministry of Agriculture and Livestock (SAG)** / Ministerial Office and the National Coordinator.

Forest Resources

Resources Overview

In 2010, Honduras had **7.22 Mha of natural forest**, extending over 67% of its land area.

According to Article 63 of **Decree No. 98-2007 (Forest, Protected Areas and Wildlife Law (LFAPVS)) 2007**, Honduras divides forest resources into three categories:

- **Public production forest areas**: Public areas of economic interest that are suitable for the harvest and use of forest products and other environmental goods or services under sustainable forest management principles.
- **Private production forest areas**: Private areas of economic interest that are suitable for the harvest and use of forest products and other environmental goods or services under sustainable forest management principles.
    - Privately owned areas may be designated as private natural reserves by the legal owner and certified by ICF.
- **Forest protection areas**: Public or private areas of importance for the conservation of soil, prevention of erosion, protection of water resources, and conservation of nature, climate and biodiversity.

Contacts

Below are incomplete lists of government ministries, industry associations, civil society groups, and research institutes involved with forestry, trade, and efforts to combat illegal logging and associated trade.

Industry Associations

- Honduran Federation of Agroforestry Cooperatives (FEHCAFOR)
- Timber Association of Honduras (AMADHO)
- National Association of Forestry Producers (ANPFOR)
- National Association of Wood Processing Entrepreneurs (ANETRAMA)

- **Honduran Manufacturers Association (AHM)**

Civil Society Organizations

- **Wildlife Conservation Society (WCS) Honduras-Nicaragua**
- **World Wide Fund for Nature (WWF) Mesoamerica**
- Honduran Forest Agenda (AFH)
- Confederation of Autochthonous Peoples of Honduras (CONPAH)
- **Monitoreo Forestal Independiente (MFI)**
- **Fundación Madera Verde**

Government Ministries

- **Institute of Forest Conservation, Protected Areas and Wildlife (ICF)**
- **Ministry of Energy, Natural Resources, Environment and Mines (MiAmbiente)**
- **Ministry of Agriculture and Livestock (SAG)**
- **National Agrarian Institute (INA)**
- **Executive Department of Revenue (DEI)**
- **Revenue Administration Service (SAR)**
- **Property Institute (IP)**
- **Association of Municipalities of Honduras (AMHON)**

Research Institutes

- **National University of Forest Sciences (UNACIFOR)**
- **National Autonomous University of Honduras (UNAH)**
- **Pan American Agricultural School (EAP)**
- National University of Agriculture (UNAG)
- **Honduran Agricultural Research Foundation (FHIA)**

References and Resources

For more information regarding forest legality in Honduras, head to these links from our partners:

- **FAO and WRI (2022) *Timber Traceability: A Management Tool for Governments - Case Studies from Latin America***
- **Madera Legal – Country Risk Assessment**
- **VPA Africa – Latin America Facility (Honduras)**
- **Global Forest Watch (GFW) Country Profiles**

- **FAO (2020) *Global Forest Resources Assessment: Honduras***
- **Forest Trends - Illegal Deforestation and Associated Trade (IDAT) Risk (Honduras)**
- **Preferred by Nature - Timber Sourcing Hub (Honduras)**
- **Timber Trade Portal (Honduras)**
- **Independent Forest Monitoring (MFI) reports**