Bolivia

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Bolivia is located in the central zone of South America, extending from the Central Andes through part of the Gran Chaco as far as the Amazon. The geography of the country exhibits a great variety of terrains and climates. Bolivia has a high level of biodiversity, considered one of the greatest in the world, as well as several ecoregions with ecological sub-units such as the Altiplano, tropical rainforests (including the Amazon rainforest), dry valleys, and the Chiquitania, which is a tropical savanna. These areas feature enormous variations in altitude.

The main biomes in Bolivia are jungle, forest, savannah, tundra, steppe, desert and wetlands. There is a large amount of endemism found within the vertebrate species, with 16% of mammals, 22% of fish, 20% of reptiles and 42% of birds endemic to Bolivia. Its borders contain more than 14,000 higher plant species, 325 mammals, 186 amphibians, 260 reptiles, and 550 fish species, and 1,379 bird species.

Bolivia's biomes are threatened through overgrazing, inadequate agricultural practices, tree felling and burning of forests, demographic pressures, inappropriate use of technology, and ecosystem use above their productive capacity and potential. 80% of forests are in the lowlands of Bolivia and these are in particular threatened by deforestation. The main driver is cattle ranching, which contributed 27% to deforestation in Bolivia between 1992 and 2004. From 2005 to 2010 the naturally regenerated and primary forest area decreased by nearly 3%.

Forest Management

The Directorate General of Forests within the Ministry of Environment and Water (Ministerio de Medio Ambiente y Agua) carries the responsibility for the country's forest policy and the national forestry regime. The Authority of Fiscalization and Social Control of Forest and Land (Autoridad de Fiscalización y Control Social de Bosques y Tierra, ABT) regulates, supervises and controls forestry production, transformation and transport.

Forests are mainly owned by the national or federal states. Only a minor proportion is in private hands of indigenous communities, the TIOCs (Territorio Indígena Originario Campesino – Original Peasant Indigenous Territory), as well as local social groups, the ASLs (Agrupaciones Sociales del Lugar). Bolivia is one of the leading countries in South America in implementing land reform and has transferred forest management rights to indigenous communities through a variety of mechanisms. Laws have further strengthened community rights and forests are increasingly being apportioned by the state for distribution to the communities. This uncertainty over land tenure is cited as one reason why the area of FSC certified forest has decreased in recent years.

Timber harvesting in Bolivia is legally permitted in:

- Forest concessions on state lands (Tierras Fiscales) – through approved forest management plans;
- Concessions for ASLs - through approved forest management plans;
- Privately owned forest lands though either sustainable forestry with management plans

or conversion permits (permisos de desmonte); and;

- TIOCs through approved forest management plans.

About 90,000 km^2 of the production forests are under government-approved forest management plans. The main system of forest tenure is through concessions on State-owned forest land.

With more than 10,000 km^2 Bolivia has the largest area of certified natural forest in Latin America. Independent verification of legality still plays a minor role in Bolivia.

Transparency

According to the Corruption Perception Index 2013 from Transparency International, which measures perceived levels of public sector corruption in countries around the world using a score of 0-100 (where 0 is highly corrupt and 100 is completely clean) Bolivia is ranked 106th out of 177 countries assessed. It has scored a corruption index of 34, meaning it has a perception of relatively high corruption. The levels of perception of corruption has stayed more or less the same from 2012 where Bolivia was ranked 105th out of 174 countries with a corruption index of 34.

- Transparency International's country profile on Bolivia
- Transparency International's 2013 Corruption Index interactive map
- The World Bank compiles a set of Worldwide Governance Indicators for all world economies. This country data report on Bolivia can be found in the full data set.
- Overview by Transparency International of corruption and anti-corruption in Bolivia

Laws and Regulations

Forestry Laws

The concept of sustainable forest management was introduced in Bolivia with the reform of the forestry law in 1996. Since then forest management plans, forest inventories, harvest limits, seed tree retention, and annual reports have become obligatory. A professional forestry agency, the Bolivian Forestry Superintendent (Superintendencia Forestal) was created to provide oversight for the implementation and enforcement of the regulations. For the first time in Bolivian history indigenous communities' ancestral rights have precedence over concession-holders' rights and communities were given back the right to manage their forests for timber.

