

CONVENTION ON INTERNATIONAL TRADE IN ENDANGERED SPECIES
OF WILD FAUNA AND FLORA

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AREA VICEMINISTERIAL DE MEDIO AMBIENTE, RECURSOS NATURALES
Y DESARROLLO FORESTAL

NATIONAL REPORT ON SWIETENIA MACROPHYLLA

- VICEMINISTERIO DE MEDIO AMBIENTE, RECURSOS NATURALES Y DESARROLLO FORESTAL – CITES MANAGEMENT AUTHORITY.
- DIRECCION GENERAL DE BIODIVERSIDAD

La Paz - Bolivia, 14 August 2001.

INTRODUCCION

Taking into account the provisions of document Com. 11.8, adopted at the 11th meeting of the Conference of the Parties to CITES, the CITES Management Authority for Bolivia has prepared this report at the request of the Senior Scientific Officer for Flora of the Secretariat of the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES). It has used information available from institutions that have carried out scientific studies in Bolivia and information made available for the preparation of this report by the *Superintendencia Forestal (Forestry Service)*, the *Ministerio de Comercio Exterior (Ministry for Foreign Trade)* through the *Sistema de Ventanilla Única para las Exportaciones (SIVEX, Centralized System for Exports)* and the database of the CITES Management Office for Bolivia, a section of the Office of Biodiversity of the Vice-Ministry for the Environment, Natural Resources and Forest Development, itself part of the *Ministerio de Desarrollo Sostenible and Planificación (Ministry of Sustainable Development and Planning)*, which acts as the CITES Management Authority for Bolivia.

BACKGROUND

The bigleaf mahogany (*mara, Swietenia macrophylla*), known in other countries in the specie's area of distribution under other common names such as *caoba* and *aguano*, is considered one of the most valuable tropical hardwoods on the world market, because of its excellent machinability, resistance to insects, smoothness and outstanding characteristics of colour, finish and grain, among other properties.

In Bolivia, this species is found in the tropical and subtropical wet forests in the departments of El Beni, Cochabamba, La Paz, Pando and Santa Cruz.

There are approximately 52 million hectares of natural forests, mostly primary, which correspond to 55 per cent of the total land area in Bolivia. About 46 million hectares, 42 per cent of Bolivia, are wet forests or rain forests. Approximately 29 million hectares of wet forests are located at low or medium elevation, having a high production potential in the event they are managed under principles ensuring the sustainable use of the trees and other forest products (study by the Tropical Science Centre for the World Wildlife Fund, 1996).

It is estimated that there is a relatively high volume in Bolivia, between 50 to 200 cubic metres per hectare, of standing timber-yielding wood of all the species present in the forest. Along the same lines, it is estimated that total biomass in the most productive associations can be double that estimated for wood (study by the Tropical Science Centre for the World Wildlife Fund, 1996).

This study also showed that selective logging of mahogany is reducing the gene pool for that species and that in forests with a low density of a species, such as the Chimanes Forest, the extraction of timber of that species causes two types of destructive effects: harm brought by logging vehicles and damage caused during the construction of access roads and the cutting of trees (Gullison and Hardeger, 1992).

Although this species grows to heights of up to 50 metres and a DBH (diameter at breast height) of between 1 and 2 metres, it is a slow-growing species. It is estimated that a tree needs 80 to 100 years to grow to a diameter of 80 centimetres, the minimum diameter for harvesting. At the present time, the minimum DBH for cutting is 70 centimetres.

Studies also show that mahogany populations were in rapid and drastic decline as a consequence of illegal cutting resulting from a lack of effective government control, a situation that has been corrected by the promulgation and application of Ley Forestal 1700 (Forestry Law 1700) in 1997. The study also attributes the increase in demand for Bolivian mahogany to a drop in mahogany populations in other producing countries, a situation that is considered to be another factor that has led to the decrease in the populations of this species.

Notwithstanding that, earlier exploitation of mahogany was carried out in an unsustainable manner without respect for any of the requirements of wise management, such as minimum diameters for cutting, the obligation to leave seed-bearers standing and the development of systems of efficient and permanent forestry replacement. This situation has now been changed by implementation of the Bolivian Forestry Code (Régimen Forestal) and application of the Forestry Law 1700, which have created management and forest models based on manuals, procedures, instructions and forestry practises aimed at protecting sustainable forest resources not only for *Swietenia macrophylla* but also for all species in the natural forests, promoting their sustainable management. This situation allows us to assert that Bolivia is expanding its forests, with the incorporation of parts of society that are becoming dynamic participants responsible for their own interests.

