Report of international research

This is a report of field work carried out in Peru related to the research: "Impact of inspections on compliance with the Forestry Law in Peru". This work was possible with funding from Laarman International Gift Fund and Zobel Endowment.

1.- Period

The field work was carried out from June 10 to July 14 of 2016 in the following regions: Madre de Dios, Iquitos, Ucayali y Lima.

2.- Accomplishment

A.- Interviews

I interviewed the following actors from Peruvian forestry sector:

Madre de Dios:

- 1 OSINFOR’s official
- 1 forest concessionaire
- 1 Environmental authority
- 1 local authority from Iñapari province (The main zone of legal and illegal timber activity)

Iquitos:

- 3 OSINFOR’s Official
- 3 Forest concessionaires
- 2 Forest engineers
- 1 Forest Regional authority

Ucayali:

- 3 OSINFOR’s Official
- 2 Forest concessionaires
- 2 Forest engineers
- 1 illegal logger from Putaya community (close to Saweto native community)

Lima:

- Sub-Director of forest concession supervision office
- OSINFOR official from Planning Office
B.- Main findings

Forest concessionaires:

There is a general believe that OSINFOR is a punitive agency which main objective is to close and disappear forest concessions. Likewise, they perceived OSINFOR as an authoritarian agency which does not ask for suggestion to improve the forest inspection process to concessionaires. It was reinforced when a new Forest Concession Supervision Manual was published, and in place, on July 9th without any consultation to forest concessionaires or forest regional authorities.

Main concerns about field inspections:

1. There is not an agreement about timber measure process after harvesting.
2. There is lack of knowledge from OSINFOR’s officials about tree species identification which have generated a lot of economic sanctions to forest concessions for mis specification of tree species.
3. There is not gradualism on economic sanctions. Forest concessions are penalized from the first time that some forest infraction is detected which generated a lot of forest concession suspensions.
4. There is not a mechanism to preserve and control the concession areas that were suspended by OSINFOR. All these areas are invaded by illegal loggers.
5. There is not enough time from OSINFOR communication (15 days in advance) to organize or contact the right person to verify the forest supervision.
6. There is no pecuniary or no-pecuniary incentives to forest concessions that are not detected in forest infractions.

Main perception about OSINFOR’s officials

1. OSSINFOR’s officials do not develop any relation with forest concessionaires because they are rotated every two years.
2. OSINFOR’s officials are difficult to bribe because they have high salaries.
3. OSINFOR’s officials do not accept any suggestions in the field work and they are only concentrated in the tree sampled defined in the office.

OSINFOR’s officials:

In general, inspectors for forest concessions are 29 men from 25 to 40 years old because field inspections are very exhausting. Inspectors are trained for four months every year (in raining season in the Amazonian, from December to March). In that period, they program the quantity of the field inspections by region according to OSINFOR’s budget.

Main perception about field inspections:

1. There is a different criteria to estimate illegal timber (Volumen de madera no justificada in inspection reports). In order to solve this problem, in the new manual, they stated 100% supervision over the selected tree species (the most commercial valuable).
2. The detected illegal timber in concessions is the minimum illegal timber (lower bound) that cannot be justify by any mean. When they find timber activity in the concession, they try to help
to reduce illegal timber estimation to concessionaires. For example, if something is in doubt, they always favor to concessionaires.

3. The main discussion with forest concessionaires or representatives in field inspection is about tree species identification.

4. They agree that current documents (Annual Operation Plan – POA in spanish, extraction balance, guías de transporte) is not enough to detect illegal timber in forest concession because extraction balance and guías de transporte have aggregate timber volume information which not allows to compare to POA which has individual tree information. They think “POA execution report” is the most important document to carry out field inspections because they have information about each authorized tree. However, this document is not submitted by majority of forest concessionaires.

5. They think that cases of false POA with inexistent trees could be solve if the Forest Regional Authority (which approves POA) supervised the forest concession before to authorized trees. Until 2015, Forest Regional Authority approved POA without supervision alleging to administrative process Law which enable to supervise later.

6. They do not have any problem with the budget to carry out forest supervision, even when the forest concession is far away. However, they complain about the lack of communication from these isolated areas. They do not have access to satellite cellphones to communicate in case of accidents, emergency or risk situations.

Main measures taken by OSINFOR to reduce inspector corruption:

1. Inspectors are rotated each 2 years to different region and to different target group (Forest concession, timber authorization in native communities, in local forest and private lands or timber permit in dry forest).

2. Some inspectors are sent directly from headquarter (Lima) for forest supervision and they are not under supervision of OSINFOR’s regional offices.

3. OSINFOR’s director of regional offices are rotated each 2 years to different region.

4. All inspectors are concentrated in headquarter (Lima) 3 months every year. This help to reduce the inspector’s dependence from the Regional Office.

Forest engineers

According to the new Forestry Law, they will be “Regentes Forestales” which means they will be legal responsible for all official documents of the forest concession (POA, Extraction balance, Guías de transporte, and POA execution report).

Main concern about field inspections

1. In general, timber measure in stand tree differs from harvested tree. Usually, timber estimations on stand tree for authorizations are greater than harvested tree which generates incentives to be involved in illegal timber trafficking.

2. The uniform application of 65% of commercial timber volume of stand tree is not applicable to all tree species.
3. There is a problem in the Amazonia with some species that present holes in the center of the tree. This problem is only detected when trees are harvested and reduce the amount of commercial timber volume available. Concessionaires are encourage to be involved in illegal timber trafficking in order to use the total authorized timber volume.

4. Supervision process should include mills because all soft timber are sent to mills (regional capital) to produce sawn timber before to go to final markets.

5. Heavy timber, such as shihuahuaco and tornillo, does not float on water for that reason sawmill should be allowed to use on forest concessions. Currently, the use of sawmill is not allowed in forest concessions.

6. These detected problems could be solved if the “POA execution report” could modify the POA and use for forest supervision.

In summary, I was exposed to a lot of information from different sources about timber activity on forest concessions, illegal timber operation, the role of forest regional authority in illegal timber and the role of OSINFOR as a main agent to enforce the Law in the Peruvian Forest Sector. I want to highlight that I did not take any pictures in my field work because this topic is sensible and it could increase the risk to complete interviews.

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