The legal framework for forest management is the following in Bolivia:

Supreme Decree No. 29643 on Community Forest Organizations dated 16 July 2008: Recognizes, regulates and promotes Community Forest Organizations (Organizaciones Forestales Comunitarias, OFC). It establishes a set of financial and economic incentives to promote integrated forest management by OFCs and the implementation of Integrated Forest Management Plans with a technical orientation of the State. It establishes that the usable forest volume may serve as guarantee for bank credit ABT Guidelines (2008) Administrative resolutions aimed at regulating fundamental aspects such as the registration of OFCs (Guideline SF-IDS No 002/2008), the development of Forest Comprehensive Management Plans (Guideline SF-IDS No 003/2008) and the execution and registration of contracts (Guideline SF-IDS No 001/2008).

Supreme Decree No. 0726 of Special Temporary Authorizations (2010): Provides for the

automatic conversion of the natural resource concessions granted until then into Special Temporary Authorizations in order to adapt them to the current CPE legal system, which establishes that all natural resource concessions– including forest concessions–should be adapted to the new legal system.

S**upreme Decree No. 0443 of the National Program of Forestation and Reforestation dated 10 March 2010**: Establishes the creation of the National Program of Forestation and Reforestation to advance in the increase of forest cover in the count.

Compliance with these regulations can be proven through:

- Entry in the municipal operation registry (Registro de funcionamiento municipal) run by the Municipal government. The business operates on an official FMU and has the right to do so.
- ABT operation registry (Registro de funcionamiento en la ABT) run by the ABT
- Certificate of non-debtor (Certificado de no deudor ABT) issued by ABT. Business is registered and pays taxes.
- General Forest Management Plan (PGMF) approved by ABT. PGMF is a technical document that describes the sustainable forest management of the specific area resources and establishes annual harvesting rights.
- Forestry operative annual plan (Programa operativo anual forestall (POAF)) approved by ABT. POAF refers to the forest exploitation program of a compartment inside the area (AAA – Área de Aprovechamiento Anual or Annual Exploitation Area).
- Forestry operative annual plan (Programa operativo anual forestal (POAF)) regulated by the ABT's 248/98 norm and meets the following criteria: 1) Conformity to authorised AAC, species, diameter limits; 2)Environmental Impact Assessment (EIA) and protected sites been identified; 3) Timber harvesting regulations are respected; 4) Environmental protection Code of Conduct for Harvesting in place; 5) Social Impact Assessment (SIA) undertaken.
- Authorization and use of the resource contract (Contrato con el 3ero de autorización de aprovechamiento del recurso) by the company, approved by a Third party.

Note that indigenous groups and communities received the forests on their land granted for their own use and management as so called TCOs and theoretically timber and non-timber concessions must not overlap with TCOs. However, the government is still granting logging and non-timber concessions that overlap with TCOs, which is resulting in ongoing conflicts.

This means that a logging concession might be in full compliance with the legislation and in possession of all necessary documents, but it can still be the case that the concession is in conflict with other land use rights.[4]

Forestry Law No. 1700 dated 12 July, 1996: Regulates the use of forest resources in the country and establishes mechanisms which guarantee the adoption of sustainable forest management.

Decree 24453 regulates Law No. 1700 dated 21 December 1996: Establishes an institutional framework with responsibilities and functions and the allocation of percentage resources for forest-use and clearing in the interest of public forest system institutions.

Law of National Service for Agrarian Reform No. 1715 dated 18 October 1996: Establishes the institutional framework for land administration, defining modalities and procedures for land

property titling and regularization and conditions to preserve ownership.