At the eighth and ninth meetings of the Conference of the Parties to CITES, it was proposed to list mahogany in Appendix II, because at that time studies of this species showed that a series of factors adversely affected the conservation of the natural populations of this species, although that listing was not adopted at those meetings.

Bolivia joined the United States of America in proposing the listing of the bigleaf mahogany (*Swietenia macrophylla*) in Appendix II at the meeting of the Conference of the Parties to CITES held in Harare (Zimbabwe) in June 1997, but that proposal was also unsuccessful.

Later, in 1998, Bolivia decided to list *Swietenia macrophylla* in Appendix III through a ministerial decree, thus regulating international trade in this species.

NATIONAL REGULATIONS FOR CONTROLLING TRADE

According to Article 19 of the Forestry Law, the Ministry of Sustainable Development and Planning is the national agency responsible for controlling trade. The Forestry Service is the regulatory agency, and the *Fondo Nacional de Desarrollo Forestal (National Fund for Forestry Development)* is the financing agency, supported by the prefectures and municipalities.

The responsibilities of the Ministry for Sustainable Development and Planning are:

- Classification of land in accordance with its principal land use, evaluation of potential forest resources and presentation to the Forestry Service of a programme of areas to be immediately licensed off and the areas reserved for local social groups. That classification

should avoid overlapping with areas already granted or with properly recognized communal land;

- Preparation of representative reference lists of the prices of non-processed forest products (sawn timber) and adjustment of the minimum cost of forest permits, which cannot be less than those fixed by current legislation;
- Planning and supervision of the management and rehabilitation of water basins;
- Promotion of research, extension activities and forest education; and
- Management of technical assistance and external financial resources for forest planning, programmes and projects.

At the same time, the Forestry Law delegates responsibility to the *Ministerio de Desarrollo Económico (Ministry for Economic Development)* to promote investments, production and productivity in the forest sector, as well as the internal and external marketing of forest products.

According to the Bolivian Forestry Code, the forest and forestland are the property of the Government to be managed by the Government. The sustainable management and protection of forests and forestlands are of public utility and general interest to be regulated by public laws of universal and full application (Article 4 of the Forestry Law). To this effect, the executive branch provides for administrative restrictions, administrative rights, prohibitions, provisions and other legal limitations inherent to the land code for the protection and sustainability of forest management. Furthermore, any logging rights granted to private parties may be revoked in the event the norms and official requirements for protection, sustainability and other essential conditions and legal limitations for the granting of concessions are not entirely fulfilled.

Article 1 of Forestry Law 1700 establishes norms for the sustainable use and protection of forests and forestlands for the benefit of current and future generations, harmonizing the social, economic and ecological interests of Bolivia with the following objectives:

- Establishment of sustainable and efficient logging activities that contribute to the socio-economic development of Bolivia;
- Promotion of sustainable and improved yields of forest resources and guarantee of the conservation of ecosystems, biodiversity and the environment;
- Protection and rehabilitation of water basins, prevention and curtailing of erosion and the degradation of forests, pastures, soils and water, and promotion of forestation and reforestation;
- Facilitation of access for everyone to forest resources and their benefits in strict compliance with prohibitions for protection and sustainability;
- Promotion of forest and agro-forest studies and their distribution for productive activities of conservation and the protection of forest resources; and
- Increased knowledge and awareness among Bolivians about wise management of water basins and forest resources.

It should be pointed out that the notion of local social groups was established through the regulations of the Forestry Law. These social groups are considered to be associations of traditional users, groups of local farmers, indigenous communities or other local users that use

forest resources within the jurisdiction of a municipality or group of municipalities, formed and defined in accordance with the Forestry Law to be beneficiaries of concessions in the reserves set aside for certain purposes and subject to the requirements of this legislation. The *tierras comunitarias de origen (indigenous areas)*, such as Yuracarés and Yuquis, now have a plan for a land code affecting 55,000 hectares and a forest management plan approved by the Forestry Service for 15,000 hectares.