Law No. 3545 on Community Redirection of the Agrarian Reform: Modifies Law 1715 (INRA Law), accelerates collective land titling and establishes that all available public lands should be provided preferentially in favour of indigenous peoples and communities or peasants that have no or insufficient lands.

Law No. 3760 ratifying the Rights of Indigenous Peoples: Raises the United Nations Declaration on the Rights of Indigenous Peoples to the rank of law.

Law No. 071 of Rights of Mother Earth: Recognizes Mother Earth's rights, as well as the obligations and duties of the Plurinational State and society to ensure respect for these rights.

Law No. 144 of Productive Agricultural Community Revolution: Aims to establish rules for the process of the Productive Agricultural Community Revolution for food sovereignty, establishing the institutional and political bases and technical, technological and financial mechanisms of production, processing and marketing of agricultural and forest products.

Law No. 300 of Mother Earth and Integral Development for Living Well: Promotes articulation of rights, establishes sectoral bases, technical instruments and guarantees for the rights of Mother Earth. It also establishes the Plurinational Authority of Mother Earth, mitigation and adaptation mechanisms and a financial mechanism for the implementation of the climate and environmental agenda in Bolivia.

Law No. 337 on Support to Food Production and Forest Restoration: Enacted in order to regularize illegal clearing through immunity from fines for clearing performed until end-2011 to contribute to food security. It is generally perceived as an instrument to facilitate the expansion of the agricultural frontier, although it includes commitments to reforest and restore ecological reserves.

Processing/Manufacturing Laws

Bolivia implements a national traceability system for its timber and wood products. It is implemented for both the products that remain on the domestic market as well as those that go into export. Based on the forestry operative annual plan (POAF) which gets approved by the Authority of Fiscalization and Social Control of Forest and Land (ABT) the companies do a ''saneamiento de rodeo'': the data in the POAF are compared with the actual logs harvested and ABT audits this.

Transport Laws

The following documents are required to transport and trade timber and wood products in accordance with Bolivian legislation:

- CFO and invoice approved by ABT and National Tax Service (SIN – Servicio. Nacional de Impuestos)
- Municipal operation registry (Registro de funcionamiento municipal) issued by the Municipal government - Business is registered and pays taxes
- ABT operation registry (Registro de funcionamiento en la ABT) issued by ABT - Business has the right to process forest products

- CFO B – National Commerce (Comercio interno) and CFB D – Exports (Exportación) issued by ABT

Trade Laws

The following documents are required to export timber and wood products in accordance with Bolivian legislation:

- Export Commercial Invoice issued by the National Tax Service (SIN)
- Packing list issued by the company
- Bill of landing issued by the shipping company
- Origin Certificate issued by the National Verification of Exports Service (SENAVEX – Servicio Nacional de Verificación de Exportaciones)
- CFO D issued by ABT
- Phytosanitary Certificate issued by the National Service of Agricultural Health and Food Safety (SENASAG – Servicio Nacional de Sanidad Agropecuaria e Inocuidad Alimentaria)
- Unique export declaration (DUE – Declaración Única de exportacion)

CITES

CITES is an international agreement among governments whose purpose is to ensure that international trade in wild animals and plant species does not threaten the survival of these species. 180 countries (Sept 2014) have agreed to be bound by CITES, which is a binding legal agreement. It is up to each Party to CITES to draft its own domestic legislation in order to comply with its CITES obligations. Bolivia acceded to the Convention in 1979 .

Podocarpus parlatorei is used by local rural communities as a source of firewood, to make wooden posts, utensils or housing, as living fencing around houses and pastures. Historically this species was subject to heavy logging for its timber, which led to its inclusion in CITES Appendix I in 1975, and although there was a proposal by Argentina to down-list this species to Appendix II in 2008 (CITES 2008) this was rejected (CITES 2009). Today it is mainly threatened by loss of habitat due to human-set fires associated with the management of grassland areas for livestock ranching, although it is also an important commercial timber.

Cedrela fissilis, Cedrela lilloi and Cedrela odorata applies to logs, sawn wood and veneer sheets. The species has become rare in Bolivia and is now only harvested opportunistically.

CITES annotation for Bulnesia sarmientoi applies to logs, sawn wood, veneer sheets, plywood, powder and extracts.

CITES annotation for Cedrela fissilis, Cedrela lilloi and Cedrela odorata applies to logs, sawn wood and veneer sheets.

Forest Resources

Bolivia’s timber industry accounted for 3.5% of export earnings in 2003. In 2013, according to the State of the World's Forests, 2014 report, this had decreased to 2.9% of GDP, with the forest

sector generating US $ 560 million total of GVA. The timber sector generated a total of 4,1% of the total employment with 90,000 direct jobs and 160,000 indirect jobs in 2008 and plays a particular importance for the employment in rural areas. However, only 9,000 were employed in the formal sector, according to the State of the World's Forests 2014 report, with 42,000 employed in the informal and formal sector combined.

There are over 1,300 forestry companies registered with the Bolivian Forest Authority (2011) and around 6,000 forest products production units (sawmills, wood yards, and processing facilities), 70% of which are small or medium sized businesses that produce less than 1,000 m3 of timber per year.

In the export market, secondary processed wood products such as joinery, wood furniture and mouldings take a comparatively large share. The most important export market for wood products are the neighboring South American countries, the USA, China, followed by Germany and France.

Exports to the US started to decline with the onset of the financial crises in 2008, but this was off-set before 2011 by rising exports to China, however, exports to China also declined sharply between 2010 and 2011.

A large proportion of exports now consist of value added processed products in lesser known species such as Tajibo (“Ipé”), Morado (“Caviuna”), Roble ("South American oak"), Curupaú y Mara(“Mahogany”) of more than 60 species.

Commonly harvested species for industrial roundwood are:

- Hura crepitans: Ochoó
- Tabebuia impeteginosa: Tajibo
- Dipteryx odorata: Almendrillo
- Ficus glabrata: Bibosi
- Anadenanthera colubrina: Curupau
- Terminalia amazonica: Verdolago
- Cariniana ianarensis: Yesquero Blanco
- Ceiba pentandra: Hoja de Yuca or Mapajo
- Amburana cearensis: Roble

Contacts

Industry Associations

- Camara Forestal de Bolivia
- Asociaciónes Sociales del Lugar (ASLs)
- Consejo Boliviano para la Certificación Forestal Voluntaria (CFV)
- Cámara Agroforestal de Pando

Civil Society Organizations

- CIDOB - La Confederación de Pueblos Indígenas de Bolivia
- Apoyo Para el Campesino-Indígena del Oriente Boliviano (APCOB)
- Central Indígena de Comunidades de Concepción (CICC)
- Fundación Natura Bolivia Asociación Ecológica del Oriente (ASEO)

Government Ministries

- Ministerio de Medio Ambiente y Agua
- Dirección General de Recursos Forestales (Gobierno de Bolivia)
- Autoridad de Fiscalización y Control Social de Bosques y Tierra, ABT
- Instituto Nacional de Reforma Agraria (INRA)
- Fondo Nacional de Bosque, (FONABOSQUE)
- Instituto Boliviano de Investigación Forestal

Tools and Resources

- Convention on Biological Diversity
- United Nations Education, Scientific and Cultural Organization - Bolivia
- FAO - Forests and the forest sector: Bolivia
- ITTO - Status of Tropical Forest Management 2005
- TFT (2013): Guide to Legality: Bolivia

Citations

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- Müller, Robert et al. (2013): Policy options to reduce deforestation based on a systematic analysis of drivers and agents in lowland Bolivia. Land Use Policy, Volume 30, Issue 1, January 2013, Pages 895–907.
- Contreras-Hermosilla, Arnoldo & Vargas Ríos, María Teresa (2002): Social, Environmental and Economic Dimensions of Forest Policy Reforms in Bolivia, Forest Trends, Washington, D.C. & Center for International Forestry Research.