Likewise, that law provides that all complementary regulations required for compliance with that law and its general application, including technical norms or terms of reference for the preparation of forest management plans and subsidiary and associated instruments, as well as plans for a land code and logging programmes and provisions for processing raw material will be approved by ministerial decision of the relevant ministry, except in special cases for which regulations provide otherwise.

According to Article 21 of the Forestry Law, the *Sistema de Regulación de Recursos Naturales Renovables (SIRENARE, System for Regulating Renewable Natural Resources)* was created in order to regulate, manage and supervise the sustainable use of renewable natural resources.

The Forestry Service, as part of the System for Regulating Renewable Natural Resources, has the following functions:

- Supervision of full compliance of the Bolivian Forestry Code, providing for measures, amendments and any pertinent sanctions in accordance with this law and its regulations;
- Granting, directly or through tenders, forest concessions and logging authorizations, and issuance of permits; their extension, renewal, with the power to limit them in time, to declare them null and void, and to cancel them; the approval of management plans, logging programmes and the processing of raw materials, supervision of full compliance with the legal conditions, regulations and contracts, as well as application and enforcement of any sanctions, in accordance with this law and its regulations;
- Ensure compliance with legal restrictions and the resolution of any conflict of rights;
- Maintenance of a public registry of concessions, authorizations and forest permits, including those of the ecological reserves;
- Confiscation of illegal products and items related to the offence, retention of deposits, the holding of auction by a judge in accordance with standing regulations and the transfer of funds as provided for in the Forestry Law;
- Carrying out inspections and implementing preventive measures of immediate effect, imposing fines, collecting them and distributing the revenues thereof as provided for by law. The fines and preventive measures of immediate effect are enforceable by any competent judge;
- Carrying out external forestry audits, taking into account the results and any necessary follow-up;
- Receipt and distribution through the banking system of forest taxes, in accordance with existing legislation;
- Delegation of responsibility to local authorities and informing the prefectures of such delegations; and
- Examination of appeals that can be made within the administration procedure.

Without affecting the power of review, which is a prerogative of congress, the Forestry Service must provide the *Contraloría General (Treasurer's Office)* with a semi-annual report describing the logging rights granted, the value of those rights, their payment status, management plans and logging plans approved with a description of their status, any inspections and forest audits carried out and their results, as well as any other relevant information on the real and effective fulfilment of the Bolivian Forestry Code. In addition, this report must be presented to the Bolivian president, with a copy to congress, along with an independent and certified report on the operations of the Forestry Service to the Treasurer's Office.

At the present time, there are 6,000,000 hectares in Bolivia using management plans, which represent approximately 20 to 25 per cent of the total area of Bolivian forest production under management. A large percentage of total forest area is being evaluated for management, and approximately one million hectares are to be evaluated as protection areas for the promotion of conservation and the sustainable use of forests.

It is important to mention that Bolivia is in the vanguard in relation to the international certification of tropical forests using approved national standards and more than 800,000 hectares have been certified. It is intended to reach one million and half hectares by the end of 2001, which would make Bolivia the leader in forest certification among tropical countries.

The procedures for exports of *Swietenia macrophylla* were established by administrative decision in 1998, using CITES certificates and permits once Bolivia listed its wild populations in Appendix III.

VOLUME OF TRADE

VOLUME OF EXPORTS BASED ON CITES CERTIFICATES ISSUED FOR <i>Swietenia macrophylla</i> (1996-2001)						
Year	Type of CITES certificate	Number of certificates issued for mahogany	Certificate numbers	Volume exported (m ³)	Type of export	Main importers
1996	Certificate of origin	155	2 to 200	11015.72	Sawn wood	USA
1997	Certificate of origin	218	201 to 667	12051.698	Sawn wood	USA
1998	CITES certificate/permit	249	503 to 783	14478.92	Sawn wood	USA
1999	CITES certificate/permit	74	784 to 905	8990.02	Sawn wood	USA - Dom. Rep. - Argentina
2000	CITES certificate/permit	116	906 to 1051	10713.52	Sawn wood	USA - Dom. Rep.
2001	CITES certificate/permit	38	1052 to 1138	3011.29	Sawn wood	USA
TOTAL		850		60261.168	m3	
TOTAL				25550735.23	pt	

The volumes of total annual cutting registered for *Swietenia macrophylla* from 1996 to 2000 according to certificates of origin and CITES certificates or permits are the following:

Authorized use in TPP

• Private property	317	0,2 million hectares
• TCO ownership	6	0,2 million hectares
• Comunal property	3	0,02 million hectares

Long-term contract

• Logging companies	2	0,3 million hectares
TOTAL	432	6,9 million hectares

Source: VI Taller Nacional de evaluación, avances y perspectivas del modelo forestal boliviano

Approved management plans:

General forestry management plans

• Type of concession	No.	Hectares
• Logging companies	75	5.192.147
• Local associations	8	526.987
• UAGRM research area	1	113.526

Authorized use on private land:

• Private property	317	227.161
• TCO ownership	6	238.169
• Comunal ownership	3	2.231

Long-term contracts

• Logging companies	2	294.000
TOTAL	412	6.594.221

Source: VI Taller Nacional de evaluación, avances y perspectivas del modelo forestal boliviano

Composition by species of exported wood:

Species	1998 ranking	1999 ranking
Ochóo	1°	1°
Roble	2°	3°
Cedro	3°	2°
Mara	4°	7°
Mara Macho	5°	11°
Tajibo	6°	8°
Yesquero	7°	5°
Serebó	8°	6°
Cambará	15°	4°

This figure shows the incorporation of new species and products into the timber available for export. Forest products represent exports valued at approximately USD 110 million and 12 per cent of Bolivia's total exports.

ISSUING OF EXPORT PERMITS AND CERTIFICATES FOR *Swietenia macrophylla*

The issuing of CITES permits and certificates is governed by administrative regulations, which provide for the presentation of documents certifying the legal origin of the product to be exported. These regulations also govern the issuing of CITES certificates for sawn wood and veneers, taking into account that Bolivia listed mahogany in Appendix III in 1998.

Until now, the issuing of CITES certificates and permits has not been an obstacle for export, taking into account that the regulations create administrative and financial parameters agreed upon with the export sector.

ILLEGAL TRADE

Appendix III has contributed to a reduction of illegal trade, because it is a management tool that delegates responsibilities among the countries of origin and the importing countries for verification of the certificates issued. In Bolivia, logging activities are monitored through verification procedures, inspection and surveillance carried out by the Forestry Service, the Bolivian Customs, the Centralized System for Exports (SIVEX) and the Vice-Ministry for the Environment, Natural Resources and Forestry Development.

Under the Bolivian Forestry Code, the control of logging activities has been granted to government institutions, such as the CITES Management Authority, which is responsible for issuing CITES certificates.

Creation of the Forestry Service and the CITES Management Authority for Bolivia has made it possible to decrease illegal logging activities and unsustainable practises in the use of this species because of regulatory measures that ensure the survival of the species in the natural forests.

The logging companies know that the listing in Appendix III is not a prohibition and that this listing and the application of regulatory mechanisms have made the export of bigleaf mahogany (*Swietenia macrophylla*) possible, based on fulfilment of the management plans for sustainable forestry. This sector has been given access to the use of the forest concessions and logging rights granted by Law 1700.

The Forestry Service grants, directly or through tenders, forest concessions and logging authorizations, and issues permits. It has the power to extend, renew or limit them in time, to declare them null and void, and to cancel them. Furthermore, it has the power to revise and approve management plans in logging concessions of companies and local associations, on private property, on indigenous lands and plans for exploitation of the *chaco* and for land clearing. At the same time, it has the power to collect forest taxes, apply fines and organize auctions of confiscated products for non-compliance with logging norms.

Until now, there has been only one report of the illegal trade of 25 cubic metres on the border with Brazil, officially communicated to Bolivia by the Management Authority for Brazil. There are no other reports of illegal trade reported by countries neighbouring Bolivia, although informal information indicates the existence of an unknown quantity of local trade.

NATIONAL MANAGEMENT PLANS AND RECUPERATIONPROGRAMMES

In 1997, Bolivia decided to establish sustainable development as basic policy. The *Plan General de Desarrollo Económico y Social (Master Plan for Economic and Social Development)* for Bolivia and the Bolivian Agenda 21 establish the basis for sustainable development, which is reflected in Bolivian forest policies and existing legislation, strengthening sustainable forest management and creating programmes of sustainable forest management. In addition, technical and financial assistance are constantly sought to implement these policies, attracting the interest of the local inhabitants, indigenous groups and rural farmers in the sustainable forest management and promoting conservation of biological diversity, as is reflected in the figures contained in this report.